

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **House Bill 4069**

By Delegate Crouse

[Introduced January 14, 2026; referred to the

Committee on Finance then the Judiciary]

1 A BILL amend and reenact §17C-15-44 of the Code of West Virginia, 1931, as amended, relating  
2 to motorcycle safety equipment and removing the helmet and eye protection requirements.

*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 a  
3 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 eye  
10 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, Safety  
16 Glazing Materials for Glazing Motor Vehicles Operated on Land Highways, Standard Z 26.1.

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

20 (d)(b) A person operating a motorcycle, motor-driven cycle, or moped shall face forward

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

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

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

NOTE: The purpose of this bill is to remove helmet and eye protection from motorcycle safety equipment requirements.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.