



AGENDA ITEM ANALYSIS

Project/Issue Name: 20-35 An Ordinance of the City Council of the City of Republic, Missouri, Amending the Municipal Code of the City of Republic, Missouri, by Amending Title III, "Traffic Code," Chapter 380, "Vehicle Equipment," Article II, "Other Equipment, by repealing Section 380.190, "Headgear Required – Motorcycles or Motortricycles."

Submitted By: Scott Ison, City Attorney

Date: August 18, 2020

Issue Statement

Consideration of an Ordinance repealing Section 380.190 to reflect the the State's preemption of this matter.

Discussion and/or Analysis

During the 2020 Regular Legislative Session in Missouri, the Missouri Legislature passed House Bill 1963, and the Governor signed it into law. One of the changes made in this House Bill was an amendment to Section 302.020, RSMo., regarding protective headgear requirements on the operator or passenger of a motorcycle or motortricycle. The sentence "[n]o political subdivision of this state shall impose a protective headgear requirement on the operator or passenger of a motorcycle or motortricycle[.] was added to Section 302.020, RSMo. This preempts the City's current Municipal Code Section 380.190.

Recommended Action

Staff recommends approval.