

39:3-76.7

LEGISLATIVE HISTORY CHECKLIST  
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(Motorcycle operators--  
helmets--prohibit points)

NJSA: 39:3-76.7

LAWS OF: 1992 CHAPTER: 153

BILL NO: S463

SPONSOR(S) Zane and Lesniak

DATE INTRODUCED: February 27, 1992

COMMITTEE: ASSEMBLY: Judiciary  
SENATE: Law & Public Safety

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: October 29, 1992  
SENATE: May 7, 1992

DATE OF APPROVAL: November 25, 1992

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes  
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING:

FOLLOWING WERE PRINTED: No

REPORTS: No

HEARINGS: No

KBG:pp

1 AN ACT concerning the use of protective helmets by  
2 motorcyclists and amending P.L.1987, c.237.

3  
4 BE IT ENACTED by the Senate and General Assembly of the  
5 State of New Jersey:

6 1. Section 6 of P.L.1987, c.237 (C.39:3-76.7) is amended to  
7 read as follows:

8 6. a. No person shall operate or ride upon a motorcycle unless  
9 he wears a securely fitted protective helmet of a size proper for  
10 that person and of a type approved by the director. Such a  
11 helmet must be equipped with either a neck or chin strap and be  
12 reflectorized on both sides thereof. The director is authorized  
13 and empowered to adopt rules and regulations covering the types  
14 of helmets and the specifications therefor and to establish and  
15 maintain a list of approved helmets which meet the specifications  
16 as established hereunder. For the purposes of this section,  
17 motorcycle shall not include any three-wheeled motor vehicle  
18 equipped with a single cab with glazing enclosing the occupant,  
19 seats similar to those of a passenger vehicle or truck, seat belts  
20 and automotive steering.

21 b. The director shall not assess motor vehicle points for the  
22 failure of a motorcycle operator or rider to wear a protective  
23 helmet.

24 (cf: P.L.1985, c.15, s.2)

25 2. This act shall take effect immediately.

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#### STATEMENT

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29 This bill prohibits the Director of the Division of Motor  
30 Vehicles in the Department of Law and Public Safety from  
31 assessing motor vehicle points for the failure of a motorcycle  
32 operator or rider to wear a protective helmet as required by law.  
33 The director currently assesses a two-point penalty for this  
34 offense under the authority granted him by P.L.1982, c.43  
35 (C.39:5-30.5) to establish points by regulation. These points are  
36 assessed, almost invariably, only for moving violations which may  
37 endanger the safety of others. However, the failure of a  
38 motorcyclist to wear a protective helmet is not such a violation.  
39 The existing monetary penalty for failing to wear a helmet while  
40 operating a motorcycle would continue to apply.

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Prohibits points for failure to wear motorcycle helmet.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the  
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

SENATE, No. 463

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 27, 1992

By Senators ZANE and LESNIAK

1 AN ACT concerning the use of protective helmets by  
2 motorcyclists and amending P.L.1967, c.237.

3

4 BE IT ENACTED *by the Senate and General Assembly of the*  
5 *State of New Jersey:*

6 1. Section 6 of P.L.1967, c.237 (C.39:3-76.7) is amended to  
7 read as follows:

8 6. a. No person shall operate or ride upon a motorcycle unless  
9 he wears a securely fitted protective helmet of a size proper for  
10 that person and of a type approved by the director. Such a  
11 helmet must be equipped with either a neck or chin strap and be  
12 reflectorized on both sides thereof. The director is authorized  
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EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the  
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

ASSEMBLY JUDICIARY, LAW AND PUBLIC SAFETY  
COMMITTEE

STATEMENT TO

**SENATE, No. 463**

**STATE OF NEW JERSEY**

DATED: JUNE 15, 1992

The Assembly Judiciary, Law and Public Safety Committee reports favorably Senate Bill No. 463.

This bill prohibits the Director of the Division of Motor Vehicles in the Department of Law and Public Safety from assessing motor vehicle points for the failure of a motorcycle operator or rider to wear a protective helmet as required by law. The bill amends N.J.S.A.39:3-76.7 which requires the wearing of a helmet and authorizes the director to adopt rules and regulations establishing a list of approved helmets. The director currently assesses a two-point penalty for this offense under the authority granted him by P.L.1982, c.43 (C.39:5-30.5) to establish points by regulation. This bill would prohibit imposition of these two points. The existing monetary penalty for failing to wear a helmet while operating a motorcycle would continue to apply. N.J.S.A.39:3-79 provides for a \$25.00 fine.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 463

STATE OF NEW JERSEY

DATED: MARCH 19, 1992

The Senate Law and Public Safety Committee favorably reports Senate Bill No. 463.

This bill prohibits the Director of the Division of Motor Vehicles in the Department of Law and Public Safety from assessing motor vehicle points for the failure of a motorcycle operator or rider to wear a protective helmet as required by law. The director currently assesses a two-point penalty for this offense under the authority granted him by P.L.1982, c.43 (C.39:5-30.5) to establish points by regulation. The existing monetary penalty for failing to wear a helmet while operating a motorcycle would continue to apply.