

§ 210.600 Use of Protective Headgear for Bicycling, In-Line Skating, Roller Skating and Skateboarding.

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A.

Definitions. As used in this Section, the following terms shall have the following definitions:

BICYCLE

A human-powered vehicle with two (2) wheels in tandem designed to transport by the act of pedaling one (1) or more persons seated on one (1) or more saddle seats on the frame. "Bicycle" includes, but is not limited to, a human-powered vehicle designed to transport by act of pedaling which has more than two (2) wheels when the vehicle is used on a public roadway, public bicycle path or other road or rights-of-way. This also includes a tricycle.

BICYCLE HELMET

A piece of headgear which meets or exceeds the impact standard for protective bicycle helmets set by the U.S. Consumer Products Safety Commission Federal Safety Standards, those developed by the American National Standards Institute (ANSI), the Snell Foundation or the American Society of Testing and Materials (ASTM).

IN-LINE SKATES, ROLLER SKATES

A pair of devices worn on the feet with a set of wheels attached, regardless of the number or placement of those wheels, and used to guide or propel the user over the ground.

OPERATOR

A person who travels on a bicycle or tricycle seated on a saddle seat from which that person is intended to and can pedal the bicycle. This includes wearers of roller blades or roller skates and users of skateboards.

B.

Every person operating or being a passenger on a bicycle or using in-line skates, roller skates or a skateboard on public roadway, public bicycle path or other public rights-of-way shall wear a bicycle helmet of good fit, fastened securely upon the head with the straps of the helmet.

C.

No person operating a bicycle on a public roadway, public bicycle path or other public right-of-way shall allow anyone to ride as a passenger unless the passenger is wearing a bicycle helmet.

D.

No parent, custodian or legal guardian of a person age sixteen (16) and under shall knowingly permit said person to operate or be a passenger on a bicycle or to use in-line skates, roller skates and skateboards without wearing a bicycle **helmet**.

E.

Any operator or passenger found to be in violation of this Section may be issued a citation and summoned to appear in Municipal Court for Berkeley, Missouri.

F.

Fines assessed to juvenile violators (age sixteen (16) and under) will be the legal responsibility of the violator's parent, custodian or legal guardian; and therefore any summons issued as a result of a violation committed by such a juvenile shall be issued to said violator's parent, custodian or legal guardian.

G.

Any person who shall violate provisions of this Section or who shall fail to comply with any of the requirements thereof shall be guilty of a misdemeanor punishable by a fine not exceeding five hundred dollars (\$500.00) or be imprisoned in the City or County Jail for a period not exceeding ninety (90) days, or both such fine and imprisonment