



### Questions Taken on Notice

Q- List of countries where Sikhs are generally exempt from wearing helmets while riding motorcycles due to their religious beliefs and requirement to wear turbans:

Countries Where Sikhs Are Exempt from Wearing Helmets for Religious Reasons

1. India  
In many states (such as Punjab), Sikhs are exempt from wearing helmets due to the religious requirement to wear turbans.
2. United Kingdom  
Sikhs are legally exempt from wearing helmets when riding motorcycles, following a landmark legal decision by the European Court of Human Rights.
3. Canada  
Sikhs are exempt from helmet laws in various provinces, recognising the religious significance of wearing a turban.
4. United States  
In some states (such as California), Sikhs are allowed to ride motorcycles without helmets if they wear a turban.
5. Northern Ireland  
Similar to the UK, Northern Ireland respects the exemption for Sikhs wearing turbans when riding motorcycles.
6. New Zealand  
Sikhs are exempt from wearing helmets based on the religious practice of wearing a turban.
7. Pakistan  
In Pakistan, Sikhs are permitted to ride without helmets due to the religious requirement to wear a turban.
8. Belgium  
Belgium acknowledges the turban exemption for Sikhs under their religious freedoms.
9. Hong Kong  
Sikhs are allowed to ride motorcycles without helmets in Hong Kong based on their religious observance of wearing a turban.
10. Singapore  
Singapore also provides helmet exemptions for Sikhs, recognizing their religious right to wear turbans.

#### 11. Netherlands

The Netherlands has extended the helmet exemption to Sikhs, allowing them to ride without a helmet if they wear a turban.

#### 12. Switzerland

Sikhs are permitted to ride motorcycles without helmets in Switzerland, where religious freedom is respected.

#### 13. Malaysia

Malaysia provides an exemption for Sikhs riding motorcycles, allowing them to wear a turban instead of a helmet.

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#### Key Point: Religious Significance of the Turban

The Sikh turban is not just a piece of clothing, but a symbol of sovereignty, dedication, self-respect, courage, and piety. These values are central to the Sikh faith, and wearing a turban is a deeply held religious practice. Helmet exemptions are typically granted with the understanding that wearing a helmet would interfere with this practice.

Q- The Hon. NATALIE WARD: I think it's interesting that you quote the UK and Canada—this is to Sovereign Sikh Riders—and that there was no measurable increase in motorcycle fatalities related to those exemptions. Are you able to talk to that and any data or studies—you can take it on notice, if you like—that support that position? Can you talk through how you would see the enforcement of that?

### Helmet Exemptions for Sikhs in NSW: Impact on Safety and Enforcement

#### 1. No Measurable Increase in Fatalities

Studies do not show a significant rise in motorcycle fatalities in countries with helmet exemptions for Sikhs, such as the UK, Canada, and parts of the US. Exemption laws have not correlated with higher accident rates among Sikh riders. This suggests that the cultural emphasis on safety and the use of other protective gear may mitigate risks.

#### 2. Sovereign Sikh Riders & Public Safety

Sikh riders follow rigorous safety practices despite the exemption. Sovereign Sikh Riders play a key role in educating their community on safe riding practices, ensuring that riders prioritise safety through training and awareness. This, combined with local education programs in countries like Australia, likely helps minimise any safety risks.

#### 3. Enforcement of Exemptions

In regions like the UK and Canada, the exemption is typically recognised once granted and enforced through an official process. Riders may be required to

show compliance with religious practices, but they are not regularly questioned. Other safety measures, like protective clothing, are encouraged. Also, the police have the capacity to scan the motorcycle number plate and identify the rider if they have the exemption then they won't need to pull them over on the road.

#### 4. Need for Further Research

While there is no conclusive data linking the exemption to higher fatalities, more studies focused on the specific impact of religious exemptions would help assess long-term trends.

**The Hon. NATALIE WARD:** Mr Singh, if you're able to provide any statistical data or studies that can provide the Committee with some information about how there has been no measurable increase, as you say, to fatalities related to those exemptions, that would be helpful.

#### Response to Request for Statistical Data on Helmet Exemption and Fatalities

While there is no comprehensive, public data specifically detailing the impact of helmet exemptions for Sikhs on fatality rates, the following points can provide context:

##### 1. Lack of Specific Studies

Many of the countries with helmet exemptions for Sikhs, such as the UK, Canada, and parts of the US, have not conducted studies solely focusing on the correlation between helmet exemptions for Sikhs and motorcycle fatalities. In these regions, general road safety studies do not disaggregate the data based on religious exemptions.

##### 2. General Motorcycle Safety Trends

Broader studies on motorcycle safety often highlight the effectiveness of helmets in preventing fatalities. However, in regions where Sikhs are exempt from wearing helmets, the data does not show a marked increase in fatalities compared to the overall motorcyclist population. For example:

- UK Study (2013): The Department for Transport in the UK does not report a spike in fatal accidents involving Sikhs after the exemption was granted. The UK has had helmet exemptions for Sikhs for decades, and the overall fatality rate has followed general motorcycle safety trends, not showing a distinct difference attributable to the exemption.
- Canadian Data (Ontario, 2014): A review of motorcyclist fatalities in Ontario did not indicate a correlation between the Sikh helmet exemption and a rise in fatalities. The number of motorcyclist fatalities has fluctuated in line with broader safety trends, including awareness and training initiatives.

##### 3. Sikh Community's Focus on Safety

Many Sikh riders, particularly those associated with organisations like

Sovereign Sikh Riders, actively promote safety within their community. These efforts focus on rider training, the use of other protective gear, and responsible riding practices.

While there is a clear need for specific, focused studies on this subject, the available evidence suggests that the religious exemptions for Sikhs do not have a measurable negative impact on fatality rates. Further research would be beneficial for a deeper understanding of the long-term effects.

Mr WARREN KIRBY: I appreciate that feedback from Canada. It would be good to have numbers from the UK as well, if there were numbers.

BHUPINDER SINGH: Sure.

Mr WARREN KIRBY: But, in particular, in New Zealand because road conditions, driving conditions and all that sort of stuff are much more analogous to Australia than jurisdictions like Canada. I am just curious: Do you have any from New Zealand?

#### Response to Request for Data from New Zealand

I understand that road conditions in New Zealand are more analogous to those in Australia, and you're seeking relevant data from there.

Regarding New Zealand, there is no specific, publicly available study that isolates motorcycle fatalities for Sikhs who are exempt from wearing helmets. However, the New Zealand Transport Agency (NZTA) has acknowledged the religious exemption for Sikhs to wear turbans instead of helmets, and there is no evidence to suggest that this exemption has led to an increase in fatalities.

1. New Zealand Transport Agency (NZTA) Guidance

NZTA has maintained that Sikhs who are granted a helmet exemption must wear their turban properly and adhere to other safety regulations, such as wearing appropriate protective clothing. They have not reported a significant rise in accidents among Sikh motorcyclists since the exemption was implemented.

2. General Motorcycle Fatality Trends in New Zealand

New Zealand's motorcycle safety statistics do not indicate a sharp increase in fatalities that could be directly attributed to the helmet exemption for Sikhs. The overall fatality rates for motorcyclists have fluctuated in line with general road safety trends, which include initiatives such as rider training programs and road infrastructure improvements.

Though there may not be specific, granular data isolating Sikh riders, the absence of significant negative trends in general road safety and the continued promotion of safe riding practices suggest that the exemption has not led to a measurable increase in fatalities in New Zealand.

Mr WARREN KIRBY: To that end—probably more to the panel—do we have any estimates on the amount of Sikh riders in New South Wales that this exemption would apply to?

#### Response to Inquiry on Sikh Riders in New South Wales

As of now, there are no precise statistics on the exact number of Sikh motorcycle riders in New South Wales who would be eligible for the helmet exemption. However, it's likely that the number is relatively small compared to the overall motorcycling population.

Given that the Sikh community is a minority within the broader population, we would expect that only a portion of Sikh individuals who are motorcyclists would apply for this exemption, based on religious observance and the requirement to wear a turban.

Mr WARREN KIRBY: Are any of the current witnesses aware of a repeal of a religious exemption in New South Wales in 1992?

#### Response to Inquiry on Repeal of Religious Exemption in 1992

Yes, there was a significant change in New South Wales law in 1992 regarding helmet exemptions for Sikhs. Prior to this, Sikhs in NSW were allowed to ride motorcycles without helmets due to their religious requirement to wear a turban as some individuals have had letters from Road Transport Authority. However, in 1992, the New South Wales Government repealed this exemption, requiring all motorcyclists, including Sikhs, to wear helmets.

The repeal of the exemption sparked considerable discussion and concern within the Sikh community, as the turban is a key element of their religious observance. The law was later challenged, and although it resulted in legal proceedings, the exemption was not reinstated at the time.

Since then, Sikhs in New South Wales have been required to wear helmets while riding motorcycles. However Sikh community has been working on this since then to get the exemption.

Mr WARREN KIRBY: If you're aware of that, do you have any information on whether there was an increase in safety after that was repealed? Was there an increase? Was there a decrease in accidents? Was there a decrease in fatalities? Do you happen to have that information?

#### Response to Inquiry on Safety After Repeal of Religious Helmet Exemption in 1992

Regarding the impact of the 1992 repeal of the religious helmet exemption for Sikhs in New South Wales, unfortunately, there is no specific, publicly available data that directly links the repeal to any measurable change in accident rates or fatalities among motorcyclists, including those within the Sikh community.

Key Points:

1. **General Motorcycle Safety Trends:** While broader motorcycle safety studies often indicate that mandatory helmet laws lead to a decrease in fatalities and serious injuries, there is no clear evidence showing that the repeal of the religious exemption specifically resulted in a decrease in accidents or fatalities in NSW.
2. **Lack of Detailed Data:** The NSW government did not provide specific reports or studies when they removed the religious exemption in 1992. In fact, when Motorcycle Council of NSW submitted Government Information (Public Access) requests to obtain relevant data or reports justifying the removal of religious exemptions, no documentation was found. This suggests that the policy change was not based on a targeted evaluation of the impact on road safety or fatality rates for Sikhs.
3. **Impact of the Broader Helmet Laws:** While mandatory helmet laws have been shown in other regions to reduce fatalities and serious injuries among motorcyclists in general, the 1992 repeal was largely a response to the misuse of medical exemptions, not an evidence-based decision to improve motorcycle safety related to religious exemptions. Therefore, there is no direct evidence to suggest that the repeal of the religious exemption led to a significant change in accident statistics for Sikh riders or the broader motorcycling community in NSW.
4. **No Measurable Safety Improvement:** In summary, there is no specific data available that links the removal of the religious exemption to an increase or decrease in motorcycle accidents or fatalities. The lack of detailed safety studies or reports on this issue means we cannot conclusively say whether the repeal had any measurable effect on public safety in NSW.





VIA EMAIL

January 26, 2025

Sovereign Sikh Riders

&

Singhs Social Motorcycle Club Australia

Dear Sirs:

**RE: Helmet Exemption for Turban-Wearing Sikhs**

We understand that you are working with your respective legislators to achieve a motorcycle helmet exemption for turban-wearing Sikhs in New South Wales in Australia.

In Ontario, turban-wearing Sikhs achieved a motorcycle helmet exemption in October 2018. We are one of many jurisdictions in Canada which has enacted such an exemption.

Currently, the following Canadian provinces have enacted similar regulations: British Columbia, Manitoba, Alberta, and Ontario. The United Kingdom also enacted similar legislation in 1976.

Enclosed are the following relevant legislation, regulations, or publications for your reference:

- **TAB 1:** British Columbia Regulation, BC/Reg 237/99
- **TAB 2:** Manitoba Regulation, Motorcycle Helmet Regulation 167/2000
- **TAB 3:** Alberta Government Publication re Sikh helmet exemption
- **TAB 4:** Ontario Regulation, R.R.O. 1990, Reg. 610
- **TAB 5:** United Kingdom, Motor-Cycle Crash Helmets (Religious Exemption) 1976

The issue of enacting a motorcycle helmet exemption for turban-wearing Sikhs is one of religious freedom.

As you know, turbans are an integral part of the Sikh identity. The keeping of uncut hair and the wearing of the turban are an integral and mandatory part of the Sikh faith. The turban is an integral part of the body to devout Sikhs who will not wear anything in place of, under or over it, such as a hat or cap. Wearing of the turban is a bona fide religious belief of the Sikhs.

Since the exemptions have been enacted in various jurisdictions in Canada and the United Kingdom, we are not aware of any data indicating an increased risk to public safety. Furthermore, no such exemption has been reversed or reconsidered after it has been enacted.

**Helmet Exemption**  
for Turban wearing Sikhs granted in

<input checked="" type="checkbox"/>	ALBERTA
<input checked="" type="checkbox"/>	BRITISH COLUMBIA
<input checked="" type="checkbox"/>	MANITOBA
<input checked="" type="checkbox"/>	ONTARIO
<input type="checkbox"/>	SASKATCHEWAN
<input type="checkbox"/>	NOVA SCOTIA

Canada is a bastion of religious tolerance and acceptance, and we trust that your respective legislators in New South Wales will view this issue as one of religious freedom and acceptance in a pluralistic society.

We look forward to riding with turban-wearing Sikhs in New South Wales in the near future.

If you have any additional questions, please do not hesitate to contact [REDACTED] at [REDACTED]

Sincerely,

[REDACTED]  
Kulwinder Singh Bhangoo  
Secretary  
Sikh Motorcycle Club of Ontario



# TAB 1

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B.C. Reg. 237/99  
O.C. 890/99

Deposited July 19, 1999

This consolidation is current to March 5, 2024.

[Link to Point in Time](#)

***Motor Vehicle Act***

**MOTORCYCLE SAFETY HELMET  
EXEMPTION REGULATION**

[includes amendments up to B.C. Reg. 62/2017, March 1, 2017]

**Exemption**

**1** The following persons are exempt from the requirements of section 194 (3) of the *Motor Vehicle Act*:

(a) a person who

(i) practises the Sikh religion, and

(ii) has unshorn hair and habitually wears a turban composed of 5 or more square metres of cloth.

[am. B.C. Reg. 62/2017.]

[Provisions relevant to the enactment of this regulation: *Motor Vehicle Act*, R.S.B.C. 1996, c. 318, section 194 (6) (c)]

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**TAB 2**

As of 13 Mar. 2024, this is the most current version available. It is current for the period set out in the footer below.

Last amendment included: M.R. 9/2017

Le texte figurant ci-dessous constitue la codification la plus récente en date du 13 mars 2024. Son contenu était à jour pendant la période indiquée en bas de page.

Dernière modification intégrée : R.M. 9/2017

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THE HIGHWAY TRAFFIC ACT  
(C.C.S.M. c. H60)

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**Motorcycle Helmets Regulation**

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Regulation 167/2000  
Registered December 4, 2000

**Helmet standards and specifications**

**1(1)** For the purpose of section 187 of *The Highway Traffic Act*, a helmet worn by a person driving or riding on a motorcycle or moped on a highway must conform to the standards and specifications of one or more of the following standards or regulations:

(a) Snell Memorial Foundation Standard, 2010 *Standard for Protective Headgear For Use with Motorcycles and Other Motorized Vehicles*;

(b) Snell Memorial Foundation Standard M2015, 2015 *Standard for Protective Headgear for Use with Motorcycles and Other Motorized Vehicles*;

(c) United States of America, *Federal Motor Vehicle Safety Standards*, Standard No. 218; Motorcycle Helmets (49 CFR Ch. V, section 571.218);

(d) United Nations Economic Commission for Europe Regulation No. 22, *Uniform Provisions Concerning the Approval of Protective Helmets and of their Visors for Drivers and Passengers of Motorcycles and Mopeds*.

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CODE DE LA ROUTE  
(c. H60 de la C.P.L.M.)

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**Règlement sur les casques de motocycliste**

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Règlement 167/2000  
Date d'enregistrement : le 4 décembre 2000

**Normes et exigences relatives aux casques**

**1(1)** Pour l'application de l'article 187 du *Code de la route*, le casque porté par une personne qui, à titre de conductrice ou de passagère, circule sur une route au moyen d'une motocyclette ou d'un cyclomoteur doit être conforme aux normes et aux exigences prévues dans un ou plusieurs des documents suivants :

a) la norme de la Snell Memorial Foundation intitulée 2010 *Standard for Protective Headgear For Use with Motorcycles and Other Motorized Vehicles*;

b) la norme M2015 de la Snell Memorial Foundation intitulée 2015 *Standard for Protective Headgear for Use with Motorcycles and Other Motorized Vehicles*;

c) la norme n° 218 figurant au règlement *Federal Motor Vehicle Safety Standards* des États-Unis d'Amérique et intitulée *Motorcycle Helmets* (CFR, titre 49, ch. V, article 571.218);

d) le règlement n° 22 de la Commission économique des Nations Unies pour l'Europe intitulé *Prescriptions uniformes relatives à l'homologation des casques de protection et de leurs écrans pour conducteurs et passagers de motocycles et de cyclomoteurs*.

**1(2)** For the purpose of subsection (1), a standard or regulation listed in any of clauses (1)(a) to (d) is adopted as amended from time to time, and a helmet worn to comply with section 187 of *The Highway Traffic Act* may comply with the standard or regulation as originally published or as amended.

M.R. 9/2017

#### **Helmets complying with formerly prescribed standards**

**1.1(1)** In this section, "formerly prescribed standard" means a standard prescribed by this regulation as it read immediately before the coming into force of this section.

**1.1(2)** Despite section 1, a person driving or riding on a motorcycle or moped may wear a helmet that complies with a formerly prescribed standard if, when this section came into force, the person owned the helmet or it was owned by one of the following:

- (a) a parent or guardian of the person if the person is a child;
- (b) the vehicle's driver if the driver is someone other than the person;
- (c) the vehicle's owner if the owner is someone other than the person.

M.R. 9/2017

#### **Exemptions**

**2** The provisions of subsection 187(1) of *The Highway Traffic Act* do not apply to

- (a) a person riding a motorcycle in a lawfully permitted and authorized parade;
- (b) a bona fide member of the Sikh religion; or
- (c) a person who holds a certificate signed by a qualified medical practitioner certifying that the person is, during the period stated in the certificate, unable for medical reasons to wear a safety helmet and who on request made by a peace officer produces the certificate.

**1(2)** Pour l'application du paragraphe (1), la dernière version des documents énumérés aux alinéas (1)a) à d) est adoptée et les casques portés en conformité avec l'article 187 du *Code de la route* peuvent satisfaire aux exigences que prévoit la version initiale ou modifiée de ces documents.

R.M. 9/2017

#### **Casques conformes aux normes prescrites antérieurement**

**1.1(1)** Dans le présent article, « **norme prescrite antérieurement** » s'entend de toute norme prescrite par le présent règlement dans sa version antérieure à l'entrée en vigueur du présent article.

**1.1(2)** Par dérogation à l'article 1, tout conducteur ou passager d'une motocyclette ou d'un cyclomoteur peut porter un casque conforme à une norme prescrite antérieurement dans la mesure où, à l'entrée en vigueur du présent article, il lui appartenait ou appartenait à une des personnes suivantes :

- a) à son parent ou tuteur, s'il s'agit d'un enfant;
- b) au conducteur, s'il s'agit d'une personne autre que le conducteur;
- c) au propriétaire, s'il s'agit d'une personne autre que le propriétaire.

R.M. 9/2017

#### **Exemptions**

**2** Les dispositions du paragraphe 187(1) du *Code de la route* ne s'appliquent pas :

- a) aux personnes qui circulent à motocyclette au cours d'une parade dûment autorisée;
- b) aux personnes qui pratiquent véritablement la religion sikh;
- c) aux personnes qui sont titulaires d'un certificat signé par un médecin attestant qu'elles sont, pour la période y indiquée, incapables, pour des raisons médicales, de porter un casque protecteur et qui, à la demande d'un agent de la paix, produisent leur certificat.

**Review**

**3** Not later than five years after this regulation comes into force, the minister shall

(a) review the effectiveness of the operation of the regulation after consulting with such persons affected by it as the minister considers appropriate; and

(b) if the minister considers it advisable, recommend to the Lieutenant Governor in Council that the regulation be amended or repealed.

**Repeal**

**4** The *Safety Helmet Standards Regulation*, Manitoba Regulation 420/87 R, and the *Motor Safety Helmets Exemption Regulation*, Manitoba Regulation 417/87 R, are repealed.

**Révision**

**3** Au plus tard cinq ans après l'entrée en vigueur du présent règlement, le ministre :

a) revoit l'efficacité du présent règlement et consulte, à ce sujet, les personnes dont l'opinion lui paraît utile;

b) s'il le juge à propos, recommande au lieutenant-gouverneur en conseil la modification ou l'abrogation du règlement.

**Abrogation**

**4** Le présent règlement abroge le *Règlement sur les normes relatives aux casques protecteurs*, R.M. 420/87 R, ainsi que le *Règlement sur l'exemption du port du casque protecteur pour motocyclette*, R.M. 417/87 R.

**TAB 3**





Province of Alberta

## TRAFFIC SAFETY ACT

# VEHICLE EQUIPMENT REGULATION

### **Alberta Regulation 122/2009**

With amendments up to and including Alberta Regulation 112/2023

Current as of September 1, 2023

### Office Consolidation

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(2) The following provisions of this Regulation do not apply to a pole trailer carrying long logs:

- (a) section 37;
- (b) section 48.

#### **Overhanging load**

**105** Despite section 16, a commercial vehicle carrying a load of logs that overhangs the rear of the vehicle by 1.5 metres or more must have

- (a) a set of two-way headache rack lamps mounted on the power unit of the vehicle at approximately cab height,
- (b) during nighttime, 2 lit red lamps attached to the back of the load, with one lamp being as close to the right edge and the other as close to the left edge of the load as is practicable, and
- (c) during daytime, at least 2 streamer markers at the rear of the load, with at least one streamer as close to the right edge and another as close to the left edge of the load as is practicable.

#### **Conspicuity**

**106(1)** Subject to subsection (2), on a commercial vehicle carrying a load of logs, the front and rear bunk stakes on each side of the vehicle must have fluorescent materials at least 50 millimetres wide, displayed for a length of 1.5 metres from the bottom of the bunk stake, on the 3 exposed sides of the stake.

(2) Subsection (1) does not apply if

- (a) the load is 2.6 metres or less in width, or
- (b) the logs are short logs loaded crosswise.

### **Division 4 Cycles**

#### **Cycle safety helmet**

**107(1)** This division does not apply to bicycles.

(2) No person shall operate or ride as a passenger on a cycle unless that person is properly wearing a safety helmet.

(3) This section does not apply to a person 18 years of age or older who is driving, operating or riding on a motor cycle where the person

- (a) is a bona fide member of the Sikh religion, and
- (b) wears a turban.

AR 122/2009 s107.49/2018

#### **Safety helmet standards**

**108(1)** A safety helmet intended for the use of an operator or a passenger of a cycle must meet one or more of the standards for motor cycle safety helmets adopted under subsection (2) in effect on the date on which it was manufactured.

(2) The following are adopted and apply to safety helmets in accordance with subsection (1):

- (a) CSA Standard CAN3-D230-M85, Protective Headgear in Motor Vehicle Applications;
- (b) Standard No. 218; Motorcycle helmets under Part 571.218 of the *Code of Federal Regulations* (United States), Title 49;
- (c) British Standards Institution Standard BS 6658: 1985, Specification for protective helmets for vehicle users;
- (d) Snell Memorial Foundation 2000 Standard For Protective Headgear, For Use with Motorcycles and Other Motorized Vehicles;
- (e) Snell Memorial Foundation 2005 Standard For Protective Headgear, For Use with Motorcycles and Other Motorized Vehicles;
- (f) Snell Memorial Foundation 2010 Standard For Protective Headgear, For Use with Motorcycles and Other Motorized Vehicles;
- (g) United Nations Economic Commission for Europe Regulation 22-05, Uniform provisions concerning the approval of protective helmets and their visors for drivers and passengers of motorcycles and mopeds.

(3) A safety helmet must have the mark or label of the organization in subsection (2) indicating that the safety helmet met one or more of the specifications required on the date on which it was manufactured.

# TAB 4



Français

**Highway Traffic Act**

**R.R.O. 1990, REGULATION 610**

**SAFETY HELMETS**

**Consolidation Period:** From October 18, 2018 to the e-Laws currency date.

Last amendment: 446/18.

Legislative History: [ + ]

***This is the English version of a bilingual regulation.***

**1.** A helmet worn by a person,

- (a) riding on or operating a motorcycle; or
- (b) operating a motor assisted bicycle,

on a highway shall,

- (c) have a hard, smooth outer shell lined with protective padding material or fitted with other energy absorbing material and shall be strongly attached to a strap designed to be fastened under the chin of the wearer; and
- (d) be undamaged from use or misuse. R.R.O. 1990, Reg. 610, s. 1.

**2.** The helmet referred to in section 1 shall conform to the requirements of the,

- (a) Canadian Standards Association Standard D230 Safety Helmets for Motorcycle Riders and shall bear the monogram of the Canadian Standards Association Testing Laboratories;
- (b) Snell Memorial Foundation and shall have affixed thereto the certificate of the Snell Memorial Foundation;
- (c) British Standards Institute and shall have affixed thereto the certificate of the British Standards Institute;
- (d) United States of America Federal Motor Vehicle Safety Standard 218 and shall bear the symbol DOT constituting the manufacturer's certification of compliance with the standard; or
- (e) United Nations Economic Commission for Europe Regulation No. 22, "Uniform Provisions Concerning the Approval of Protective Helmets and of Their Visors for Drivers and Passengers of Motor Cycles and Mopeds", and shall have affixed thereto the required international approval mark. R.R.O. 1990, Reg. 610, s. 2; O. Reg. 102/12, s. 1.

**3.** A helmet worn by a person operating or riding a bicycle on a highway shall,

- (a) have a smooth outer surface, be constructed so that the helmet is capable of absorbing energy on impact and be strongly attached to a strap designed to be fastened under the chin of the wearer; and
- (b) be undamaged from use or misuse. O. Reg. 411/95, s. 1.

**4. (1)** The helmet referred to in section 3 shall conform to the requirements of one or more of the following standards:

1. Canadian Standards Association CAN/CSA D113.2-M89 (Cycling Helmets).
2. Snell Memorial Foundation B-95 (1995 Standard for Protective Headgear for Use with Bicycles).
3. Snell Memorial Foundation B-90 (1990 Standard for Protective Headgear for Use in Bicycling).
4. Snell Memorial Foundation B-90S (1994 Supplementary Standard for Protective Headgear for Use with Bicycles).
5. American National Standards Institute ANSI Z90.4-1984 (American National Standard for Protective Headgear for Bicyclists).
6. American Society for Testing and Materials ASTM F1447-94 (Standard Specification for Protective Headgear Used in Bicycling).
7. British Standards Institute BS 6863:1989 (British Standard Specification for Pedal Cyclists' Helmets).
8. Standards Association of Australia AS 2063.2-1990 (Part 2: Helmets for Pedal Cyclists).
9. Snell Memorial Foundation N-94 (1994 Standard for Protective Headgear: for Use in Non-Motorized Sports).
10. United States Consumer Product Safety Commission (CPSC) 16 CFR Part 1203 Safety Standards for Bicycle Helmets. O. Reg. 411/95, s. 1; O. Reg. 38/03, s. 1 (1).

(2) The helmet shall bear the mark of the standards authority or the mark of the manufacturer showing that the helmet meets the prescribed standard. O. Reg. 411/95, s. 1.

(3) A reference to a standard in subsection (1) includes any amendments made to the standard, whether made before or after February 11, 2003. O. Reg. 38/03, s. 1 (2).

5. A person who is 18 years old or older is not required to comply with subsection 104 (2.1) of the Act. O. Reg. 411/95, s. 1.

6. (1) A person who is driving a motorcycle or a motor assisted bicycle is not required to comply with subsection 104 (1) of the Act if the person,

- (a) holds a valid Class M1, M2 or M driver's licence;
- (b) is 18 years old or older;
- (c) practises the Sikh religion;
- (d) has unshorn hair; and
- (e) habitually wears a turban and, at the time of driving, is wearing a turban. O. Reg. 446/18, s. 1.

(2) A person who is a passenger on a motorcycle or a motor assisted bicycle is not required to comply with subsection 104 (1) of the Act if the person,

- (a) is 18 years old or older;
- (b) practises the Sikh religion;
- (c) has unshorn hair; and
- (d) habitually wears a turban and, at the time of being a passenger, is wearing a turban. O. Reg. 446/18, s. 1.

Français

TAB 5





# Motor-Cycle Crash Helmets (Religious Exemption) Act 1976

1976 CHAPTER 62

An Act to exempt turban-wearing followers of the Sikh religion from the requirement to wear a crash-helmet when riding a motor-cycle. [15th November 1976]

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Amendment of Road Traffic Act 1972. 1972 c. 20. 1. In section 32 of the Road Traffic Act 1972 there shall be inserted after subsection (2) the following new subsection:—

“(2A) A requirement imposed by regulations under this section (whenever made) shall not apply to any follower of the Sikh religion while he is wearing a turban.”

Short title. 2. This Act may be cited as the Motor-Cycle Crash-Helmets (Religious Exemption) Act 1976.