

Senate Bill 741

Sponsored by Senator EDWARDS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires person of any age to wear helmet when using bicycle, skateboard, scooter, in-line skates or roller skates when participating in organized exhibition, competition or contest.

A BILL FOR AN ACT

1
2 Relating to protective headgear; amending ORS 814.485, 814.486, 814.600 and 815.052.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 814.485 is amended to read:

5 814.485. (1) A person commits the offense of failure of a bicycle operator or rider to wear pro-
6 tective headgear if the person:

7 (a) Is under 16 years of age, operates or rides on a bicycle on a highway or on premises open
8 to the public and is not wearing protective headgear of a type approved under ORS 815.052; **or**

9 (b) **Operates or rides on a bicycle while participating in an organized exhibition, compe-**
10 **tion or contest and is not wearing protective headgear of a type approved under ORS**
11 **815.052.**

12 (2) Exemptions from this section are as provided in ORS 814.487.

13 (3) The offense described in this section, failure of a bicycle operator or rider to wear protective
14 headgear, is a specific fine traffic violation. The presumptive fine for failure of a bicycle operator
15 or rider to wear protective headgear is \$25.

16 **SECTION 2.** ORS 814.486 is amended to read:

17 814.486. (1) A person commits the offense of endangering a bicycle operator or passenger if:

18 (a) The person is operating a bicycle on a highway or on premises open to the public and the
19 person carries another person on the bicycle who is under 16 years of age and is not wearing pro-
20 tective headgear of a type approved under ORS 815.052; *[or]*

21 (b) The person is the parent, legal guardian or person with legal responsibility for the safety
22 and welfare of a child under 16 years of age and the child operates or rides on a bicycle on a
23 highway or on premises open to the public without wearing protective headgear of a type approved
24 under ORS 815.052; **or**

25 (c) **The person is operating while participating in an organized exhibition, competition or**
26 **contest and the person carries another person on the bicycle who is under 16 years of age**
27 **and is not wearing protective headgear of a type approved under ORS 815.052.**

28 (2) Exemptions from this section are as provided in ORS 814.487.

29 (3) The offense described in this section, endangering a bicycle operator or passenger, is a spe-
30 cific fine traffic violation. The presumptive fine for endangering a bicycle operator or passenger is
31 \$25.

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **SECTION 3.** ORS 814.600 is amended to read:

2 814.600. (1) A person commits the offense of failure [*of a skateboarder, scooter rider or in-line*
3 *skater*] to wear protective headgear if the person:

4 (a) Is under 16 years of age, rides on a skateboard or scooter or uses in-line skates **or roller**
5 **skates** on a highway or on premises open to the public and is not wearing protective headgear of
6 a type approved under ORS 815.052; **or**

7 (b) **Rides on a skateboard or scooter or uses in-line skates or roller skates while partic-**
8 **ipating in an organized exhibition, competition or contest and is not wearing protective**
9 **headgear of a type approved under ORS 815.052.**

10 (2) The offense described in this section, failure [*of a skateboarder, scooter rider or in-line*
11 *skater*] to wear protective headgear, is a specific fine traffic violation punishable by a maximum fine
12 of \$25. The presumptive fine for failure [*of a skateboarder, scooter rider or in-line skater*] to wear
13 protective headgear is \$25.

14 **SECTION 4.** ORS 815.052 is amended to read:

15 815.052. The Department of Transportation shall adopt and enforce rules establishing minimum
16 standards and specifications for safe protective headgear to be worn by people operating bicycles,
17 by passengers on bicycles and by people riding on skateboards or scooters or using in-line skates
18 **or roller skates.** The rules shall conform, insofar as practicable, to national safety standards and
19 specifications for such headgear.

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