

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

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SENATE BILL 321  
PROPOSED COMMITTEE SUBSTITUTE S321-PCS15327-BQ-13

Short Title: Motorcycles/Face Masks.

(Public)

Sponsors:

Referred to:

March 21, 2019

1 A BILL TO BE ENTITLED  
2 AN ACT TO PERMIT THE USE OF A FACE MASK WHILE OPERATING A  
3 MOTORCYCLE.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 14-12.11 reads as rewritten:

6 "**§ 14-12.11. Exemptions from provisions of Article.**

7 (a) The following are exempted from the provisions of G.S. 14-12.7, 14-12.8, 14-12.9,  
8 14-12.10 and 14-12.14:

9 (1) Any person ~~or persons wearing~~ wearing a traditional holiday costumes  
10 costume in season;~~season.~~

11 (2) Any person ~~or persons engaged in trades and employment~~ a trade or  
12 employment where a mask is worn for the purpose of ensuring the physical  
13 safety of the wearer, or because of the nature of the occupation, trade or  
14 ~~profession;~~profession.

15 (3) Any person ~~or persons using masks in~~ using a mask in a theatrical productions  
16 production including use in Mardi Gras celebrations and masquerade  
17 ~~balls;~~balls.

18 (4) ~~Persons wearing gas masks~~ A person wearing a gas mask prescribed in civil  
19 defense drills and exercises or ~~emergencies;~~ and emergencies.

20 (5) Any person ~~or persons, as members or members~~ person, as a member or  
21 member elect of a society, order or organization, engaged in any parade, ritual,  
22 initiation, ceremony, celebration or requirement of such society, order or  
23 organization, and wearing or using any manner of costume, paraphernalia,  
24 disguise, facial makeup, hood, implement or device, whether the identity of  
25 such person ~~or persons~~ is concealed or not, on any public or private street,  
26 road, way or property, or in any public or private building, provided  
27 permission shall have been first obtained therefor by a representative of such  
28 society, order or organization from the governing body of the municipality in  
29 which the same takes place, or, if not in a municipality, from the board of  
30 county commissioners of the county in which the same takes place.

31 (6) Any person wearing a mask for purposes of protecting the person's head, face,  
32 or head and face, when operating a motorcycle as defined in G.S. 20-4.01,  
33 provided that the mask shall be removed whenever a person is approached by  
34 a law enforcement officer.

35 Provided, that the provisions of this Article shall not apply to any preliminary meetings held  
36 in good faith for the purpose of organizing, promoting or forming a labor union or a local



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1 organization or subdivision of any labor union nor shall the provisions of this Article apply to  
2 any meetings held by a labor union or organization already organized, operating and functioning  
3 and holding meetings for the purpose of transacting and carrying out functions, pursuits and  
4 affairs expressly pertaining to such labor union."

5 **SECTION 2.** This act is effective December 1, 2019, and applies to offenses  
6 committed on or after that date.