



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB2850

Introduced 2/22/2011, by Rep. Robyn Gabel

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Child Bicycle Helmet Safety Awareness Act. Contains legislative findings and definitions. Provides that a person under the age of 15 may not operate or be a passenger on a bicycle on a highway, multipurpose public path, or other public right-of-way unless at all times when the person is so-engaged he or she wears a protective bicycle helmet of good fit fastened securely upon the head. Provides that a parent or legal guardian of a person under the age of 15 may not permit the person to operate or be a passenger on a bicycle in an unlawful manner. Provides that no person may rent or lease any bicycle to or for the use of any person under the age of 15 on a highway, multipurpose public path, or other public right-of-way unless certain conditions are met. Effective immediately.

LRB097 10388 HEP 50606 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning public safety.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Child  
5 Bicycle Helmet Safety Awareness Act.

6 Section 5. Legislative findings.

7 (a) The General Assembly finds the following:

8 (1) Disability and death of children resulting from  
9 injuries sustained in bicycling crashes are a serious  
10 threat to the public health, welfare, and safety of the  
11 people of this State, and the prevention of such disability  
12 and death is a goal of the people.

13 (2) Head injuries are the leading cause of disability  
14 and death from bicycling crashes.

15 (3) The risk of head injury from bicycling crashes is  
16 significantly reduced for bicyclists who wear proper  
17 protective bicycle helmets, but helmets are not worn by  
18 most child bicyclists nationwide.

19 (b) The purpose of this Act is to reduce the incidence of  
20 disability and death resulting from injuries incurred in  
21 bicycling crashes by promoting awareness that while riding on a  
22 bicycle on the public roads, public bicycle paths, and other  
23 public rights-of-way of this State, all bicycle operators and

1 passengers age 14 years and younger are required to wear  
2 approved protective bicycle helmets that meet the requirements  
3 of the U.S. Consumer Product Safety Commission.

4 Section 10. Definitions. In this Act:

5 "Multipurpose public path" means a right-of-way under the  
6 jurisdiction and control of this State or local authorities for  
7 use primarily by bicycles or pedestrians or both.

8 "Other public right-of-way" means any right-of-way other  
9 than a highway or multipurpose public path that is under the  
10 jurisdiction and control of this State or local authorities and  
11 is designed for use and used by vehicular or pedestrian traffic  
12 or both.

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

15 "Protective bicycle helmet" means a piece of headgear which  
16 meets or exceeds the impact standards for protective bicycle  
17 helmets set by:

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

20 (2) the American National Standards Institute (ANSI),  
21 the American Society of Testing and Materials (ASTM), or  
22 the Snell Memorial Foundation for headgear purchased  
23 before March 10, 1999.

24 Section 15. Use of helmets by persons under the age of 15.

1 (a) No person under the age of 15 may operate or be a  
2 passenger on a bicycle on a highway, multipurpose public path,  
3 or other public right-of-way unless at all times when the  
4 person is so-engaged he or she wears a protective bicycle  
5 helmet of good fit fastened securely upon the head with the  
6 straps of the helmet.

7 (b) No parent or legal guardian of a person under the age  
8 of 15 may permit the person to operate or be a passenger on a  
9 bicycle in violation of subsection (a) of this Section.

10 (c) No person may rent or lease any bicycle to or for the  
11 use of any person under the age of 15 on a highway,  
12 multipurpose public path, or other public right-of-way unless:

13 (1) the person renting or leasing the bicycle observes  
14 that the person possesses a protective bicycle helmet;

15 (2) the person renting or leasing the bicycle also  
16 offers to provide a protective bicycle helmet to the  
17 person; or

18 (3) the person renting or leasing the bicycle to a  
19 person under the age of 15 posts a clearly visible sign for  
20 customers stating: "Illinois law requires that a  
21 protective bicycle helmet be worn by persons under the age  
22 of 15 who are operators or passengers on a bicycle."

23 Section 20. Public awareness campaign. Subject to  
24 appropriation, the Illinois Department of Public Health,  
25 working in cooperation with State and local public health,

1 educational and law enforcement departments and agencies,  
2 shall develop a public awareness campaign to educate the public  
3 concerning the dangers posed, especially to persons under the  
4 age of 15, of riding bicycles without protective helmets.

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