

House Engrossed Senate Bill

~~traffic violations; photo radar; penalties~~  
(now: minors; motorcycle helmets; citations)

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

**CHAPTER 246**  
**SENATE BILL 1680**

AN ACT

AMENDING SECTION 28-964, ARIZONA REVISED STATUTES; RELATING TO VEHICLES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-964, Arizona Revised Statutes, is amended to  
3 read:

4 28-964. Motorcycles; all-terrain vehicles; motor driven  
5 cycles; equipment; exception; citations; civil  
6 penalty; community service

7 A. An operator or passenger of a motorcycle, all-terrain vehicle or  
8 motor driven cycle who is under eighteen years of age shall wear at all  
9 times a protective helmet on the operator's or passenger's head in an  
10 appropriate manner. **A LAW ENFORCEMENT OFFICER MAY ISSUE A CITATION FOR A**  
11 **VIOLATION OF THIS SUBSECTION ONLY TO AN OPERATOR OR PASSENGER WHO IS**  
12 **SIXTEEN OR SEVENTEEN YEARS OF AGE AND WHO HAS BEEN ISSUED A DRIVER LICENSE**  
13 **OR PERMIT.** The protective helmet shall be safely secured while the  
14 operator or passenger is operating or riding on the motorcycle,  
15 all-terrain vehicle or motor driven cycle. An operator of a motorcycle,  
16 all-terrain vehicle or motor driven cycle shall wear at all times  
17 protective glasses, goggles or a transparent face shield of a type  
18 approved by the director unless the motorcycle, all-terrain vehicle or  
19 motor driven cycle is equipped with a protective windshield. This  
20 subsection does not apply to **ANY OF THE FOLLOWING:**

21 1. Electrically powered three wheeled vehicles or three wheeled  
22 vehicles on which the operator and passenger ride within an enclosed cab.

23 2. **A MOTORCYCLE, ALL-TERRAIN VEHICLE OR MOTOR DRIVEN CYCLE THAT IS**  
24 **A FARM OR AGRICULTURAL VEHICLE IF THE OPERATOR OR PASSENGER IS ENGAGED IN**  
25 **AGRICULTURAL WORK.**

26 3. **AN ALL-TERRAIN VEHICLE AS DEFINED IN SECTION 28-101, PARAGRAPH**  
27 **3, SUBDIVISION (b).**

28 4. **A MOTORCYCLE, ALL-TERRAIN VEHICLE OR MOTOR DRIVEN CYCLE THAT IS**  
29 **OPERATED ON PRIVATE PROPERTY.**

30 B. A motorcycle, all-terrain vehicle and motor driven cycle shall  
31 be equipped with a rearview mirror, seat and footrests for the operator.  
32 A motorcycle, all-terrain vehicle or motor driven cycle operated with a  
33 passenger shall be equipped with a seat and footrests for the passenger.

34 C. **AN OPERATOR OF A MOTORCYCLE, ALL-TERRAIN VEHICLE OR MOTOR DRIVEN**  
35 **CYCLE WHO IS AT LEAST EIGHTEEN YEARS OF AGE MAY BE ISSUED A CITATION IF**  
36 **EITHER OF THE FOLLOWING OCCURS:**

37 1. **A PASSENGER OF THE MOTORCYCLE, ALL-TERRAIN VEHICLE OR MOTOR**  
38 **DRIVEN CYCLE IS UNDER EIGHTEEN YEARS OF AGE AND IS NOT WEARING A**  
39 **PROTECTIVE HELMET AS PRESCRIBED IN SUBSECTION A OF THIS SECTION.**

40 2. **THE OPERATOR OR PASSENGER OF THE MOTORCYCLE, ALL-TERRAIN VEHICLE**  
41 **OR MOTOR DRIVEN CYCLE IS UNDER EIGHTEEN YEARS OF AGE AND IS BOTH:**

42 (a) **NOT WEARING A PROTECTIVE HELMET AS PRESCRIBED IN SUBSECTION A**  
43 **OF THIS SECTION.**

1           (b) IN THE SAME GROUP OR PARTY AS THE OPERATOR OF THE INITIAL  
2 MOTORCYCLE, ALL-TERRAIN VEHICLE OR MOTOR DRIVEN CYCLE WHO IS AT LEAST  
3 EIGHTEEN YEARS OF AGE.

4           D. FOR AN INITIAL VIOLATION OF THIS SECTION, A PERSON IS SUBJECT TO  
5 A CIVIL PENALTY OF \$100 OR COMMUNITY SERVICE IF THE PERSON IS SIXTEEN OR  
6 SEVENTEEN YEARS OF AGE AT THE TIME OF THE VIOLATION.

APPROVED BY THE GOVERNOR JUNE 21, 2024.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 21, 2024.