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**A.B.A.T.E. of PA Position Regarding Minimum Age of Motorcycle Passenger**

A.B.A.T.E. of PA does not currently support legislation that would establish a minimum age for motorcycle passengers. We make the following points on this issue:

- The decision as to whether a particular young passenger is “old enough” to be a passenger on a motorcycle is currently a matter of parental discretion.
- There are no studies available anywhere that suggest children as motorcycle passengers are a safety problem.
- There are laws already in place that make it illegal to carry a passenger of any age without foot pegs and handholds. If a child can't reach the foot pegs, it is illegal to carry that child as a passenger.
- Enforcement of a minimum passenger age requirement could be problematic. How will a peace officer determine probable cause that a passenger is underage? (Maybe by noticing that the passenger can't reach the foot pegs?) Once stopped, how is an operator to prove that a young passenger is of legal age?

Motorcycle operators are responsible for the safety of their passengers. Also, a passenger that does the wrong things can endanger both persons on the motorcycle. Every single time a passenger gets on a motorcycle, the operator makes decisions about the passenger's abilities and limitations, educates the passenger if necessary, and adjusts riding style appropriately to suit the passenger.

Whether or not to carry a child as a passenger on a motorcycle is highly situational. What is entirely inappropriate on a crowded expressway during rush hour might be perfectly acceptable on a quiet residential street on a summer evening.

The record indicates that motorcycle operators are doing a good job at making responsible choices on this subject. Maybe it has something to do with usually being the parent of the young passenger.

A.B.A.T.E. of PA believes that parental discretion should continue to prevail on this subject.