

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1264
Committee Substitute Favorable 5/10/89
Third Edition Engrossed 5/11/89

Short Title: Motorcycle Helmet Usage.

(Public)

Sponsors:

Referred to:

April 12, 1989

A BILL TO BE ENTITLED

AN ACT TO MAKE FAILURE TO WEAR HELMETS ON MOTORCYCLES AND
MOPEDS AN INFRACTION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-140.4 reads as rewritten:

"§ 20-140.4. **Special provisions for motorcycles and mopeds.**

"(a) No person shall operate a motorcycle or moped upon a highway or public
vehicular area:

(1) When the number of persons upon such motorcycle or moped,
including the operator, shall exceed the number of persons which it
was designed to carry.

(2) Unless the operator and all passengers thereon wear safety helmets of a
type approved by the Commissioner of Motor Vehicles.

(b) Violation of any provision of this section shall not be considered negligence
per se or contributory negligence per se in any civil action.

(c) Any person convicted of violating this section shall have committed an
infraction and shall be fined according to G.S. 20-135.2A(e) and (f)."

Sec. 2. The act shall be effective October 1, 1989.