



Sen. Ira I. Silverstein

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09600SB2627sam003

LRB096 16886 AJT 38349 a

1 AMENDMENT TO SENATE BILL 2627

2 AMENDMENT NO. _____. Amend Senate Bill 2627, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Vehicle Code is amended by adding
6 Sections 1-148.3f and 11-1517 as follows:

7 (625 ILCS 5/1-148.3f new)

8 Sec. 1-148.3f. Multipurpose public path. A right-of-way
9 under the jurisdiction and control of this State or local
10 authorities for use primarily by bicycles or pedestrians or
11 both.

12 (625 ILCS 5/11-1517 new)

13 Sec. 11-1517. Bicycle helmets and safety seats.

14 (a) The purpose of this Section is to reduce the incidence
15 of disability and death resulting from injuries incurred in

1 bicycling accidents by requiring that, while riding on a
2 bicycle on state highways, streets and sidewalks, all bicycle
3 operators and passengers under 16 years of age wear approved
4 protective bicycle helmets; and that all bicycle passengers who
5 weigh less than 40 pounds or who are less than 40 inches in
6 height be seated in separate restraining seats.

7 (b) As used in this Section:

8 "Bicycle safety seat" means a seat, separate from that of
9 the operator of the bicycle, that is fastened securely to the
10 frame of the bicycle and is adequately equipped to restrain the
11 passenger in the seat and protect the passenger from the moving
12 parts of the bicycle.

13 "Other public right-of-way" means any right-of-way other
14 than a highway or multipurpose public path that is under the
15 jurisdiction and control of this State or local authorities and
16 is designed for use and used by vehicular or pedestrian traffic
17 or both.

18 "Passenger" means any person who travels on a bicycle in
19 any manner except as an operator.

20 "Protective bicycle helmet" means a piece of headgear which
21 meets or exceeds the impact standards for protective bicycle
22 helmets set by:

23 (1) the U.S. Consumer Product Safety Commission for
24 headgear purchased on or after March 10, 1999; or

25 (2) the American National Standards Institute (ANSI),
26 the American Society of Testing and Materials (ASTM), or

1 the Snell Memorial Foundation for headgear purchased
2 before March 10, 1999.

3 (c) It shall be unlawful for any person under the age of 16
4 to operate or be a passenger on a bicycle on a highway,
5 multipurpose public path, or other public right-of-way unless
6 at all times when the person is so-engaged he or she wears a
7 protective bicycle helmet of good fit fastened securely upon
8 the head with the straps of the helmet.

9 (d) It shall be unlawful for any person to be a passenger
10 on a bicycle on a highway, multipurpose public path, or other
11 public right-of-way unless, with respect to any person who
12 weighs fewer than 40 pounds or is less than 40 inches in
13 height, the person can be and is properly seated in and
14 adequately secured to a bicycle safety seat.

15 (e) It shall be unlawful for any parent or legal guardian
16 of a person below the age of 12 to permit the person to operate
17 or be a passenger on a bicycle in violation of subsections (c)
18 or (d) of this Section. A person violating this subsection is
19 subject to a civil penalty not exceeding \$2. In the case of a
20 first offense in a 12 month period, the court shall waive the
21 civil penalty upon receipt of satisfactory proof that the
22 person in violation of this subsection has since the date of
23 the violation purchased or otherwise obtained an appropriate
24 protective bicycle helmet or bicycle safety seat.

25 (f) In no event shall failure to wear a protective bicycle
26 helmet or to secure a passenger to a restraining seat be

1 admissible as evidence in a trial of any civil action.

2 (g) A law enforcement officer observing any violation of
3 this Section shall issue a warning to the person and shall not
4 arrest or take into custody any person solely for a violation
5 of this Section.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.".