

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

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**The Commonwealth of Massachusetts**

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: Morrissey, Michael (SEN)	DISTRICT/ADDRESS: Norfolk and Plymouth
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[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**

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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:*

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