

**ASSEMBLY BILL**

**No. 1835**

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**Introduced by Assembly Member Olsen**

February 18, 2014

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An act to amend Section 38601 of the Vehicle Code, relating to recreational off-highway vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1835, as introduced, Olsen. Recreational off-highway vehicles: helmets: exemption.

Existing law prohibits a person from operating, or allowing a passenger in, a recreational off-highway vehicle unless the person and the passenger are wearing safety helmets, as specified.

This bill would exempt an operator or passenger of a recreational off-highway vehicle from the requirement to wear a safety helmet if the person is 18 years of age or older, the recreational off-highway vehicle has been equipped with a rollbar by the manufacturer, the person is seated in a seat that has been installed by the manufacturer, and the person is wearing a seat belt.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 38601 of the Vehicle Code is amended  
2 to read:  
3 38601. ~~A~~(a) *Except as provided in subdivision (b), a person*  
4 *shall not operate, or allow a passenger in, a recreational*  
5 *off-highway vehicle unless the person and the passenger are*

1 wearing safety helmets meeting the requirements established for  
2 motorcycles and motorized bicycles pursuant to Section 27802.

3 *(b) An operator or passenger of a recreational off-highway*  
4 *vehicle is not required to wear a safety helmet pursuant to*  
5 *subdivision (a) if all of the following apply:*

6 *(1) The person is 18 years of age or older.*

7 *(2) The recreational off-highway vehicle has been equipped*  
8 *with a rollbar by the manufacturer.*

9 *(3) The person is seated in a seat that has been installed by the*  
10 *manufacturer for the purpose of seating the operator or passenger*  
11 *of the recreational off-highway vehicle.*

12 *(4) The person is wearing a seat belt.*