

COMMITTEE ON TRANSPORTATION & INFRASTRUCTURE  
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1680  
(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 28-964, Arizona Revised Statutes, is amended to  
3 read:

4 28-964. Motorcycles; all-terrain vehicles; motor driven  
5 cycles; equipment; exception; citations; civil  
6 penalty; community service

7 A. An operator or passenger of a motorcycle, all-terrain vehicle or  
8 motor driven cycle who is under eighteen years of age shall wear at all  
9 times a protective helmet on the operator's or passenger's head in an  
10 appropriate manner. A LAW ENFORCEMENT OFFICER MAY ISSUE A CITATION FOR A  
11 VIOLATION OF THIS SUBSECTION ONLY TO AN OPERATOR OR PASSENGER WHO IS  
12 SIXTEEN OR SEVENTEEN YEARS OF AGE AND WHO HAS BEEN ISSUED A DRIVER LICENSE  
13 OR PERMIT. The protective helmet shall be safely secured while the  
14 operator or passenger is operating or riding on the motorcycle, all-terrain  
15 vehicle or motor driven cycle. An operator of a motorcycle, all-terrain  
16 vehicle or motor driven cycle shall wear at all times protective glasses,  
17 goggles or a transparent face shield of a type approved by the director  
18 unless the motorcycle, all-terrain vehicle or motor driven cycle is  
19 equipped with a protective windshield. This subsection does not apply to  
20 ANY OF THE FOLLOWING:

21 1. Electrically powered three wheeled vehicles or three wheeled  
22 vehicles on which the operator and passenger ride within an enclosed cab.

23 2. A MOTORCYCLE, ALL-TERRAIN VEHICLE OR MOTOR DRIVEN CYCLE THAT IS A  
24 FARM OR AGRICULTURAL VEHICLE IF THE OPERATOR OR PASSENGER IS ENGAGED IN  
25 AGRICULTURAL WORK.

26 3. AN ALL-TERRAIN VEHICLE AS DEFINED IN SECTION 28-101, PARAGRAPH 3,  
27 SUBDIVISION (b).

1           4. A MOTORCYCLE, ALL-TERRAIN VEHICLE OR MOTOR DRIVEN CYCLE THAT IS  
2 OPERATED ON PRIVATE PROPERTY.

3           B. A motorcycle, all-terrain vehicle and motor driven cycle shall be  
4 equipped with a rearview mirror, seat and footrests for the operator. A  
5 motorcycle, all-terrain vehicle or motor driven cycle operated with a  
6 passenger shall be equipped with a seat and footrests for the passenger.

7           C. AN OPERATOR OF A MOTORCYCLE, ALL-TERRAIN VEHICLE OR MOTOR DRIVEN  
8 CYCLE WHO IS AT LEAST EIGHTEEN YEARS OF AGE MAY BE ISSUED A CITATION IF  
9 EITHER OF THE FOLLOWING OCCURS:

10           1. A PASSENGER OF THE MOTORCYCLE, ALL-TERRAIN VEHICLE OR MOTOR  
11 DRIVEN CYCLE IS UNDER EIGHTEEN YEARS OF AGE AND IS NOT WEARING A PROTECTIVE  
12 HELMET AS PRESCRIBED IN SUBSECTION A OF THIS SECTION.

13           2. THE OPERATOR OR PASSENGER OF THE MOTORCYCLE, ALL-TERRAIN VEHICLE  
14 OR MOTOR DRIVEN CYCLE IS UNDER EIGHTEEN YEARS OF AGE AND IS BOTH:

15           (a) NOT WEARING A PROTECTIVE HELMET AS PRESCRIBED IN SUBSECTION A OF  
16 THIS SECTION.

17           (b) IN THE SAME GROUP OR PARTY AS THE OPERATOR OF THE INITIAL  
18 MOTORCYCLE, ALL-TERRAIN VEHICLE OR MOTOR DRIVEN CYCLE WHO IS AT LEAST  
19 EIGHTEEN YEARS OF AGE.

20           D. FOR AN INITIAL VIOLATION OF THIS SECTION, A PERSON IS SUBJECT TO  
21 A CIVIL PENALTY OF \$100 OR COMMUNITY SERVICE IF THE PERSON IS SIXTEEN OR  
22 SEVENTEEN YEARS OF AGE AT THE TIME OF THE VIOLATION."

23 Amend title to conform

And, as so amended, it do pass

DAVID L. COOK  
CHAIRMAN

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