

House Engrossed Senate Bill

~~traffic violations; photo radar; penalties~~
(now: minors; motorcycle helmets; citations)

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SENATE BILL 1680

AN ACT

AMENDING SECTION 28-964, ARIZONA REVISED STATUTES; RELATING TO VEHICLES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

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,
15 all-terrain vehicle or motor driven cycle. An operator of a motorcycle,
16 all-terrain vehicle or motor driven cycle shall wear at all times
17 protective glasses, goggles or a transparent face shield of a type
18 approved by the director unless the motorcycle, all-terrain vehicle or
19 motor driven cycle is equipped with a protective windshield. This
20 subsection does not apply to 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
24 A 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
27 3, SUBDIVISION (b).

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

30 B. A motorcycle, all-terrain vehicle and motor driven cycle shall
31 be equipped with a rearview mirror, seat and footrests for the operator.
32 A motorcycle, all-terrain vehicle or motor driven cycle operated with a
33 passenger shall be equipped with a seat and footrests for the passenger.

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

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

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

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

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

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