BRAZIL HELMET LEGISLATION

Brazilian Transportation Code - Law No. 9503 of 23 September 1997:

CHAPTER III - GENERAL STANDARDS OF TRAFFIC CIRCULATION AND
CONDUCT:

Article 54:
Drivers of motorcycles, scooters, and mopeds shall only be allowed on the highways:
I – wearing a safety helmet with a visor or safety goggles;
II – using two hands to hold the handlebar;
III – wearing protective gear, in accordance with the provisions of CONTRAN.

Article 55:
Passengers of motorcycles, motor scooters, and mopeds shall only be transported:
I – wearing a safety helmet;
II - in a sidecar or in an additional seat behind the driver;
III - wearing protective gear, in accordance with the provisions of CONTRAN.

CHAPTER XV - OFFENSES:

Article 244:
Driving a motorcycle, motor scooter, or moped:
I - without wearing a safety helmet with a visor or safety goggles, and wearing protective
gear, in accordance with CONTRAN-approved standards and specifications;
II – while transporting a passenger not wearing his/her safety helmet, as established in the
previous paragraph, or somewhere other than the additional seat located behind the driver
or in a sidecar;
III – while performing vehicle acrobatics, such as “wheelies”;  
IV – with the headlights turned off;
V – while transporting a child under age 7 or that is incapable of looking out for his/her
own safety;

Offense - very serious;
Penalty - fine and suspension of the right to drive;
Administrative measure – revocation of driver’s license;
VI – while towing another vehicle;
VII - without holding the handlebar with both hands, except when signaling for turns;
VIII - transporting cargo incompatible with the vehicle’s specifications:

Offense - moderate;
Penalty - fine.

§ 1 For [motor]cycles the provisions in paragraphs III, VII, and VIII shall apply, in
addition to:

a) transporting a passenger who is not sitting in the back seat or in the special
seat designated;
b) traveling in lanes reserved for fast traffic or highways, except where the
road in question has a shoulder or demarcated lanes;
c) transporting young children who are unable to look out for their own safety.

§ 2 The provisions indicated in paragraph b above shall also apply to [motor]cycles: Offense - moderate;

§ 3 The restriction imposed by the introductory paragraph of subparagraph VI of this Article shall not apply to motorcycles and motor scooters that have sidecars for this purpose and duly standardized by the appropriate agency. (Incorporated by Law No. 10517 of 2002).

Penalty - fine.

CONTRAN Decision No. 257 of 30 November 2007: Amends Article 4 of Decision No. 203/2006, requiring the use of helmets for drivers and passengers of motorcycle, motor scooters, mopeds, motorized three- and 4-wheelers, and also provides for other measures.

CONTRAN Decision No. 203 of 29 September 2006: Requires the use of helmets for drivers and passengers of motorcycles, motor scooters, mopeds, motorized three-and 4-wheelers, and also provides additional measures. THE NATIONAL TRAFFIC COUNCIL (CONTRAN), in exercise of the functions conferred on it by Article 12 of Law No. 9503 of 23 September 1997, establishing the Brazilian Transportation Code, and pursuant to Decree No. 4711 of 29 May 2003, establishing coordination of the National Transit System; and considering the provisions of paragraph I of articles 54 and 55, and Article 244(I) and (II) of the Brazilian Traffic Code of Travel Brazilian, hereby decides:

Article 1:
The use of a helmet is mandatory for all drivers and passengers of motorcycles, motor scooters, mopeds, and motorized 3- and 4-wheelers

§ 1 Helmets must be duly placed over the head, with the chin strap snapped/buckled into place under the lower chin.

§ 2 Helmets must be certified by an accredited agency of the National Institute of Measurement, Standardization, and Industrial Quality (INMETRO), in accordance with the INMETRO-approved regulations for evaluating their conformity.

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