

SECOND REGULAR SESSION

SENATE BILL NO. 604

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOLSMAN.

Pre-filed December 3, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

4323S.01I

AN ACT

To amend chapter 302, RSMo, by adding thereto one new section relating to the operation of motorcycles and motortricycles.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 302, RSMo, is amended by adding thereto one new
2 section, to be known as section 302.026, to read as follows:

**302.026. 1. Notwithstanding subsection 2 of section 302.020, any
2 qualified motorcycle operator may operate a motorcycle or
3 motortricycle upon any highway of this state without wearing
4 protective headgear fastened upon his or her head if such qualified
5 motorcycle operator:**

6 **(1) Has first-party insurance coverage as described in subsection
7 2 of this section; and**

8 **(2) Licenses his or her motorcycle or motortricycle with
9 distinctive license plates as set forth in subsection 3 of this section.**

10 **2. In addition to maintaining proof of financial responsibility in
11 accordance with chapter 303, any qualified motorcycle operator who
12 desires to operate a motorcycle or motortricycle upon any highway of
13 this state without wearing protective headgear shall be covered by a
14 health insurance policy, a personal injury protection insurance policy
15 or rider, or other form of insurance providing first-party medical
16 benefits in the minimum amount of fifty thousand dollars for injuries
17 incurred as a result of an accident while operating a motorcycle or
18 motortricycle.**

19 **3. In addition to the requirements of subsection 2 of this section,
20 a qualified motorcycle operator who chooses to operate a motorcycle
21 or motortricycle upon the highways of this state without wearing**

22 protective headgear shall license such motorcycle or motortricycle with
23 specialized license plates, as issued by the director of revenue, in order
24 that law enforcement officers can easily identify those operators who
25 are legally exempt from complying with the protective headgear
26 requirements of subsection 2 of section 302.020. Any qualified
27 motorcycle operator may apply for special motorcycle license plates for
28 issuance for any motorcycle or motortricycle subject to the registration
29 fees provided in section 301.055. Such person shall make application
30 for the special license plates on a form provided by the director of
31 revenue and shall furnish proof to the director that the operator
32 possesses a validly issued motorcycle license or endorsement, is a
33 qualified motorcycle operator as defined by subsection 5 of this section,
34 and possesses and will maintain the first-party insurance coverage
35 described in subsection 2 of this section. Upon presentation of the
36 proof of eligibility and payment of a fifteen dollar fee in addition to
37 regular registration fees, and presentation of other documents which
38 may be required by law, the director shall then issue license plates
39 bearing letters or numbers or a combination thereof as determined by
40 the director, with the words "HELMET FREE" in place of the words
41 "SHOW-ME STATE". The plates shall be clearly visible at night and
42 shall be aesthetically attractive, as prescribed by section
43 301.130. There shall be no limit on the number of license plates any
44 person qualified under this section may obtain so long as each set of
45 license plates issued under this section is issued for motorcycles or
46 motortricycles owned solely or jointly by such person. License plates
47 issued pursuant to this subsection shall not be transferable to any
48 other person.

49 4. A law enforcement officer shall not arrest or issue a citation
50 to an operator of a motorcycle or motortricycle for a violation of
51 subsection 2 of section 302.020 if the motorcycle or motortricycle
52 operated by such person is registered in the person's name and is
53 displaying special license plates as described in subsection 3 of this
54 section.

55 5. As used in this section, the term "qualified motorcycle
56 operator" means a person twenty-one years of age or older who has
57 possessed a motorcycle license or a motorcycle endorsement on his or
58 her driver's license for at least two years or a person twenty-one years

59 of age or older who has not possessed his or her motorcycle license or
60 motorcycle endorsement for a minimum period of two years but has
61 successfully completed a motorcycle rider training course approved
62 pursuant to sections 302.133 to 302.137.

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