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LC 0231/01

Les Awisch BILL NO. 204 INTRODUCED BY Hannyton Mulac Bradlen 4 BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE THE REQUIREMENT OF HEADGEAR FOR MOTORCYCLE RIDERS EIGHTEEN YEARS 5 OF AGE DR OLDER; AMENDING SECTION 32-21-105.1+ R.C.M. 1947." ь

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
9 Section 1. Section 32-21-105.1, R.C.M. 1947, is
10 amended to read as follows:

11 "32-21-105.1. Headgear required for <u>minor</u> motorcycle 12 riders -- noise suppression devices. (1) The <u>An</u> operator 13 and passengerv--if--envv under <u>18 years of age</u> of any 14 motorcycle operated upon the streets or highways of this 15 state shall wear protective headgear upon the head. Such The 16 headgear shall meet standards established by the department 17 of justice.

(2) All motorcycles operated on the streets and 18 highways of this state shall be equipped at all times with 19 noise suppression devices, including an exhaust muffler, in 20 good working order, and in constant operation. In addition, 21 all motorcycles operating on streets and highways shall meet 22 the following noise decibel limitations, on the standard A 23 scale, such decibel limitations to be measured at fifty-(50) 24 25 feet distant from the closest point to the motorcycle:

INTRODUCED BILL

1	<pre>t*(a) Any motorcycle manufactured prior</pre>
2	to 1970 92 db(A)
3	<pre>2*(b) Any motorcycle manufactured after 1969 but prior</pre>
4	to 1973 88 db(A)
5	∃w <u>(c)</u> Any motorcycle manufactured after 1972 but prior
6	to 1975 86 db(A)
7	4 <u>#[d]</u> Any motorcycle manufactured after 1974 but prior
8	to 1978 80 db(A)
9	5w <u>{e}</u> Any motorcycle manufactured after 1977 but prior
10	to 1988 75 db(A)
11	<pre>6w(f) Any motorcycle manufactured</pre>
12	after 1987 70 db(A)•
13	(3) A person convicted of the violation of subsection
14	(1)y abovey shall be fined five dollars (\$5).
15	(4) A person convicted of the violation of subsection
16	(2) \mathbf{v} above \mathbf{v} shall be punished by a fine of not less than ten
17	dollars-f\$10]-nor or more than one-hundred-dollars-f\$100} or
18	by imprisonment for not more than ten-(10) days or by both
19	such fine and imprisonment for the first such conviction;
20	for a second conviction within one-(1) year thereafter <u>*</u> such
21	person shall be punished by a fine of not less than
22	twenty-fivedollars{\$25}nor <u>or</u> more than two-hundred
23	dollars- f\$200) or by imprisonment for not more than twenty
24	<pre>term days or by both such fine and imprisonment; upon a</pre>
25	third or subsequent conviction within one-fl} year after the

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1 first convictions such person shall be punished by a fine of

2 not less than fifty-dollars-(\$50)--nor or more than five

3 hundred--dollars-(\$500) or by imprisonment for not more than.

4 six-t6; months or by both such fine and imprisonment."

-End-

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to 1970

Approved by Committee Les Alvist on Highways & Transportation BILL NO. 206 INTRODUCED BY Mulax Bradlen BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE THE 4 REQUIREMENT OF HEADGEAR FOR MOTORCYCLE RIDERS EIGHTEEN YEARS 5 OF AGE OR OLDER; AMENDING SECTION 32-21-105-1, R.C.M. 1947." 6 7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: а

9 Section 1. Section 32-21-105.1, R.C.M. 1947, is 10 amended to read as follows:

11 "32-21-105.1. Headgear required for <u>minor</u> motorcycle 12 riders -- noise suppression devices. (1) The <u>An</u> operator 13 and passengery--if--anyy <u>under 18 years of age</u> of any 14 motorcycle operated upon the streets or highways of this 15 state shall wear protective headgear upon the head. Such The 16 headgear shall meet standards established by the department 17 of justice.

(2) All motorcycles operated on the streets and 18 19 highways of this state shall be equipped at all times with noise suppression devices, including an exhaust suffler, in 20 21 good working order, and in constant operation. In addition, 22 all motorcycles operating on streets and highways shall meet 23 the following noise decibel limitations, on the standard A 24 scale, such decibel limitations to be measured at fifty-(50) 25 feet distant from the closest point to the motorcycle:

t ▼ <u>(a)</u>	Any motorcycle manufactured prior	
970	92 0	SD (A)
5=[b]	Any motorcycle manufactured after 1969 but p	rior
973	88 c	db (A)

	ze <u>twi</u> why motorcycle manufactured after 1767 but prior
4	to 1973 88 db(A)
5	∃w <u>(c)</u> Any motorcycle manufactured after 1972 but prior
6	to 1975 86 db(A)
7	<pre>4=(d) Any motorcycle manufactured after 1974 but prior</pre>
8	to 1978 80 db(A)
9	5*(e) Any motorcycle manufactured after 1977 but prior
10	to 1988 75 db(A)
11	<pre>6w(f) Any motorcycle wanufactured</pre>
12	after 1987 70 db(A).
13	(3) A person convicted of the violation of subsection
14	(1)y abovey shall be fined five dollars (\$5) +
15	(4) A person convicted of the violation of subsection
16	(2), above, shall be punished by a fine of not less than ten
17	dollars- t\$10]-nor <u>or</u> more than one-hundred-dollars- t\$100] or
18	by imprisonment for not more than ten-(10) days or by both
19	such fine and imprisonment for the first such conviction;
20	for a second conviction within $\frac{1}{2}$ one-(1) year thereafters such
21	person shall be punished by a fine of not less than
22	twenty-fivedollars(\$25)nor or more than two-hundred
23	dollars (\$200) or by imprisonment for not more than twenty
24	+20+ days or by both such fine and imprisonment; upon a

25 third or subsequent conviction within one-(1) year after the

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HB 20

1 first convictions such person shall be punished by a fine of

2 not less than fifty-dollars-f\$50}--nor or more than five

3 hundred--dollars-(\$500) or by imprisonment for not more than

4 six-(6) months or by both such fine and imprisonment."

-End-

45th Legislature

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LC 0231/01

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Les Ahreat BILL NO. 200 INTRODUCED BY ton Mula Bradley BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE THE 4 REQUIREMENT OF HEADGEAR FOR MOTORCYCLE RIDERS EIGHTEEN YEARS 5

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
9 Section 1. Section 32-21-105.1, R.C.M. 1947, is
10 amended to read as follows:

OF AGE OR OLDER; AMENDING SECTION 32-21-105.1, R.C.H. 1947.*

11 "32~21-105.1. Headgear required for <u>minut</u> motorcycle 12 riders -- noise suppression devices. (1) The an operator 13 and passenger...if any <u>under 18 years of ade</u> of any 14 motorcycle operated upon the streets or highways of this 15 state shall wear protective headgear upon the head. Such Ibd 16 headgear shall meet standards established by the department 17 of justice.

(2) All motorcycles operated on the streets and 18 highways of this state shall be equipped at all times with 19 noise suppression devices, including an exhaust muffler, in 20 good working order, and in constant operation. In addition, 21 all motorcycles operating on streets and highways shall meet 22 the following noise decided limitations, on the standard A 23 scale, such decibel limitations to be measured at fifty={50} 24 feet distant from the closest point to the motorcycle: 25

to 1970 2 92 db(A) з 2v(b) Any motorcycle manufactured after 1969 but prior to 1973 88 db(A) 3v(c) Any motorcycle manufactured after 1972 but prior to 1975 86 db(A) 4w(d) Any motorcycle #anufactured after 1974 but prior 7 to 1978 8 80 db(A) 9 Swfel Any motorcycle manufactured after 1977 but prior to 1988 10 75 dbfA1 21 6w[f] Any motorcycle manufactured 12 after 1987 70 db [A]. 13 (3) A person convicted of the violation of subsection [1]y abovey shall be fined five dellars (\$5). 14 15 (4) A person convicted of the violation of subsection 16 (2) abovey shall be punished by a fine of not less than ten 17 dollars-(\$10)-ner or more than one-hundred-dollars-(\$100) or 18 by imprisonment for not more than ten flor days or by both 19 such fine and imprisonment for the first such conviction; 20 for a second conviction within one-fly year thereafters such 21 person shall be punished by a fine of not less than twenty-five--dollars--(\$25)--nor or more than two-hundred 22

tw(a) Any motorcycle manufactured prior

22 twenty five dollars (\$25) - nor or wore than two hundred 23 dollars (\$200) or by imprisonment for not more than twenty 24 (20) days or by both such fine and imprisonment; upon a 25 third or subsequent conviction within one (1) year after the

THIRD READING

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HB2D

LC 0231/01

1 first convictions such person shall be punished by a fine of

2 not less than fifty-dollars-(\$50)--nor or more than five

3 hundred-dollars-(\$500) or by imprisonment for not more than

-End-

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HB 0206/02

1	HOUSE BILL ND+ 206	1	scale
2	IVERUDUCED BY COURTHEY, COONEY, PALMER, HARRINGTON,	2	feet
ć	MULAR, BRADLEY, METCALF, MARKS, UHDE, HIRSCH, DUSSAULT,	ذ	
4	HARPER, LYNCH	4	to 19
5		5	
6	A BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE THE	6	to 19
1	REQUIREMENT OF HEADGEAR FOR MOTORCYCLE RIDERS EIGHTEEN YEARS		
8	OF AGE OR OLDER; AMENDING SECTION 32-21-105+1; R.C.M. 1947-"	8	to 19
9		9	
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	10	to 19
11	Section 1. Section 32-21-105.1, R.C.M. 1947, is	11	
12	amended to read as follows:	12	to 19
13	*32-21-105.1. Headgear required for <u>minor</u> motorcycle	13	
14	riders noise suppression devices. (1) The An operator	14	after
15	and passenger yifanyy <u>under 18 years of age</u> of any	15	
16	motorcycle operated upon the streets or highways of this	16	(1)+
17	state shall wear protective headgear upon the head. Such Ine	17	
18	headgear shall meet standards established by the department	18	(2) •
19	of justice.	19	do)};
20	(2) All motorcycles operated on the streets and	20	by in
21	highways of this state shall be equipped at all times with	21	such
22	noise suppression devices, including an exhaust muffler, in	22	for a
23	good working order, and in constant operation. In addition,	23	perso
24	all motorcycles operating on streets and highways shall meet	24	twent
25	tne following noise decibel limitations, on the standard A	25	dotte

1	scale, such decibel limitations to be measured at fifty-(50)
2	feet distant from the closest point to the motorcycle:
3	t <u>∗[a]</u> Any motorcycle manufactured prior
4	to 1970 92 db(A)
5	<pre>ĉ*(b) Any motorcycle manufactured after 1969 but prior</pre>
6	to 1973 88 db(A)
7	∃w <u>(c)</u> Any motorcycle manufactured after 1972 but prior
8	to 1975 86 db(A)
9	4= <u>[d]</u> Any motorcycle manufactured after 1974 but prior
10	to 1978 80 db(A)
11	5= <u>(e)</u> Any motorcycle manufactured after 1977 but prior
12	to 1988 75 db(A)
13	Sw <u>(f)</u> Any motorcycle manufactured
14	after 1987 70 db(A).
15	(3) A person convicted of the violation of subsection
16	(1)# above# shall be fined five-dollars-{\$5}.
17	(4) A person convicted of the violation of subsection
13	(2) aboves shall be punished by a fine of not less than ten
19	dollars-(\$10)-nor <u>or</u> more than one-hundred-dollars-(\$100) or
20	by imprisonment for not more than ten-(10) days or by both
21	such fine and imprisonment for the first such conviction;
22	for a second conviction within one-(1) year thereafter <u>s</u> such
23	person shall be punished by a fine of not less than
24	twenty-fivedollarsf\$25}nor or more than two-hundred
25	dollars-{\$200} or by imprisonment for not more than tw enty

REFERENCE BILL

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HB 206

HB 0206/02

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1 (20) days or by both such fine and imprisonment; upon a 2 third or subsequent conviction within one-(1) year after the 3 first conviction, such person shall be punished by a fine of not less than fifty-dollars-(\$50)--nor or more than five 5 hundred--dollars-(\$500) or by imprisonment for not wore than 6 six-(5) months or by both such fine and imprisonment."

-End-