

2018 -- H 7373

LC004241

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - MOTORCYCLE HELMETS

Introduced By: Representatives Perez, McLaughlin, Fellela, Phillips, and Cunha

Date Introduced: January 31, 2018

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-10.1-4 of the General Laws in Chapter 31-10.1 entitled "Special
2 License for Motorcycles, Motor Scooters, and Other Motor Driven Cycles" is hereby amended to
3 read as follows:

4 **31-10.1-4. Required equipment.**

5 (a) Operators of motorcycles, motor scooters, and motor-driven cycles shall use eye
6 protection of a type approved by the administrator of the division of motor vehicles when
7 operating their vehicles on streets and highways. Every motorcycle, motor scooter, and motor-
8 driven cycle shall be equipped with a rear view mirror. Any operator under the age of twenty-one
9 (21) shall wear a helmet of a type approved by the administrator of motor vehicles. In addition,
10 all new operators, regardless of age, shall be required, for a period of one year from the date of
11 issuance of the first license pursuant to § 31-10.1-1, to wear a helmet of a type approved by said
12 administrator. Any person deemed in violation of this provision shall be subject to the fines
13 enumerated in § 31-41.1-4, which shall be paid in accordance with the provisions of chapter 41.1
14 of this title. The administrator of the division of motor vehicles is authorized to set forth rules and
15 regulations governing the use of other equipment on those vehicles. All fines collected under this
16 section shall be deposited in a general restricted receipt account for the use of the Rhode Island
17 governor's office on highway safety in order to promote educational and informational programs
18 encouraging helmet use.

19 (b) Effective July 1, 2018, all operators of motorcycles, motor scooters, and motor-driven

1 [cycles, shall wear a helmet of a type approved by the administrator of motor vehicles. A violation](#)
2 [of this section shall result in a fine of one hundred dollars \(\\$100.00\).](#)

3 SECTION 2. Section 31-41.1-4 of the General Laws in Chapter 31-41.1 entitled
4 "Adjudication of Traffic Offenses" is hereby amended to read as follows:

5 **31-41.1-4. Schedule of violations.**

6 (a) The penalties for violations of the enumerated sections, listed in numerical order,
7 correspond to the fines described. However, those offenses for which punishments may vary
8 according to the severity of the offense, or punishment that require the violator to perform a
9 service, shall be heard and decided by the traffic tribunal or municipal court. The following
10 violations may be handled administratively through the method prescribed in this chapter. This
11 list is not exclusive and jurisdiction may be conferred on the traffic tribunal with regard to other
12 violations.

13 VIOLATIONS SCHEDULE

14	Sections of		Total
15	General Laws		Fine
16	8-8.2-2	DOT, DEM, or other agency and department violations	\$85.00
17	24-10-17	Soliciting rides in motor vehicles	85.00
18	24-10-18	Backing up prohibited	85.00
19	24-10-20	Park and ride lots	85.00
20	24-12-37	Nonpayment of toll	100.00
21	31-3-12	Visibility of plates	85.00
22	31-3-18	Display of plates	85.00
23	31-3-32	Driving with expired registration	85.00
24	31-3-34	Failure to notify division of change of address	85.00
25	31-3-35	Notice of change of name	85.00
26	31-3-40	Temporary plates – dealer issued	85.00
27	31-4-3	Temporary registration – twenty (20) day bill of sale	85.00
28	31-10-10	Rules as to armed forces license	85.00
29	31-10-30	Driving on expired license	85.00
30	31-10-32	Notice of change of address	85.00
31	31-10.1-4 31-10.1-4(a)	No motorcycle helmet (operator)	85.00
32	31-10.1-4(b)	No motorcycle helmet (all operators) effect. July 1, 2018	100.00
33	31-10.1-5	Motorcycle handlebar violation	85.00
34	31-10.1-6	No motorcycle helmet (passenger)	85.00

1	31-10.1-6	No motorcycle helmet (passenger) effect. July 1, 2018	100.00
2	31-10.1-7	Inspection of motorcycle required	85.00
3	31-12-12	Local motor vehicle ordinance	85.00
4	31-13-04	Obedience to devices	85.00
5	31-13-6(3)(i)	Eluding traffic light	85.00
6	31-13-09	Flashing signals	85.00
7	31-13-11	Injury to signs or devices	85.00
8	31-14-1	Reasonable and prudent speed	95.00
9	31-14-03	Condition requiring reduced speed	95.00
10	31-14-09	Below minimum speed	95.00
11	31-14-12	Speed limit on bridges and structures	95.00
12	31-15-1	Leaving lane of travel	85.00
13	31-15-2	Slow traffic to right	85.00
14	31-15-3	Operator left of center	85.00
15	31-15-4	Overtaking on left	85.00
16	31-15-5(a)	Overtaking on right	85.00
17	31-15-6	Clearance for overtaking	85.00
18	31-15-7	Places where overtaking prohibited	85.00
19	31-15-8	No passing zone	85.00
20	31-15-9	One way highways	85.00
21	31-15-10	Rotary traffic islands	85.00
22	31-15-11	Laned roadway violation	85.00
23	31-15-12	Following too closely	85.00
24	31-15-12.1	Entering intersection	100.00
25	31-15-13	Crossing center section of divided highway	85.00
26	31-15-14	Entering or leaving limited access roadways	85.00
27	31-15-16	Use of emergency break-down lane for travel	85.00
28	31-15-17	Crossing bicycle lane	85.00
29	31-15-18	Unsafe passing of person operating a bicycle	85.00
30	31-16-1	Care in starting from stop	85.00
31	31-16-2	Manner of turning at intersection	85.00
32	31-16-4	U turn where prohibited	85.00
33	31-16-5	Turn signal required	85.00
34	31-16-6	Time of signaling turn	85.00

1	31-16-7	Failure to give stop signal	85.00
2	31-16-8	Method of giving signals	85.00
3	31-16.1-3	Diesel vehicle idling rules first offense not to exceed	100.00
4		second and subsequent offense not to exceed	500.00
5	31-17-1	Failure to yield right of way	85.00
6	31-17-2	Vehicle turning left	85.00
7	31-17-3	Yield right of way (intersection)	85.00
8	31-17-4	Obedience to stop signs	85.00
9	31-17-5	Entering from private road or driveway	85.00
10	31-17-8	Vehicle within right of way, rotary	85.00
11	31-17-9	Yielding to bicycles on bicycle lane	85.00
12	31-18-3	Right of way in crosswalks first violation	85.00
13		second violation or any subsequent violation	\$100.00
14	31-18-5	Crossing other than at crosswalks	85.00
15	31-18-8	Due care by drivers	85.00
16	31-18-12	Hitchhiking	85.00
17	31-18-18	Right of way on sidewalks	85.00
18	31-19-3	Traffic laws applied to bicycles	85.00
19	31-19-20	Sale of new bicycles	85.00
20	31-19-21	Sale of used bicycles	85.00
21	31-19.1-2	Operating motorized bicycle on an interstate highway	85.00
22	31-19.2-2	Operating motorized tricycle on an interstate highway	85.00
23	31-20-1	Failure to stop at railroad crossing	85.00
24	31-20-2	Driving through railroad gate	85.00
25	31-20-9	Obedience to stop sign	85.00
26	31-21-4	Places where parking or stopping prohibited	85.00
27	31-21-14	Opening of vehicle doors	85.00
28	31-21-18	Electric vehicle charging station restriction	85.00
29	31-22-2	Improper backing up	85.00
30	31-22-4	Overloading vehicle	85.00
31	31-22-5	Violation of safety zone	85.00
32	31-22-6	Coasting	85.00
33	31-22-7	Following fire apparatus	85.00
34	31-22-8	Crossing fire hose	85.00

1	31-22-9	Throwing debris on highway – snow removal	85.00
2	31-22-11.5	Improper use of school bus– not to exceed five hundred dollars	
3		for each day of improper use	(\$500)
4	31-22-22(a)	No child restraint	85.00
5	31-22-22(a)	Child restraint/seat belt but not in any rear seating position	85.00
6	31-22-22(b), (f)	No seat belt – passenger	40.00
7	31-22-22(g)	No seat belt – operator	40.00
8	31-22-23	Tow trucks – proper identification	275.00
9	31-22-24	Operation of interior lights	85.00
10	31-23-1(b)(2)	U.S. department of transportation motor carrier safety rules	
11		and regulations	Not less than \$85.00
12			or more than \$500.00
13	31-23-1(e)(6)	Removal of an "out of service vehicle" sticker	125.00
14	31-23-1(e)(7)	Operation of an "out of service vehicle"	100.00
15	31-23-2(b)	Installation or adjustment of unsafe or prohibited parts,	
16		equipment, or accessories:	
17		(first offense)	250.00
18		(second offense)	500.00
19		(third and subsequent offenses	1,000.00
20	31-23-4	Brake equipment required	85.00
21	31-23-8	Horn required	85.00
22	31-23-10	Sirens prohibited	85.00
23	31-23-13	Muffler required	85.00
24	31-23-13.1	Altering height or operating a motor vehicle with an	
25		altered height	85.00
26	31-23-14	Prevention of excessive fumes or smoke	85.00
27	31-23-16	Windshield and window stickers (visibility)	85.00
28	31-23-17	Windshield wipers	85.00
29	31-23-19	Metal tires prohibited	85.00
30	31-23-20	Protuberances on tires	85.00
31	31-23-26	Fenders and wheel flaps required	85.00
32	31-23-27	Rear wheel flaps on buses, trucks and trailer	85.00
33	31-23-29	Flares or red flag required over four thousand pounds	
34		(4,000 lbs.)	85.00

1	31-23-40	Approved types of seat belt requirements	85.00
2	31-23-42.1	Special mirror – school bus	85.00
3	31-23-43	Chocks required (1 pair) – over four thousand pounds	
4		(4,000 lbs.)	85.00
5	31-23-45	Tire treads – defective tires	85.00
6	31-23-47	Slow moving emblem required	85.00
7	31-23-49	Transportation of gasoline – passenger vehicle	85.00
8	31-23-51	Operating bike or motor vehicle wearing ear phones	
9		(first offense)	85.00
10		second offense	95.00
11		for the third and each subsequent offense	140.00
12	31-24-1 through 31-24-54	Times when lights required	85.00
13	31-25-03	Maximum width of one hundred and two inches (102")	
14		exceeded	85.00
15	31-25-04	Maximum height of one hundred sixty-two inches (162")	
16		exceeded	85.00
17	31-25-06	Maximum number and length of coupled vehicles	500.00
18	31-25-07	Load extending three feet (3') front, six feet (6') rear	
19		exceeded	85.00
20	31-25-9	Leaking load	85.00
21	31-25-11	Connections between coupled vehicles	85.00
22	31-25-12	Towing chain, twelve inch (12") square flag required	85.00
23	31-25-12.1	Tow truck – use of lanes	
24		(first offense)	85.00
25		second offense	95.00
26		for the third and each subsequent offense	100.00
27	31-25-14(d)(1)	Maximum weight and tandem axles	125.00
28	31-25-14(d)(2)	Maximum weight and tandem axles	125.00
29	31-25-14(d)(3)	Maximum weight and tandem axles	125.00
30	31-25-16(c)(2)	Maximum weight shown in registration per thousand lbs.	
31		overweight or portion thereof	85.00
32	31-25-16(c)(3)	Maximum weight shown in registration per thousand lbs.	
33		overweight or portion thereof.	125.00
34	31-25-16(c)(4)	Maximum weight shown in registration	1,025.00

1		plus per thousand pounds overweight or portion thereof	\$125.00
2	31-25-17	Identification of trucks and truck-tractors	
3		(first offense)	85.00
4		(second offense)	95.00
5		for the third and subsequent offenses	125.00
6	31-25-24	Carrying and inspection of excess load limit	175.00
7	31-25-27(c)	Maximum axle	
8		(first offense)	3,000.00
9		not to exceed	5,000.00
10		for each and every subsequent offense	
11	31-25-30	Maximum axle Pawtucket River Bridge and Sakonnet River	
12		Bridge	
13		(first offense)	3,000.00
14		not to exceed	5,000.00
15		for each and every subsequent offense	
16	31-27-2.3	Refusal to take preliminary breath test	85.00
17	31-28-7(d)	Wrongful use of handicapped parking placard	500.00
18	31-28-7(f)	Handicapped parking space violation:	
19		First offense	100.00
20		Second offense	175.00
21		Third offense and subsequent offenses	325.00
22	31-28-7.1(e)	Wrongful use of institutional handicapped parking	
23		placard	125.00
24	31-33-2	Failure to file accident report	85.00
25	31-36.1-17	No fuel tax stamp (out-of-state)	85.00
26		and not exceeding for subsequent offense	(\$100)
27	31-38-3	No inspection sticker	85.00
28	31-38-4	Violation of inspection laws	85.00
29	31-47.2-06	Heavy-duty vehicle emission inspections:	
30		First offense	125.00
31		Second offense	525.00
32		Third and subsequent offenses	1,025.00
33	37-15-7	Littering	not less than 55.00
34		not more than five hundred dollars (\$500)	

1 39-12-26 Public carriers violation 300.00

2 SPEEDING Fine

3 Fine

4 (A) One to ten miles per hour (1-10 mph) in excess of posted speed limit \$ 95.00

5 (B) Eleven miles per hour (11 mph) in excess of posted speed limit with a fine
6 of ten dollars (\$10.00) per mile in excess of speed limit shall be assessed. 205.00

7 minimum

8 (b) In addition to any other penalties provided by law, a judge may impose the following
9 penalties for speeding:

10 (1) For speeds up to and including ten miles per hour (10 mph) over the posted speed
11 limit on public highways, a fine as provided for in subsection (a) of this section for the first
12 offense; ten dollars (\$10.00) per mile for each mile in excess of the speed limit for the second
13 offense if within twelve (12) months of the first offense; and fifteen dollars (\$15.00) per mile for
14 each mile in excess of the speed limit for the third and any subsequent offense if within twelve
15 (12) months of the first offense. In addition, the license may be suspended up to thirty (30) days.

16 (2) For speeds in excess of ten miles per hour (10 mph) over the posted speed limit on
17 public highways, a mandatory fine of ten dollars (\$10.00) for each mile over the speed limit for
18 the first offense; fifteen dollars (\$15.00) per mile for each mile in excess of the speed limit for the
19 second offense if within twelve (12) months of the first offense; and twenty dollars (\$20.00) per
20 mile for each mile in excess of the speed limit for the third and subsequent offense if within
21 twelve (12) months of the first offense. In addition, the license may be suspended up to sixty (60)
22 days.

23 (c) Except for a technology surcharge assessed in accordance with § 8-15-11, any person
24 charged with a violation who pays the fine administratively pursuant to chapter 41.1 of title 31
25 shall not be subject to any additional costs or assessments, including, but not limited to, the
26 hearing fee established in § 8-18-4.

27 SECTION 3. This act shall take effect on July 1, 2018.

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LC004241
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO MOTOR AND OTHER VEHICLES - MOTORCYCLE HELMETS

1 This act would require all operators of motorcycles, motor scooters, and motor-driven
2 cycles to wear a helmet of a type approved by the administrator of motor vehicles as of July 1,
3 2018. Violation of this act would result in a one hundred dollar (\$100) fine and increase the fine
4 for failure of a passenger to wear a helmet from eighty-five dollars (\$85) to one hundred dollars
5 (\$100).

6 This act would take effect on July 1, 2018.

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