SENATE DOCKET, NO. FILED ON: 1/9/2009

**SENATE . . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Morrissey, Michael (SEN)**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General
 Court assembled:*

 The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the helmet law standards.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Morrissey, Michael (SEN) | Norfolk and Plymouth |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S02077 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act relative to the helmet law standards.

 *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

 SECTION 1.  Section 7 of Chapter 90 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by adding the following words at the end of said paragraph:-  In accordance with the Federal laws as stated in Section 1392(d) of the National Traffic and Motor Vehicle Safety Act of 1966, no citations or fines shall be issued to any motorcycle operator or passenger who is wearing a helmet that may not be in conformity with protective headgear standard set forth by the registrar unless (a) a determination of non-compliance for said helmet model has been issued by the National Highway Transportation Safety Administration; (b) a manufacturer recall of said helmet model has been issued because of non-compliance with FMVSS 218; and (c) there is proof that the operator has actual knowledge of a determination of non-conformity with federal standards and of a manufacturer recall of said helmet because of non-compliance with the protective headgear standard set forth by the registrar.