

Law Enforcement Bulletin

Motorcycle Helmet Law

23 V.S.A. § 1256, entitled, "Motorcycle Headgear" was amended last year as follows:

"A person may not operate or ride upon a motorcycle upon a highway unless he or she properly wears protective headgear of a type that conforms to the Federal Motor Vehicle Safety Standards contained in 49 CFR5 71.218 and any amendment or additions to the regulations that may be adopted by the U.S. Secretary of Transportation."

This bulletin will assist officers in identifying Department of Transportation (DOT) approved helmets vs. "novelty" helmets.

Helmets are broken into three categories: full face, open face, and shorty or half shell. Full face and open face helmets are readily identifiable and are "probably" DOT approved. Please be mindful these types of helmets can be altered to make them non-compliant.

"Novelty helmets" are not DOT approved and generally fall into the shorty or half shell category. DOT helmets appear bulkier than non-approved helmets, which have a streamlined fit and rest closer to the head.

A DOT approved helmet will have a "DOT" sticker on the rear. Non-conforming helmets may display a counterfeit sticker.

DOT approved helmets will have the following information on a label located in the interior of the helmet.

- Manufacturer's name or identification
- Precise model designation
- Size
- Month and year of manufacture
- Instructions to the purchaser regarding construction and other safety-related information.

Non-conforming helmets will not have a label or may have one identifying them as a novelty helmet and not intended as safety equipment.

DOT approved helmets generally have at least 1 inch of polystyrene foam inner liner. The novelty helmet will have a very thin piece of fabric liner or no liner at all. The liner is the most important difference between a legal and illegal helmet. The liner provides the helmet with the ability to absorb impact from a crash. DOT approved helmets appear to be "well built." The chin strap and rivets are sturdy and solid. The helmet will weigh approximately 3 pounds and does not have anything rigid extending more than 2/10 of an inch from the surface of the helmet.

When investigating a crash involving a motorcycle it is recommended the investigating officer take pictures of the helmet and send the helmet along with the rider to the hospital.