

SENATE BILL 1536

By Roberts

AN ACT to amend Tennessee Code Annotated, Section 55-9-302, relative to crash helmet requirements for riders and passengers of motorcycles, motorized bicycles, and motor-driven cycles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-9-302, is amended by deleting subsection (a) and substituting instead the following:

(a)

(1) The driver of a motorcycle, motorized bicycle, or motor-driven cycle, and any passenger on any of these vehicles, is required to wear a crash helmet meeting federal standards contained in 49 CFR 571.218 if the driver or passenger is less than twenty-six (26) years of age.

(2) The driver of a motorcycle, motorized bicycle, or motor-driven cycle, and any passengers on these vehicles or in an unenclosed side car or unenclosed cab attached to these vehicles, is not required to wear a crash helmet if the driver and passengers are twenty-six (26) years of age or older and maintain medical or health insurance that is not provided pursuant to title 71, chapter 5, or otherwise provided through the bureau of TennCare. A driver or passenger who does not maintain insurance as required by this subdivision (a)(2) is required to wear a crash helmet in accordance with subdivision (a)(1).

(3) A law enforcement officer is not authorized to issue a citation to a person pursuant to this section based solely upon evidence of a violation of this section. A law enforcement officer is authorized to issue a citation pursuant to

this section if the person is issued a citation for another separate traffic offense in violation of a municipal ordinance or in violation of this chapter or chapter 8 of this title.

(4) As used in this section, "motorcycle," "motorized bicycle," and "motor-driven cycle" have the same meanings as defined in chapter 8 of this title.

"Motor-driven cycle" includes a motor scooter or moped.

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.