



Posted by Peter Vander Aa, Program Administrator

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**Question on windshield from NV**

Nevada statutes consider "transparent windscreens" as acceptable eye protection. I'm thinking of submitting a Bill Draft Request to remove this option. Do your state statutes say the same thing? If so, does anyone know how this got started?

**OREGON**

Hi Pete.

Oregon has no eye protection requirement.

~Michele O'Leary

**UTAH**

Utah does not address the issue

~Kurt Stromberg

**CALIFORNIA**

California has no law requiring eye protection. You must wear a helmet...but your eyeballs can be completely naked.

~Mark Pope

**VIRGINIA**

Peter, below is our law on helmets which includes face shields, goggles and windshields.

46.2-910. Motorcyclist to wear helmets, etc.; certain sales prohibited; penalty.

A. Every person operating a motorcycle shall wear a face shield, safety glasses or goggles, or have his motorcycle equipped with safety glass or a windshield at all times while operating the vehicle, and operators and any passengers thereon shall wear protective helmets. Operators and passengers riding on motorcycles with wheels of eight inches or less in diameter or in three-wheeled motorcycles which have nonremovable roofs, windshields and enclosed bodies shall not be required to wear protective helmets. The windshields, face shields, glasses or goggles, and protective helmets required by this section shall meet or exceed the standards and specifications of the Snell Memorial Foundation, the American National Standards Institute, Inc., or the federal Department of Transportation. Failure to wear a face shield, safety glasses or goggles, or protective helmets shall not constitute negligence per se in any civil proceeding. The provisions of this section requiring the wearing of protective helmets shall not apply to operators of or passengers on motorcycles being operated (i) as part of an organized

parade authorized by the Department of Transportation or the locality in which the parade is being conducted and escorted, accompanied, or participated in by law-enforcement officers of the jurisdiction wherein the parade is held and (ii) at speeds of no more than fifteen miles per hour.

No motorcycle operator shall use any face shield, safety glasses or goggles, or have his motorcycle equipped with safety glass or a windshield unless of a type either (i) approved by the Superintendent prior to July 1, 1996, or (ii) that meets or exceeds the standards and specifications of the Snell Memorial Foundation, the American National Standards Institute, Inc., or the federal Department of Transportation and is marked in accordance with such standards.

B. It shall be unlawful to sell or offer for sale, for highway use in Virginia, any protective helmet that fails to meet or exceed any standard as provided in the foregoing provisions of this section. Any violation of this subsection shall constitute a Class 4 misdemeanor.

**~Bruce Biondo**

**MARYLAND**

Pete,

Happy New Year!

Maryland Law considers a windshield as eye protection. Following is the law as we have explained it on our BRC handout on Maryland Motorcycle Laws: A motorcyclist may not ride a motorcycle unless they are wearing eye protection that meet the specifications established by the Federal Food and Drug Administration regulations on impact resistance or the motorcycle is equipped with a windscreen. It is generally accepted that to qualify as eye protection the top of a motorcycle's windscreen should be higher than the rider's eyes. A passenger on a motorcycle must wear eye protection at all times. TR-21-1306(c)(1) & (2)

Hope this helps.

**~Philip Sause**

**New Jersey**

In NJ, acceptable forms of eye protection are goggles, face shields, and/or windscreen - all which are required to meet specifications established by the Chief Administrator (??).

**~Lori Sannella**

**RHODE ISLAND**

RI requires Eye Protection § 31-23-57 Eye protection for motorcycle operators. - (a) Every motorcycle operator shall be required to wear protective eyewear while operating on any highway within the state. The eyewear shall include, but not be limited to, safety goggles, safety eyeglasses, or a safety shield.

**~Despina Metakos Harris**

**NORTH CAROLINA**

Hi Pete!

Although we have a helmet law, North Carolina has no requirement for eye protection.

~Robert Wagner

**MASSACHUSETTS**

Good morning Pete,

**MA General Law Chapter 90 Section 7:**

**Every person operating a motorcycle or riding as a passenger on a motorcycle or in a sidecar attached to a motorcycle shall wear protective head gear conforming with such minimum standards of construction and performance as the registrar may prescribe, and no person operating a motorcycle shall permit any other person to ride as a passenger on such motorcycle or in a sidecar attached to such motorcycle unless such passenger is wearing such protective head gear, except that no protective head gear shall be required if the motorcyclist is participating in a properly permitted public parade and is 18 years of age or older. If a motorcycle is not equipped with a windshield or screen, the operator of such motorcycle shall wear eye glasses, goggles or a protective face shield when operating such vehicle.**

Hope this helps.

~Eugene F. Carabine

**NEVADA**

Thanks to everyone who responded on the motorcycle windshield question. It appears state laws are all over the board on this one including some states that don't require any eye protection. I find it interesting that a windshield is allowable eye protection in my state and several others. It doesn't do a whole lot to prevent dirt and bugs that get around the windshield. I may just write a bill draft request to have ours be like Wisconsin.....i.e. windshield must rise a minimum of 15 inches above the handlebar.

Thanks!

~Pete Vander Aa

**MISSOURI**

I'm sure the sportbike groups will love you for that. :)

~Michael Davis