

By: Senator(s) Dawkins

To: Judiciary, Division B

SENATE BILL NO. 2361

1 AN ACT TO AMEND SECTION 63-7-64, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE OPERATORS AND RIDERS OF ALL-TERRAIN VEHICLES TO WEAR
3 APPROVED HELMETS AND TO REVISE THE HELMET REQUIREMENT FOR
4 MOTORCYCLE OR MOTOR SCOOTER OPERATORS TO CONFORM TO THE GUIDELINES
5 OF THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION; AND FOR
6 RELATED PURPOSES.

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

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

10 63-7-64. (1) No person shall operate or ride upon any
11 motorcycle or motor scooter upon the public roads or highways of
12 this state unless such person is wearing * * * a crash helmet that
13 complies with minimum guidelines established by the National
14 Highway Traffic Safety Administration pursuant to the National
15 Traffic and Motor Vehicle Safety Act of 1966 for helmets designed
16 for use by motorcyclists. Violation of this subsection (1) shall
17 be deemed a violation of the traffic regulations and rules of the
18 road and punishable as provided by Section 63-9-11.

19 (2) No person shall operate or ride upon any all-terrain
20 vehicle upon any public or private property or upon the public
21 roads or highways of this state unless such person is wearing a
22 crash helmet that complies with minimum guidelines established by
23 the National Highway Traffic Safety Administration pursuant to the
24 National Traffic and Motor Vehicle Safety Act of 1966 for helmets
25 designed for use by motorcyclists. Violation of this subsection
26 (2) shall be a misdemeanor and punishable by a fine not to exceed
27 Five Hundred Dollars (\$500.00).

28 (3) For the purposes of this section, the term "all-terrain
29 vehicle" means any motorized vehicle manufactured and designed

30 exclusively for off-road use that is fifty (50) inches or less in
31 width, has an unladen dry weight of six hundred (600) pounds or
32 less, travels on three (3), four (4) or more low-pressure tires,
33 has a seat designed to be straddled by the operator and uses
34 handlebars for steering control.

35 **SECTION 2.** This act shall take effect and be in force from
36 and after July 1, 2007.