
DIGEST

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HB 317 Reengrossed

2024 Regular Session

Schamerhorn

Abstract: Changes the requirements for wearing a safety helmet while operating or riding a motorcycle to include only those under 21 and those 21 and up who do not meet certain requirements and prohibits recovery in certain circumstances.

Present law prohibits a person from operating or riding any motorcycle, motor-driven cycle, or motorized bicycle unless the person is equipped with and is wearing on the head a safety helmet of the type and design manufactured for use by operators of such vehicles, which must be secured properly with a chin strap while the vehicle is in motion.

Proposed law changes the requirement in present law by making it apply only to those under the age of 21 and those aged 21 and over who have not completed a motorcycle safety training course or who have not obtained proof of hospitalization coverage on their insurance.

Proposed law requires that any person aged 21 and over who elects not to wear a helmet under provisions of proposed law obtain \$100,000 bodily injury or death medical payments coverage in any one accident and must furnish proof of that coverage to law enforcement upon request.

Proposed law prohibits recovery of damages for a head injury from any party or entity by any operator or passenger of a motorcycle who chooses not to wear a helmet.

Proposed law specifies that enforcing provisions in proposed law cannot be the primary reason for a traffic stop to be conducted.

Present law specifies that all such safety helmets must consist of lining, padding, visor, and chin strap and must meet such other specifications as established by the commissioner.

Proposed law retains present law.

(Amends R.S. 32:190(A))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Change the exception requirement for persons over 21 years of age from proof of a

motorcycle endorsement on their insurance policy to proof of hospitalization on their insurance.

The House Floor Amendments to the engrossed bill:

1. Add coverage to proof of hospitalization on insurance.
2. Require that any person aged 21 and over who elects not to wear a helmet under provisions of proposed law obtain \$100,000 bodily injury or death medical payments coverage in any one accident and must furnish proof of that coverage to law enforcement upon request.
3. Prohibit recovery of damages for a head injury from any party or entity by any operator or passenger of a motorcycle who chooses not to wear a helmet