

104TH CONGRESS
1ST SESSION

S. 234

To amend title 23, United States Code, to exempt a State from certain penalties for failing to meet requirements relating to motorcycle helmet laws if the State has in effect a motorcycle safety program, and to delay the effective date of certain penalties for States that fail to meet certain requirements for motorcycle safety laws, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 18 (legislative day, JANUARY 10), 1995

Mr. CAMPBELL (for himself, Mr. GRASSLEY, and Mr. KOHL) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend title 23, United States Code, to exempt a State from certain penalties for failing to meet requirements relating to motorcycle helmet laws if the State has in effect a motorcycle safety program, and to delay the effective date of certain penalties for States that fail to meet certain requirements for motorcycle safety laws, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. USE OF A MOTORCYCLE HELMET AND MOTOR-**
2 **CYCLE SAFETY PROGRAM.**

3 Section 153(h) of title 23, United States Code, is
4 amended—

5 (1) by striking “(1) FISCAL YEAR 1994.—If,”
6 and inserting the following:

7 “(2) SAFETY BELTS.—

8 “(A) FISCAL YEAR 1994.—If,”;

9 (2) by striking “(2) THEREAFTER.—If” and in-
10 sserting the following:

11 “(B) THEREAFTER.—If,”; and

12 (3) in paragraph (2) (as amended by para-
13 graphs (1) and (2)), by striking “subsection (a)(1)
14 and a law described in” each place it appears;

15 (4) by inserting under the subsection heading
16 the following:

17 “(1) MOTORCYCLE HELMETS.—

18 “(A) FISCAL YEAR 1996.—If, at any time
19 in fiscal year 1996, a State does not have in ef-
20 fect a law described in subsection (a)(1) or a
21 motorcycle safety program administered or au-
22 thorized by the State to reduce motorcycle acci-
23 dents and fatalities, the Secretary shall transfer
24 1½ percent of the funds apportioned to the
25 State for fiscal year 1997 under each of sub-
26 sections (b)(1), (b)(2), and (b)(3) of section

1 104 of this title to the apportionment of the
2 State under section 402 of this title.

3 “(B) THEREAFTER.—If, at any time in a
4 fiscal year beginning after September 30, 1996,
5 a State does not have in effect a law described
6 in subsection (a)(1) or a motorcycle safety pro-
7 gram administered by the State to reduce mo-
8 torcycle accidents and fatalities, the Secretary
9 shall transfer 3 percent of the funds appor-
10 tioned to the State for the succeeding fiscal
11 year under each of subsections (b)(1), (b)(2),
12 and (b)(3) of section 104 of this title to the ap-
13 portionment of the State under section 402 of
14 this title.”.

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