

Amendment No. 1 to SB0548

**Tracy
Signature of Sponsor**

AMEND Senate Bill No. 548

House Bill No. 44*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-9-302, is amended by adding the following new subsection (c):

(c)

(1) Notwithstanding subsection (a), a person who is operating a motorcycle, motorized bicycle, as defined in chapter 8 of this title, or motor-driven cycle, is not required to wear a crash helmet if the rider:

(A) Has in effect liability insurance coverage of a minimum of twenty-five thousand dollars (\$25,000) for bodily injury to or death of one (1) person, a minimum of fifty thousand dollars (\$50,000) for bodily injury to or death of two (2) or more persons in any one (1) accident, and a minimum of fifteen thousand dollars (\$15,000) for damage to property in any one (1) accident;

(B) Has in effect a minimum of twenty-five thousand dollars (\$25,000) of medical payment insurance coverage;

(C) Has successfully completed a department of safety approved motorcycle safety education course;

(D) Has been legally operating a motorcycle, motorized bicycle, as defined in chapter 8 of this title, or motor-driven cycle for at least two (2) years prior to applying for a special helmet-free sticker; and

Amendment No. 1 to SB0548

**Tracy
Signature of Sponsor**

AMEND Senate Bill No. 548

House Bill No. 44*

(E) Is twenty-five (25) years of age at the time of applying for a special helmet-free sticker pursuant to subdivision (c)(2).

(2) If the operator of a motorcycle, motorized bicycle, as defined in chapter 8 of this title, or motor-driven cycle wishes to operate the vehicle without a crash helmet, the operator shall submit proof of the requirements of subdivision (c)(1) to the county clerk when renewing registration tags. Upon the payment of a fee in the amount of fifty dollars (\$50.00), in addition to the renewal fee, the clerk shall determine if the operator meets the requirements of subdivision (c)(1). If the clerk determines that the operator meets such requirements, the clerk shall issue the operator a special sticker to affix to the registration plate to indicate that the operator is not required to wear a crash helmet. If the clerk determines that the operator does not meet the requirements of subdivision (c)(1), the clerk shall issue the renewal sticker, refund the fifty dollars (\$50.00), but shall not issue the special sticker.

(3) The clerk shall retain fifteen dollars (\$15.00) of the fifty-dollar helmet-free sticker fee, and shall remit the remainder of the fee to the state treasurer to be allocated in the following manner:

(A) Thirty dollars (\$30.00) to the impaired drivers trust fund established in § 9-4-206; and

(B) Five dollars (\$5.00) to the state general fund.

(4) A person's license to operate a motorcycle, motorized bicycle, as defined in chapter 8 of this title, or motor-driven cycle shall be suspended for a period of one (1) year if:

(A) On three (3) separate occasions the person is stopped and cited by a law enforcement officer for operating a motorcycle, motorized bicycle or motor-driven cycle without a crash helmet in violation of this section;

(B) On each occasion, at the time of the offense the person does not have a special helmet-free sticker as required by this subsection; and

(C) At the person's court appearance date on each violation, the person does not have a special helmet-free sticker.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect July 1, 2013, the public welfare requiring it, and shall apply to all applications for registration or renewal of registration on or after such date.