

House Bill 2409

Sponsored by Representative GELSER; Representative CLEM (at the request of Bill Ashbaugh)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Director of Transportation to issue certificate of exemption to person who presents signed statement from physician that person should be exempted from wearing motorcycle helmet.

Provides operators and passengers of motorcycles and mopeds medical exemption from requirement to wear motorcycle helmet.

A BILL FOR AN ACT

1
2 Relating to motorcycle helmets; creating new provisions; and amending ORS 814.290.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2009 Act is added to and made a part of the Oregon Vehicle**
5 **Code.**

6 **SECTION 2. The Director of Transportation shall issue a certificate of exemption re-**
7 **quired under ORS 814.290 for any person on whose behalf a statement signed by a physician**
8 **is presented to the Department of Transportation. For a physician's statement to qualify**
9 **under this section, the physician giving the statement must set forth reasons in the state-**
10 **ment why use of a motorcycle helmet by the person would be impractical or harmful to the**
11 **person due to a physical condition or a medical problem.**

12 **SECTION 3. ORS 814.290 is amended to read:**

13 814.290. This section establishes exemptions from the requirements and penalties relating to the
14 use of motorcycle helmets under ORS 814.260 to 814.280. A person is not in violation of ORS 814.260,
15 814.269, 814.275 or 814.280 if *[the person is any of the following]:*

16 (1) **The person is** within an enclosed cab[.];

17 (2) **The person is** operating or riding a vehicle designed to travel with three wheels in contact
18 with the ground at speeds of less than 15 miles per hour[.]; **or**

19 (3) **The Department of Transportation has issued the person a certificate of exemption**
20 **under section 2 of this 2009 Act.**

21 **SECTION 4. Section 2 of this 2009 Act and the amendments to ORS 814.290 by section 3**
22 **of this 2009 Act apply to violations of ORS 814.260, 814.269, 814.275 and 814.280 that occur on**
23 **or after the effective date of this 2009 Act.**

24

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.