

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 407
Committee Substitute Favorable 3/22/11

Short Title: Modify ATV Helmet Use Requirements.

(Public)

Sponsors:

Referred to:

March 21, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE REQUIREMENT THAT A PERSON WHO IS EIGHTEEN
3 YEARS OLD OR OLDER WEAR A HELMET WHILE OPERATING AN
4 ALL-TERRAIN VEHICLE.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 20-171.19 reads as rewritten:

7 "§ 20-171.19. Prohibited acts by owners and operators.

8 (a) No person shall operate an all-terrain vehicle on a public street or highway or public
9 vehicular area unless the person wears eye protection and a safety helmet meeting United States
10 Department of Transportation standards for motorcycle helmets.

11 (a1) No person under 18 years of age shall operate an all-terrain vehicle off a public
12 street or highway or public vehicular area unless the person wears eye protection and a safety
13 helmet meeting United States Department of Transportation standards for motorcycle helmets.

14 (a1)(a2) Notwithstanding subsection (a)(a1) of this section, ~~any~~ a person who is under 18
15 years of age and employed by a supplier of retail electric service, while engaged in power line
16 inspection, may operate an all-terrain vehicle while wearing both of the following:

- 17 (1) Head protection equipped with a chin strap that conforms to the standards
18 applicable to suppliers of retail electric service adopted by the Occupational
19 Safety and Health Division of the North Carolina Department of Labor.
20 (2) Eye protection that conforms to the standards applicable to suppliers of retail
21 electric service adopted by the Occupational Safety and Health Division of
22 the North Carolina Department of Labor.

23"

24 SECTION 2. G.S. 20-171.22(c) reads as rewritten:

25 "(c) The provisions of ~~G.S. 20-171.19(a)~~ G.S. 20-171.19(a1) do not apply to any person
26 16 years of age or older if the person is otherwise lawfully using the all-terrain vehicle on any
27 ocean beach area where such vehicles are allowed by law. As used in this subsection, "ocean
28 beach area" means the area adjacent to the ocean and ocean inlets that is subject to public trust
29 rights. Natural indicators of the landward extent of the ocean beaches include, but are not
30 limited to, the first line of stable, natural vegetation; the toe of the frontal dune; and the storm
31 trash line."

32 SECTION 3. This act becomes effective October 1, 2011, and applies to offenses
33 committed on or after that date.

