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By: Senators Hafer, Astle, Brinkley, Colburn, DeGrange, Della, Dyson,

Exum, Giannetti, Greenip, Haines, Harris, Hooper, Jacobs, Kittleman, Mooney, Munson, Stoltzfus, and Stone

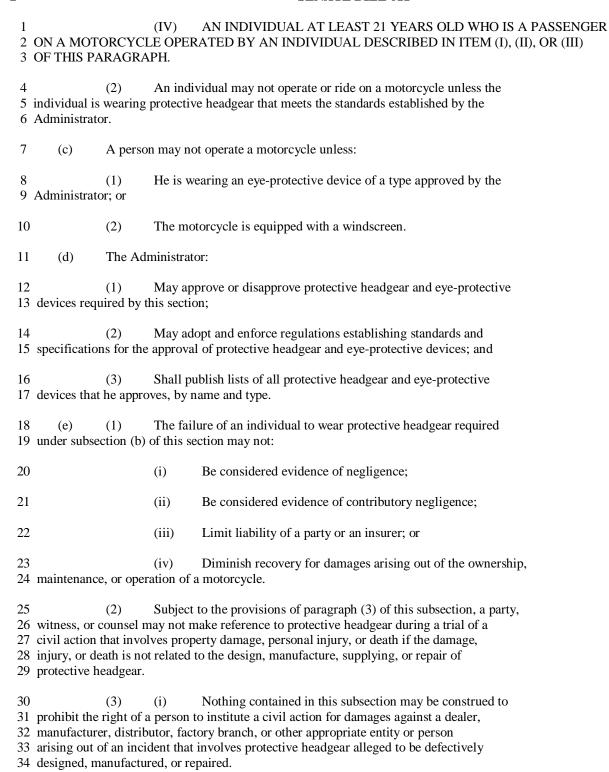
Mooney, Munson, Stoltzfus, and Stone Introduced and read first time: February 6, 2004

Assigned to: Judicial Proceedings

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	A BILL ENTITLED
1	AN ACT concerning
2 3	Vehicle Laws - Protective Headgear Requirement for Motorcycle Riders - Exceptions
4 5 6 7	FOR the purpose of providing certain exceptions to the prohibition against operating or riding on a motorcycle without certain protective headgear; and generally relating to the requirement that protective headgear be worn by operators or riders of a motorcycle.
8 9 10 11 12	BY repealing and reenacting, with amendments, Article - Transportation Section 21-1306 Annotated Code of Maryland (2002 Replacement Volume and 2003 Supplement)
13 14	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
15	Article - Transportation
16	21-1306.
17	(a) This section does not apply to any person riding in an enclosed cab.
18	(b) (1) THIS SUBSECTION DOES NOT APPLY TO:
19 20	(I) THE OPERATOR OR OCCUPANT OF ANY THREE-WHEELED MOTORCYCLE EQUIPPED WITH AN ENCLOSED CAB;
21 22	(II) AN INDIVIDUAL AT LEAST 21 YEARS OLD WHO HAS BEEN LICENSED TO OPERATE A MOTORCYCLE FOR AT LEAST 2 YEARS;
	(III) AN INDIVIDUAL AT LEAST 21 YEARS OLD WHO HAS COMPLETED A MOTORCYCLE-RIDER SAFETY COURSE APPROVED BY THE ADMINISTRATOR OR BY THE MOTORCYCLE SAFETY FOUNDATION; OR

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- 1 (ii) In a civil action described under subparagraph (i) of this
- 2 paragraph in which 2 or more parties are named as joint tort-feasors, interpleaded as
- 3 defendants, or impleaded as defendants, and at least 1 of the joint tort-feasors or
- 4 defendants is not involved in the design, manufacture, supplying, or repair of
- 5 protective headgear, a court shall order on a motion of any party separate trials to
- 6 accomplish the ends of justice.
- 7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 8 June 1, 2004.