

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1203*

Short Title: Motorcycle Safety Act.

(Public)

Sponsors: Representatives Baker, Hill (Primary Sponsors); and Mosley.

Referred to: Highway Safety, if favorable, Finance

April 15, 1999

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE REQUIREMENT FOR THE USE OF HELMETS BY OPERATORS AND PASSENGERS ON MOTORCYCLES AND TO INCREASE THE TAX ON PRIVATE MOTORCYCLE REGISTRATIONS THAT IS USED TO PROVIDE FUNDS FOR MOTORCYCLE SAFETY PROGRAMS.

The General Assembly of North Carolina enacts:

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

"(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~~. Vehicles, except that:

a. If the operator is 21 years of age or older and has had a motorcycle license or a motorcycle endorsement for more than 12 months, then the operator may operate the motorcycle without a helmet; and

1 b. If the operator is allowed to operate a motorcycle without
2 a helmet pursuant to sub-subdivision a. of this subdivision
3 and the passenger is 21 years of age or older, then the
4 passenger may ride without a helmet."

5 Section 2. G.S. 20-87(6) reads as rewritten:

6 **"§ 20-87. Passenger vehicle registration fees.**

7 These shall be paid to the Division annually, as of the first day of January, for the
8 registration and licensing of passenger vehicles, fees according to the following
9 classifications and schedules:

10 ...

11 (6) Private Motorcycles. – The base tax on private passenger
12 motorcycles shall be nine dollars (\$9.00); except that when a
13 motorcycle is equipped with an additional form of device designed
14 to transport persons or property, the base tax shall be sixteen dollars
15 (\$16.00). A tax of ~~three dollars (\$3.00)~~ five dollars (\$5.00) is
16 imposed on each private motorcycle registered under this
17 subdivision in addition to the base tax. The revenue from the
18 additional tax shall be deposited in the General ~~Fund~~ Fund and shall
19 be used to fund the Motorcycle Safety Instruction Program
20 established pursuant to G.S. 115D-72."

21 Section 3. This act becomes effective October 1, 1999.