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SENATE BILL NO. 426—COMMITTEE ON TRANSPORTATION

MARCH 23, 2017

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Referred to Committee on Transportation

SUMMARY—Requires drivers and passengers of mopeds and trimobiles to wear protective headgear. (BDR 43-1011)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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AN ACT relating to protective equipment; requiring the driver and any passenger of a moped or trimobile to wear protective headgear while the moped or trimobile is being driven on a highway; requiring the driver and any passenger of a moped to wear certain additional protective equipment; providing a penalty; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires the driver and any passenger of a motorcycle, except a  
2 trimobile or moped, to wear protective headgear while the motorcycle is being  
3 driven on a highway. The driver and any passenger of a motorcycle or trimobile  
4 being driven on a highway must also wear protective glasses, goggles or a face  
5 shield unless the motorcycle or trimobile has a transparent windscreen. The  
6 Department of Motor Vehicles is required to adopt standards for such protective  
7 headgear, protective glasses, goggles, face shields and transparent windscreens.  
8 Existing law defines the term “motorcycle” to mean every motor vehicle equipped  
9 with a seat or saddle for use of the driver and designed to travel on not more than  
10 three wheels in contact with the ground. This definition is sufficiently broad to  
11 include a trimobile. (NRS 486.041, 486.231) **Section 1** of this bill requires the  
12 driver and any passenger of: (1) a moped or trimobile to wear protective headgear;  
13 and (2) a moped to wear protective glasses, goggles or a face shield unless the  
14 moped has a transparent windscreen. Existing law makes a violation of these  
15 provisions a misdemeanor. (NRS 486.381)

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1       **Section 1.** NRS 486.231 is hereby amended to read as follows:  
2       486.231 1. The Department shall adopt standards for  
3       protective headgear and protective glasses, goggles or face shields  
4       to be worn by the drivers and passengers of motorcycles *and*  
5       *mopeds* and transparent windscreens for motorcycles ~~†~~ *and*  
6       *mopeds*.

7       2. Except as *otherwise* provided in this section, when any  
8       motorcycle ~~†, except a trimobile~~ or moped ~~†~~ is being driven on a  
9       highway, the driver and passenger shall wear protective headgear  
10      securely fastened on the head and protective glasses, goggles or face  
11      shields meeting those standards. ~~†Drivers and passengers of~~  
12      ~~trimobiles shall wear protective glasses, goggles or face shields~~  
13      ~~which meet those standards.†~~

14      3. When a motorcycle or a ~~†trimobile~~ *moped* is equipped with  
15      a transparent windscreen meeting those standards, the driver and  
16      passenger are not required to wear glasses, goggles or face shields.

17      4. When a motorcycle *or moped* is being driven in a parade  
18      authorized by a local authority, the driver and passenger are not  
19      required to wear the protective devices provided for in this section.

20      5. When a three-wheel motorcycle on which the driver and  
21      passengers ride within an enclosed cab is being driven on a  
22      highway, the driver and passengers are not required to wear the  
23      protective devices required by this section.

24      **Sec. 2.** NRS 486.241 is hereby amended to read as follows:

25      486.241 1. A person shall not sell, offer for sale or distribute  
26      any protective headgear, glasses, goggles or face shields for use by  
27      any drivers or passengers of motorcycles *or mopeds* or transparent  
28      windscreens for motorcycles *or mopeds* unless the equipment is of a  
29      type and specification meeting the standards therefor adopted by the  
30      Department.

31      2. The provisions of this section do not prohibit the sale of  
32      protective headgear, glasses, goggles or face shields which comply  
33      with the rules and regulations adopted by the United States  
34      Department of Transportation.

