

By: Representative Franks

To: Transportation

## HOUSE BILL NO. 1167

1 AN ACT TO AMEND SECTION 63-7-64, MISSISSIPPI CODE OF 1972, TO  
2 PROHIBIT PERSONS UNDER AGE SIXTEEN FROM OPERATING OR RIDING UPON  
3 ANY MOTORCYCLE, MOTOR SCOOTER OR ALL-TERRAIN VEHICLE UPON ANY  
4 PUBLIC OR PRIVATE PROPERTY IN THIS STATE UNLESS SUCH PERSON IS  
5 WEARING A CRASH HELMET; TO PROHIBIT PERSONS AGES SIXTEEN TO  
6 EIGHTEEN FROM OPERATING OR RIDING UPON ANY MOTORCYCLE OR MOTOR  
7 SCOOTER UPON ANY PUBLIC ROAD OR HIGHWAY OF THIS STATE UNLESS SUCH  
8 PERSON IS WEARING A CRASH HELMET; TO CORRECT THE REFERENCE TO THE  
9 ENTITY APPROVING MOTORCYCLE CRASH HELMET STANDARDS; AND FOR  
10 RELATED PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 **SECTION 1.** Section 63-7-64, Mississippi Code of 1972, is  
13 amended as follows:

14 63-7-64. (1) No person under sixteen (16) years of age may  
15 operate or ride upon any motorcycle, motor scooter or all-terrain  
16 vehicle upon any public or private property in this state unless  
17 such person is wearing on his or her head a crash helmet that  
18 complies with minimum guidelines established by the National  
19 Highway Traffic Safety Administration pursuant to the National  
20 Traffic and Motor Vehicle Safety Act of 1966 for helmets designed  
21 for use by motorcyclists.

22 (2) No person who is at least sixteen (16) years of age but  
23 who is under eighteen (18) years of age may operate or ride upon  
24 any motorcycle or motor scooter upon the public roads or highways  
25 of this state unless such person is wearing on his or her head a  
26 crash helmet that complies with minimum guidelines established by  
27 the National Highway Traffic Safety Administration pursuant to the  
28 National Traffic and Motor Vehicle Safety Act of 1966 for helmets  
29 designed for use by motorcyclists.

30       (3) Violation of this section shall be deemed a violation of  
31 the traffic regulations and rules of the road and punishable as  
32 provided by Section 63-9-11.

33       (4) For the purposes of this section, the term "all-terrain  
34 vehicle" means any motorized vehicle manufactured and designed  
35 exclusively for off-road use that is fifty (50) inches or less in  
36 width, has an unladen dry weight of six hundred (600) pounds or  
37 less, travels on three (3), four (4) or more low pressure tires,  
38 has a seat designed to be straddled by the operator and uses  
39 handlebars for steering control.

40       **SECTION 2.** This act shall take effect and be in force from  
41 and after July 1, 2005.