

AGENDA ITEM

July 6, 2021

Subject: Code Revision – Motorcycle Helmet Law

Department: Administration

As part of our ongoing review of the Municipal Code, Section 19-132 pertaining to protective headgear was found to be conflicting with State law.

This Ordinance will align with the July 2020 law signed by Governor Mike Parson which gives Missouri motorcyclists the option of riding without a helmet.

Manager's Note:

- The new law says that qualified operators 26 or older can operate a motorcycle or motortricycle without a helmet if they're covered by a health insurance policy or other form of insurance.
- Current Code - Approved by Ordinance 2708:
 - **Sec. 19-132. - Safety helmet for motorcycle, etc., rider and operator.**
 - (a) It shall be unlawful for any person to ride as a passenger on or to operate any motorcycle, motor scooter or motorbike upon any public street, alley or other thoroughfare or in any public park within the city unless such person is wearing a type of safety helmet approved by the chief of police.
 - (b) It shall be unlawful for anyone to rent, lease or lend any motorcycle, motor scooter or motorbike to any person without first ascertaining that such person or passenger is equipped with a type of safety helmet approved by the chief of police. If such person is not so equipped, he shall provide the same.
- The proposed Ordinance will remove this section from our City Code.

BILL NO. 2021-043

ORDINANCE NO.

A GENERAL ORDINANCE OF THE CITY OF NEVADA MISSOURI REPEALING SECTION 19-132 OF THE CODE OF THE CITY OF NEVADA, MISSOURI.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, MISSOURI, THAT:

Section 1. By reason of the mandate adopted by the Missouri Legislature in Section 302.020 RSMo stating that no political subdivision of this state shall impose a protective headgear requirement on the operator or passenger of a motorcycle or motor-tricycle, Section 19-132 is hereby repealed.

Section 2. This ordinance shall be in full force and effect from and after its passage and approval.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Nevada, Missouri, this ____ day of _____, 2021.

George Knox, Mayor

(Seal)

Attest:

Michele Bailey, City Clerk