

N.C.P.I.-Motor Vehicle 215.55
MOTORCYCLES-OVERCROWDING; HELMETS.
MOTOR VEHICLE VOLUME
OCTOBER 1988
N.C. Gen. Stat. § 20-140.4

215.55 MOTORCYCLES - OVERCROWDING; HELMETS.

The motor vehicle law provides that when a motorcycle is operated upon a [highway] [public vehicular area] (*here use one or both of the following bracketed statements, as the evidence justifies*)

[the number of persons on the motorcycle, including the operator, shall not exceed the number of persons it was designed to carry]

[the operator and all passengers must wear safety helmets of a type approved by the Commissioner of Motor Vehicles].¹

A violation of [this law] [either of these provisions of law] is not negligence within itself. However, the evidence with regard to it is to be considered with all other facts in evidence in determining whether the operator was negligent.

1. In *State v. Anderson*, 275 N.C. 168, 166 S.E.2d 49 (1969), the requirement of safety helmets was upheld as a valid exercise of the police power.