

As Introduced

**130th General Assembly
Regular Session
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S. B. No. 90

Senator Skindell

Cosponsors: Senators Turner, Tavares, Kearney, Smith

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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 19

fined twenty-five dollars. The parent, guardian, or other person 20
having custody of the offender is responsible for the payment of 21
any fine imposed under this division. 22

(2) Upon receipt by the court of satisfactory proof that the 23
offender has a protective helmet, the court may waive the fine for 24
the violation. 25

(3) All fines collected for a violation of division (A) of 26
this section shall be forwarded to the treasurer of state and 27
credited to the bicycle safety fund, which is hereby created in 28
the state treasury. The department of public safety shall use the 29
money credited to the fund to assist low-income families in the 30
purchase of approved bicycle helmets in accordance with guidelines 31
the director of public safety shall establish. All investment 32
earnings of the bicycle safety fund shall be credited to the fund. 33

(C) The provisions of this section or a violation of those 34
provisions shall not be used as evidence in any civil action. 35

(D) As used in this section: 36

(1) "Approved helmet" means a helmet that meets or exceeds 37
the standards for protective bicycle helmets established by the 38
American national standards institute, the American society for 39
testing and materials, or the Snell memorial foundation. 40

(2) "Low-income family" means a family with an income not 41
exceeding the federal poverty guidelines as defined in section 42
5101.46 of the Revised Code. 43

Section 2. Notwithstanding any provision of law to the 44
contrary, for the period of one year after the effective date of 45
this act, no law enforcement officer shall issue a ticket, 46
citation, or summons to a person who violates division (A) of 47
section 4511.531 of the Revised Code. During that time, the law 48
enforcement officer instead shall issue the person a written 49
warning explaining the provisions of section 4511.531 of the 50

Revised Code. The written warning may notify the person of the 51
specific date, one year after the effective date of this act, when 52
law enforcement officers shall begin enforcing the provisions of 53
section 4511.531 of the Revised Code. 54