

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 2752

BY DELEGATES CROUSE, DRENNAN, DEAN, HORST,
WHITE, BROOKS, PHILLIPS, CLAY, D. CANNON, AND HOTT

[Passed April 10, 2025; in effect 90 days from
passage (July 9, 2025)]

1 AN ACT to amend and reenact §17C-15-44 of the Code of West Virginia, 1931, as amended,
2 relating to allowing a person to operate a motorcycle, motor-driven cycle, or moped while
3 standing astride the vehicle and facing forward.

Be it enacted by the Legislature of West Virginia:

ARTICLE 15. EQUIPMENT.

§17C-15-44. Safety equipment and requirements for motorcyclists, motorcycles, motor-driven cycles and mopeds; motorcycle safety standards and education committee.

1 (a) A person may not operate or be a passenger on any motorcycle or motor-driven cycle
2 unless the person is wearing securely fastened on his or her head by either a neck or chin strap
3 a protective helmet designed to deflect blows, resist penetration, and spread impact forces. Any
4 helmet worn by an operator or passenger shall meet the current performance specifications
5 established by the American National Standards Institute Standard, Z 90.1, the United States
6 Department of Transportation Federal Motor Vehicle Safety Standard No. 218, or Snell Safety
7 Standards for Protective Headgear for Vehicle Users.

8 (b) A person may not operate or be a passenger on any motorcycle or motor-driven cycle
9 unless the person is wearing safety, shatter-resistant eyeglasses, excluding contact lenses, or
10 eye goggles or face shield that complies with the performance specifications established by the
11 American National Standards Institute for Head, Eye and Respiratory Protection, Z 2.1. In
12 addition, if any motorcycle, motor-driven cycle or moped is equipped with a windshield or
13 windscreen, the windshield or windscreen shall be constructed of safety, shatter-resistant material
14 that complies with the performance specifications established by Department of Transportation
15 Federal Motor Vehicle Safety Standard No. 205 and American National Standards Institute,
16 Safety Glazing Materials for Glazing Motor Vehicles Operated on Land Highways, Standard Z
17 26.1.

18 (c) A person may not operate a motorcycle, motor-driven cycle or moped on which the
19 handlebars or grips are more than 15 inches higher than the uppermost part of the operator's seat
20 when the seat is not depressed in any manner.

21 (d) A person operating a motorcycle, motor-driven cycle, or moped shall face forward and
22 either sit astride a permanent operator's seat attached to the vehicle or stand astride the vehicle
23 with both feet on the vehicle's footpegs or pedals. An operator may not carry any other person
24 and any other person may not ride on the vehicle unless the vehicle is designed to carry more
25 than one person, in which case a passenger may ride: (i) behind the operator upon the permanent
26 operator's seat if it is designed for two persons; (ii) upon another seat firmly attached to the vehicle
27 to the rear of the operator's seat and equipped with footrests designed and located for use by the
28 passenger; or (iii) in a sidecar firmly attached to the vehicle. A person may not ride side saddle
29 on a seat. An operator may carry as many passengers as there are seats and footrests to
30 accommodate those passengers. Additional passengers may be carried in a factory-produced
31 sidecar so long as there is one passenger per seat. Any passenger riding in a sidecar shall be
32 restrained by a safety belt.

33 (e) Every motorcycle, motor-driven cycle, and moped shall be equipped with a rearview
34 mirror affixed to the handlebars or fairings and adjusted so that the operator has a clear view of
35 the road and condition of traffic behind him or her for a distance of at least two hundred feet.

36 (f) Notwithstanding any provision of this code to the contrary, a person with a valid
37 driver's license who is operating a fully enclosed autocycle, as defined in §17C-1-69 of this
38 code, is exempt from the provisions of this section.

The Clerk of the House of Delegates and the Clerk of the Senate hereby
certify that the foregoing bill is correctly enrolled.

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Clerk of the House of Delegates

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Clerk of the Senate

Originated in the House of Delegates.

In effect 90 days from passage.

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Speaker of the House of Delegates

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President of the Senate

The within is this the.....
Day of, 2025.

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Governor