



Bill No. 4104

Ordinance No. _____

INTRODUCED BY

ALDERMEN UTT, FINLEY, STALLMANN, ROACH, FLEMING, LEAHY, KERLAGON, BULLINGTON

AN ORDINANCE AMENDING MOTORCYCLE HELMET LAWS FOR DRIVERS AND PASSENGERS.

WHEREAS, the Missouri Legislature has enacted legislation revising the laws regarding helmet requirements for motorcycle drivers and passengers; and

WHEREAS, it is necessary and proper to revise Section 15-31 of the City Code of Ordinances to match such changes in state law.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Section 15-131 of the Code of Ordinances of the City of Ballwin shall be repealed and replaced with the following:

Sec. 15-131. Riding on motorcycles; additional passenger; requirements.

- (a) A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the rear or side of the operator.
- (b) The operator of a motorized bicycle shall ride only astride the permanent and regular seat attached thereto, and shall not permit more than one person to ride thereon at the same time, unless the motorized bicycle is designed to carry more than one person. Any motorized bicycle designed to carry more than one person must be equipped with a passenger seat and footrests for the use of a passenger.
- (c) Every person under twenty-six years of age who is operating or riding as a passenger on any motorcycle or motortricycle, as defined in RSMo 301.010, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion; except that, any person twenty-six years of age or older operating any motorcycle or motortricycle who has been issued an instruction permit shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet reasonable standards and specifications established by the Director of Revenue.
- (d) Any qualified motorcycle operator who is twenty-six years of age or older may operate a motorcycle or motortricycle upon any highway of this state without wearing protective headgear if he or she in addition to maintaining proof of financial responsibility in accordance with RSMo chapter 303, is covered by a health insurance policy or other form of insurance which will provide the person with medical benefits for injuries incurred as a result of an accident while operating or riding on a motorcycle or motor tricycle.

1. Proof of coverage required by subsection (d) of this section shall be provided, upon request by authorized law enforcement, by showing a copy of the qualified operator's insurance card.



2. No person shall be stopped, inspected, or detained solely to determine compliance with this section.

- (e) No person shall operate or ride as a passenger on any motorcycle unless such motorcycle is equipped with a windshield, intact and firmly attached, or unless such operator or passenger is wearing shatterproof goggles or glasses that are shielding the eyes from wind and foreign objects.

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

PASSED this ____ day of _____, 2021.

TIM POGUE, MAYOR

APPROVED this ____ day of _____, 2021.

TIM POGUE, MAYOR

ATTEST: _____

ERIC STERMAN, CITY ADMINISTRATOR