

SHORT TITLE: Motor vehicles; requiring motorcycle helmet; requiring safety education course for exemption; effective date.

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

SENATE BILL NO. 283

By: Hendrick

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S.

1991, Section 40-105, which relates to required equipment on motorcycles and motor scooters; deleting age limit; requiring all persons operating or riding certain motorcycles and scooters to complete an education course or wear crash helmet; adding certain restriction to motorcycle endorsement; providing exception; requiring Department of Public Safety to develop and implement motorcycle safety and education course; providing for certain endorsement; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 1991, Section 40-105, is amended to read as follows:

Section 40-105. The following equipment shall be required on all motorcycles and all motor scooters except on actual trail rides conducted outside of public roads and highways:

A. Rear View Mirrors: All vehicles covered under this section shall be equipped with two mirrors, containing a reflection surface of not less than three (3) inches in diameter, mounted one on each side of the vehicle and positioned so as to enable the operator to

clearly view the roadway for a distance of two hundred (200) feet to the rear of his vehicle.

B. Windshield: All vehicles covered under this section shall be equipped with a windshield of sufficient quality, size and thickness to protect the operator from foreign objects, except that in lieu of such windshield the operator shall wear goggles or face shield of material and design to protect him from foreign objects.

C. Brakes: All vehicles covered under this section shall be equipped with brakes adequate to control the movement of same to stop and hold such vehicles, including two separate means of applying the brakes, one means shall be effective to apply the brakes to the front wheel and one means shall be effective to apply the brakes to the rear wheels. All such vehicles shall be equipped with a stop lamp on the rear of the vehicle, which shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight, and which shall be actuated upon application of the service brake.

D. Speedometer: All vehicles covered under this section shall be equipped with a properly operating speedometer capable of registering at least the maximum legal speed limit for that vehicle.

E. Fenders: All vehicles covered under this section shall be equipped with a fender over each wheel. All fenders shall be of the type provided by the manufacturer.

F. Lights: All vehicles covered under this section shall carry at least one lighted headlamp capable of showing a white light visible at least three hundred (300) feet in the direction in which the same are proceeding, and one tail lamp mounted on the rear which, when lighted, shall emit a red light plainly visible from at least three hundred (300) feet to the rear, and such lights required by this section shall be burning whenever such vehicles are in motion during the period from one-half hour after sunset and

one-half hour before sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the streets are not clearly discernible at a distance of at least five hundred (500) feet ahead.

G. Headgear: No person ~~under eighteen (18) years of age~~ holding a valid Class A, B, C or D license with a restricted motorcycle endorsement shall operate or ride upon any vehicle covered under this section unless such person is equipped with and wearing on the head a crash helmet of a type which complies with standards established by the Department of Public Safety. All crash helmets shall consist of lining, padding and chin straps and be of the type as not to distort the view of the driver. The Commissioner of the Department of Public Safety is hereby authorized to approve or disapprove protective headgear and eye-protective devices sold and required herein, and to issue and enforce regulations establishing standards and specifications for approval thereof. The Commissioner shall publish lists of all approved protective headgear and eye-protective devices by name and type. Provided, however, the Department may not recommend one brand in preference to another if quality is identical.

Provided, however, any person who completes a motorcycle safety education course, in accordance with Section 2 of this act, and holding a valid Class A, B, C or D license with an unrestricted motorcycle endorsement shall be exempt from provisions of subsection G of this section.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-101.2 of Title 47, unless there is created a duplication in numbering, reads as follows:

The Department of Public Safety shall prescribe, adopt and promulgate rules necessary for the certification and implementation of a motorcycle safety and education program, to consist of not less than twelve (12) clock hours of instruction. The Department shall

cause to be issued an unrestricted motorcycle endorsement to any person successfully completing and achieving certification of such motorcycle safety and education program.

SECTION 3. This act shall become effective November 1, 1995.

45-1-0480

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