

SENATE No. 1943

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to the helmet law standards..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 7 of Chapter 90 of the General Laws, as appearing in the 2004
2 Official Edition, is hereby amended by adding the following words at the end of said paragraph:-
3 In accordance with the Federal laws as stated in Section 1392(d) of the National Traffic and
4 Motor Vehicle Safety Act of 1966, no citations or fines shall be issued to any motorcycle
5 operator or passenger who is wearing a helmet that may not be in conformity with protective
6 headgear standard set forth by the registrar unless (a) a determination of non-compliance for said
7 helmet model has been issued by the National Highway Transportation Safety Administration;
8 (b) a manufacturer recall of said helmet model has been issued because of non-compliance with
9 FMVSS 218; and (c) there is proof that the operator has actual knowledge of a determination of
10 non-conformity with federal standards and of a manufacturer recall of said helmet because of
11 non-compliance with the protective headgear standard set forth by the registrar.