

# FL Motorcycle Helmet Exemption

**Department of Highway Safety & Motor Vehicles**



## Motorcycle Helmet Exemption

In an effort to answer questions our department has received regarding the motorcycle helmet exemption law, we provide the following information.

### Who is eligible?

Only those individuals who are:

- 21 years of age or older and
- covered by an insurance policy providing at least \$10,000 in medical benefits

### When did the law take effect?

The law went into effect on July 1, 2000.

### What proof of insurance is required?

The department is advising law enforcement to accept a health insurance card (or actual policy or declarations page) from a HMO or Blue Cross/Blue Shield or some other recognized health insurance provider as proof. The card must show current insurance.

In addition, limited motorcycle medical coverage will also suffice. Contact your insurance carrier for more information. However, PIP coverage under a personal passenger vehicle policy would be insufficient for either the operator or passenger on the motorcycle.

### Can I get stopped by law enforcement just for not wearing a helmet?

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Like Florida's seat belt law, our department has determined that enforcement for this provision of law should be secondary. That is, an officer should not initiate a traffic stop only to determine if a person has insurance coverage. However, a trooper or other law enforcement officer may stop a motorcycle operator or passenger riding without a helmet **based on reasonable suspicion** the operator or rider is under 21. A law enforcement officer should not stop someone riding a motorcycle without a helmet **only** to check his or her age.