

As Introduced

**127th General Assembly
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H. B. No. 387

Representative Skindell

**Cosponsors: Representatives Heard, Harwood, Lundy, Brown, Koziura,
Williams, S., Stebelton, Williams, B., Yuko, Celeste, Chandler, Otterman**

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A B I L L

To enact section 4511.531 of the Revised Code to 1
require bicycle operators and passengers under 18 2
years of age to wear protective helmets when the 3
bicycle is operated on a roadway and to establish 4
the Bicycle Safety Fund to be used by the 5
Department of Public Safety to assist low-income 6
families in the purchase of bicycle helmets. 7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4511.531 of the Revised Code be 8
enacted to read as follows: 9

Sec. 4511.531. (A)(1) No person under eighteen years of age 10
shall operate a bicycle on a roadway unless that person is wearing 11
an approved helmet that is of good fit and is fastened securely on 12
the person's head. 13

(2) No person under eighteen years of age shall be a 14
passenger on a bicycle on a roadway, including as a passenger in a 15
restraining seat or in a bicycle trailer, unless the person is 16
wearing an approved helmet that is of good fit and is fastened 17
securely on the person's head. 18

(B)(1) Whoever violates division (A) of this section shall be fined twenty-five dollars. The parent, guardian, or other person having custody of the offender is responsible for the payment of any fine imposed under this division. 19
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(2) Upon receipt by the court of satisfactory proof that the offender has a protective helmet, the court may waive the fine for the violation. 23
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(3) All fines collected for a violation of division (A) of this section shall be forwarded to the treasurer of state for deposit in the bicycle safety fund, which is hereby created in the state treasury. The department of public safety shall use the money deposited or credited to the fund to assist low-income families in the purchase of approved bicycle helmets in accordance with guidelines the director of public safety shall establish. All investment earnings of the bicycle safety fund shall be credited to the fund. 26
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(C) The provisions of this section or a violation of those provisions shall not be used as evidence in any civil action. 35
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(D) As used in this section: 37

(1) "Approved helmet" means a helmet that meets or exceeds the standards for protective bicycle helmets established by the American national standards institute, the American society for testing and materials, or the Snell memorial foundation. 38
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(2) "Low-income family" means a family with an income not exceeding the federal poverty guidelines as defined in section 5101.46 of the Revised Code. 42
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Section 2. Notwithstanding any provision of law to the contrary, for the period of one year after the effective date of this act, no law enforcement officer shall issue a ticket, citation, or summons to a person who violates division (A) of section 4511.531 of the Revised Code. During that time, the law 45
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enforcement officer instead shall issue the person a written 50
warning explaining the provisions of section 4511.531 of the 51
Revised Code. The written warning may notify the person of the 52
specific date, one year after the effective date of this act, when 53
law enforcement officers shall begin enforcing the provisions of 54
section 4511.531 of the Revised Code. 55