



Summary Chart of Key Provisions of State Motorcycle Safety Laws

Current Through January 4, 2011

State	Type of Helmet Use Law ¹	Helmet Use Requirements			Sanctions for Failure to Use a Helmet 1 st Offense ²			Is Eye Protection Required?	Passenger Restrictions
		Meets FMVSS 218 ³	Age Range	Exemptions	Fine	Points	Jail		
Alabama	Universal	No	All	Persons riding in enclosed cabs	Not more than \$100	Not specified ⁴	Not more than 10 days	No	None specified
Alaska	Age-specific	Included	Younger than 18	None	Not more than \$300	Not specified	None	Yes unless windscreen/windshield	None specified
Arizona	Age-specific	No	Younger than 18	None	Not more than \$250	Not specified	None	Yes unless windshield	None specified
Arkansas	Age-specific	No	Younger than 21	None	\$10-\$50	Not specified	Not more than 30 days	Yes	A child must be at least 8 yrs (unless motorcycle is participating in a parade)
California	Universal	Included	All	None	Not more than \$100	None	None	No	None specified
Colorado	Age-specific	Yes	Younger than 18	None	\$100 (plus \$15 surcharge)	Not specified	None	Yes	None specified
Connecticut	Age-specific	Yes	Younger than 18	None	Not less than \$90	None	None	Yes unless windscreen/windshield	None specified
Delaware	Age-specific	No	Younger than 19	None	\$25-\$115	Not specified	None	Yes	None specified

¹ A State law requiring all motorcycle operators and passengers to wear helmets is considered to be a *universal* law. Other State laws require operators and/or passengers of a certain age, e.g., under 18, to wear helmets. This is indicated as *Age-specific*. Some State laws include additional restrictions – such restrictions are indicated in this column, with footnotes to provide specific details.

² While the sanctions shown are for the first offense, some States provide for greater sanctions for the second and/or subsequent offenses for not wearing a motorcycle helmet.

³ Where “Included” is listed, this means the standard includes but is not limited to FMVSS 218.

⁴ While Alabama’s law does not specifically authorize licensing action for this offense, an offender may be subject to such action.



Summary Chart of Key Provisions of State Motorcycle Safety Laws

Current Through January 4, 2011

State	Type of Helmet Use Law ¹	Helmet Use Requirements			Sanctions for Failure to Use a Helmet 1 st Offense ²			Is Eye Protection Required?	Passenger Restrictions
		Meets FMVSS 218 ³	Age Range	Exemptions	Fine	Points	Jail		
District of Columbia	Universal	Included	All	None	\$25	None	None	Yes	None specified
Florida	Age and insurance-specific ⁵	Yes	Younger than 21	Persons age ≥ 16 in enclosed cabs or on a smaller motorcycle with speed capability of ≤ 30 mph	\$30 (plus \$18 court costs)	Not specified	None	Yes	None specified
Georgia	Universal	Yes	All	Persons riding in enclosed cabs or carts, or motorcycles with 3 wheels used for agricultural purposes	Not more than \$1000	Not specified	Not more than 12 months	Yes unless windshield	None specified
Hawaii	Age-specific	No	Younger than 18	Persons riding in 3 wheeled motorcycles with full-bodied enclosed cab, electric motor & seat belt/restrain system	Not more than \$1000	Not specified	None	Yes unless windscreen/windshield	No child under the age of 7 ⁶
Idaho	Age-specific	Yes	Younger than 18	None	Not more than \$100	No	None	No	None specified
Illinois	None	N/A	N/A	N/A	N/A	N/A	N/A	Yes	None specified
Indiana	Age-specific	Yes	Younger than 18	None	Not more than \$500	4 points	None	Yes	None specified
Iowa	None	N/A	N/A	N/A	N/A	N/A	N/A	No	None specified
Kansas	Age-specific	Included	Younger than 18	Persons riding within an enclosed cab, golf cart or any cargo-type vehicle with 3 wheels	Not more than \$500	Not specified	None	Yes unless windscreen	None specified

⁵ A person who is over 21 years old may operate or ride on a motorcycle without protective headgear provided the person has at least \$10,000 in medical benefits for any injuries sustained as a result of a crash while riding on such a motor vehicle.

⁶ However, if such motorcycle or motor scooter has 3 wheels, is powered by an electric motor, has a full-bodied enclosed cab, and seat belt/child restraint systems in use, then a child under the age of 7 may be a passenger.



Summary Chart of Key Provisions of State Motorcycle Safety Laws

Current Through January 4, 2011

State	Type of Helmet Use Law ¹	Helmet Use Requirements			Sanctions for Failure to Use a Helmet 1 st Offense ²			Is Eye Protection Required?	Passenger Restrictions
		Meets FMVSS 218 ³	Age Range	Exemptions	Fine	Points	Jail		
Kentucky	Age and experience-specific ⁷	Yes	Younger than 21	None	\$20-\$100	Not specified	None	Yes	None specified
Louisiana	Universal	No	All	Persons riding autocycles with roofs; persons riding in a parade or other public exhibition	\$50	Not specified	None	Yes unless windshield	A child must be \geq 5 yrs, and when riding in a car, must not be required to ride in a child safety seat
Maine	Age and experience-specific ⁸	Included	Younger than 18	None	\$25-\$500	No	None	No	None specified
Maryland	Universal	Yes	All	Persons riding in enclosed cabs	Not more than \$500	No	None	Yes unless windshield	None specified
Massachusetts	Universal	No	All	None	Not more than \$35	Not specified	None	Yes unless windshield/windscreen	None specified
Michigan	Universal	No	All	None	Not listed	Not specified	None	Yes unless windshield	None specified
Minnesota	Age and experience-specific ⁹	No	Younger than 18	Persons participating in a parade; persons in an enclosed cab	Not more than \$300	Not specified	None	Yes	Passenger's feet must reach the footrests
Mississippi	Universal	No	All	None	Not more than \$100	Not specified	Not more than 10 days	No	None specified
Missouri	Universal	Yes	All	None	Not more than \$25	No	None	No	None specified

⁷ Any operator, regardless of age, who possesses a motorcycle instruction permit, must wear a helmet. Any operator, regardless of age, who possesses a motorcycle operator's permit for less than 1 year, must wear a helmet.

⁸ Any operator, regardless of age, operating under a learner's permit or within 1 year of successfully completing a driving test, must wear a helmet; any passenger of an operator required to wear a helmet must also wear a helmet.

⁹ No person with a two-wheeled instruction permit shall drive a motorcycle without wearing State-approved protective headgear.



Summary Chart of Key Provisions of State Motorcycle Safety Laws

Current Through January 4, 2011

State	Type of Helmet Use Law ¹	Helmet Use Requirements			Sanctions for Failure to Use a Helmet 1 st Offense ²			Is Eye Protection Required?	Passenger Restrictions
		Meets FMVSS 218 ³	Age Range	Exemptions	Fine	Points	Jail		
Montana	Age-specific	Yes	Younger than 18	None	\$5	Not specified	None	No	During first 6 months, a restricted licensee may not operate with a passenger < 18 yrs
Nebraska	Universal	Yes	All	None	\$50	No	None	No	None specified
Nevada	Universal	Yes	All	Persons participating in a parade; persons in an enclosed cab	Not more than \$1000	2 points	Not more than 6 months	Yes unless windshield	None specified
New Hampshire	None ¹⁰	N/A	N/A	N/A	N/A	Not specified	None	Yes unless windshield/windscreen	None specified
New Jersey	Universal	Yes	All	None	\$50-\$100	Not specified	None	Yes unless windshield	None specified
New Mexico	Age-specific	No	Younger than 18	None	Not more than \$300	Not specified	Not more than 90 days	Yes unless windshield	None specified
New York	Universal	Yes	All	Persons riding in a parade or other public exhibition	Not more than \$100	Not specified	Not more than 30 days	Yes	None specified
North Carolina	Universal	Yes	All	None	\$25.50 (plus court costs)	No	None	No	None specified
North Dakota	Age-specific	No	Younger than 18	Persons riding in an enclosed cab or golf cart	Not more than \$500	2 points	None	No	None specified
Ohio	Age and experience-specific ¹¹	Yes	Younger than 18	None	Not more than \$150	No	None	Yes	None specified

¹⁰ Each motorcycle rider education student shall wear a helmet meeting FMVSS 218 requirements. A fine of not more than \$1,000 is the sanction for this statute. **Note:** NH ST § 265:122 I states that no person under the age of 18 may drive or ride upon a motorcycle unless the person wears State-approved protective headgear. However, NH ST § 265:122 III states that “If Federal law is altered so that the mandatory wearing of protective headgear on motorcycles by persons less than 18 years of age is not required as a condition to the receipt by the State of any Federal funds, paragraphs I ...shall be void.” Given that the mandatory wearing of protective headgear on motorcycles by people less than 18 is not currently required as a condition to the receipt of state or Federal funds, for practical purposes protective headgear for motorcycle drivers or passengers is not mandatory.

¹¹ No person, regardless of age, who holds a novice motorcycle operator’s license, shall operate or be a passenger on a motorcycle unless wearing an approved helmet. Additionally, any passenger shall wear an approved helmet if the operator is under the age of 18 or holds a novice motorcycle operator’s license.



Summary Chart of Key Provisions of State Motorcycle Safety Laws

Current Through January 4, 2011

State	Type of Helmet Use Law ¹	Helmet Use Requirements			Sanctions for Failure to Use a Helmet 1 st Offense ²			Is Eye Protection Required?	Passenger Restrictions
		Meets FMVSS 218 ³	Age Range	Exemptions	Fine	Points	Jail		
Oklahoma	Age-specific	Yes	Younger than 18	None	\$5-\$500	Not specified	Not more than 10 days	Yes unless windshield	No driver under age 16 shall transport any passenger
Oregon	Universal	No	All	Persons riding in an enclosed cab or a vehicle with 3 wheels at a speed of < 15 mph or for religious beliefs/practices	Not more than \$90	Not specified	None	No	None specified
Pennsylvania	Age, experience and training specific ¹²	No	Younger than 21	An operator or occupant of a 3-wheeled motorcycle with an enclosed cab	\$25	Not specified	None	Yes	None specified
Puerto Rico	Universal	No	All	None	\$50	Not specified	None	Yes unless windshield	None specified
Rhode Island	Age and experience-specific ¹³	No	Younger than 21	None	\$85	Not specified	None	Yes	None specified
South Carolina	Age-specific	No	Younger than 21	None	Not more than \$100	Not specified	Not more than 30 days	Yes unless windscreen	None specified
South Dakota	Age-specific	Yes	Younger than 18	Persons riding in an enclosed cab	Not more than \$500	Not specified	Not more than 30 days	Yes unless windscreen	None specified
Tennessee	Universal	Included	All	Persons riding in an enclosed cab & golf carts; persons age ≥ 18 riding in a parade not faster than 30 mph; fully enclosed motorcycles with 3 wheels	Not more than \$50	Not specified	Not more than 30 days	Yes unless windshield	None specified

¹² Persons ≥21 years who have completed a motorcycle rider safety course and persons ≥ 21 who have been licensed to operate a motorcycle for at least 2 full calendar years are not required to wear helmets. Passengers of motorcycle operators exempt from the helmet requirement are also exempt.

¹³ A person, regardless of age, who has not been licensed for more than 1 year, must wear a helmet. Any passenger, regardless of age, must wear a helmet.



Summary Chart of Key Provisions of State Motorcycle Safety Laws

Current Through January 4, 2011

State	Type of Helmet Use Law ¹	Helmet Use Requirements			Sanctions for Failure to Use a Helmet 1 st Offense ²			Is Eye Protection Required?	Passenger Restrictions
		Meets FMVSS 218 ³	Age Range	Exemptions	Fine	Points	Jail		
Texas	Age, insurance, and training-specific ¹⁴	Yes	Younger than 21	None	\$10-\$50	Not specified	None	No	Passenger must be at least 5 yrs old unless riding in an attached sidecar
Utah	Age-specific	Yes	Younger than 18	Persons riding in an enclosed cab	Not more than \$750	Not specified	Not more than 90 days	No	None specified
Vermont	Universal	Yes	All	None	Not more than \$100	Not specified	No	Yes unless windshield/windscreen	None specified
Virginia	Universal	No	All	Persons riding a motorcycle with wheels 8" or less in diameter or 3 wheels with fixed roofs, windshields & enclosed bodies; persons riding in a parade ≤ 15 mph	Not more than \$250	Not specified	No	Yes unless windshield	None specified
Washington	Universal	Yes	All	None	\$42 (plus penalties of \$10, \$5, and \$2)	Not specified	No	Yes unless windshield	Passenger must be at least 5 yrs old
West Virginia	Universal	No	All	None	Not more than \$100	Not specified	Not more than 10 days	Yes unless windshield/windscreen	None specified
Wisconsin	Age-specific	Yes	Younger than 18	None	\$10-\$200	No	None	Yes	None specified
Wyoming	Age-specific	No	Younger than 18	Persons riding in enclosed cabs or on mopeds; persons riding in a parade	Not more than \$200	Not specified	Not more than 20 days	No	None specified

This publication is distributed by the U.S. Department of Transportation, National Highway Traffic Safety Administration (NHTSA), in the interest of information exchange. The opinions, findings, and conclusions expressed in this publication are those of the author and not necessarily those of the Department of Transportation or NHTSA. The United States Government assumes no liability for its content or use thereof.

¹⁴ A person ≥ 21 who has successfully completed a motorcycle safety course or is covered by health insurance providing \$10,000 in benefits is not required to wear a helmet.