

HOUSE BILL 44

By Sexton

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 9, Part 3, relative to required equipment for motorcycles 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 adding the following new subsection (c):

(c)

(1) Notwithstanding subsection (a) of this section, 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 a minimum of one hundred thousand dollars (\$100,000) of liability insurance coverage;

(B) Has in effect a minimum of two hundred thousand dollars (\$200,000) of medical 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

(E) Is twenty-one (21) years of age at the time of applying for a special helmet-free sticker pursuant to this subdivision (2).

(2) If the operator of 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 this subdivision (1)

to the county clerk when renewing registration tags. Upon the payment of a fifty dollar (\$50.00) fee, in addition to the renewal fee, the clerk shall determine if the operator meets the requirements of subdivision (1). If so, 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 this subdivision (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 ten dollars (\$10.00) of the fifty dollar (\$50.00) helmet-free sticker fee and the remaining forty dollars (\$40.00) shall be transmitted to the impaired drivers trust fund established in § 9-4-206.

SECTION 2. 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.