

601 KAR 14:010. Headgear and eye-protective devices.

RELATES TO: KRS 189.285, 49 C.F.R. Part 571.218

STATUTORY AUTHORITY: KRS 174.080(1), 189.285(5), 189.515(4)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 189.285(5) requires the secretary to promulgate administrative regulations establishing minimum standards for protective headgear and eye-protective devices to be used by motorcycle operators. KRS 189.515(4) requires the secretary to promulgate administrative regulations establishing approved protective headgear for all-terrain vehicle operators. This administrative regulation establishes the minimum standards and approved headgear and eye-protective devices.

Section 1. Protective Headgear. When a person is required to wear protective headgear pursuant to KRS 189.285(3) or 189.515(4), the protective headgear worn shall meet the standards set forth in Section 2 of this administrative regulation.

Section 2. Protective Headgear Standards. A protective headgear shall:

- (1) Meet the requirements of 49 CFR 571.218; and
- (2) Have a permanent and legible label that:
 - (a) Bears the letters DOT that are one (1) cm in height;
 - (b) Appears on the outer surface of the helmet;
 - (c) Contrasts with the helmet color; and
 - (d) Is placed a minimum of two and nine-tenths (2.9) centimeters and a maximum of three and five-tenths (3.5) centimeters from the bottom edge of the posterior of the helmet.

Section 3. Eye Protective Devices. A person shall not operate a motorcycle on a highway as defined in KRS 189.010(3) unless he wears an eye-protective device which meets the standards set forth in Section 4 of this administrative regulation.

Section 4. Eye Protection Devices. An eye protection device shall:

- (1) Meet the Vehicle Equipment Safety Commission's Minimum Requirements for Motorcyclists Eye Protection, edition July 1980; and
- (2) Be permanently and legibly marked on each lens, in a manner that does not interfere with the vision of the wearer, with:
 - (a) "VESC-8"; or
 - (b) If space is limited, "V-8".

Section 5. Adoption Without Change. 49 CFR 571.218 (October 1, 2000) is adopted without change. The material may be inspected, copied or obtained, subject to applicable copyright law, from the Transportation Cabinet, Office of General Counsel and Legislative Affairs, 501 High Street, Frankfort, Kentucky 40622, Monday through Friday, 8 a.m. through 4:30 p.m.

Section 6. Incorporated by Reference. (1) "Minimum Requirements for Motorcyclists' Eye Protection" July 1980 edition, published by the Vehicle Equipment Safety Commission.

(2) This material may be inspected, copied or obtained, subject to applicable copyright law, from the Transportation Cabinet, Office of General Counsel and Legislative Affairs, 501 High Street, Frankfort, Kentucky 40622, Monday through Friday, 8 a.m. through 4:30 p.m. (2 Ky.R. 312; eff. 3-10-1976; 15 Ky.R. 543; eff. 10-4-1988; 17 Ky.R. 108; eff. 9-4-1990; 25 Ky.R. 2952; 26 Ky.R. 607; eff. 9-7-1999; 28 Ky.R. 690; eff. 11-12-2001; Crt eff. 11-12-2019.)