

§ 370.130 Bicycle Helmet Required.

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[R.O. 2008 §16-457; Ord. No. 2049 §3, 1-24-2000; Ord. No. 5397 §1, 10-27-2014]

A.

Every person operating or being a passenger on a bicycle or motorized bicycle or using in-line skates, roller skates, a skateboard, a scooter, or similar wheeled device on a 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.

B.

No person operating a bicycle or motorized bicycle or using in-line skates, roller skates, a skateboard, a scooter, or similar wheeled device on a public roadway, public bicycle path or other public rights-of-way shall allow anyone to ride as a passenger unless the passenger is wearing a bicycle helmet of good fit, fastened securely upon the head with the straps of the helmet, or else is in an enclosed trailer or other device properly attached to a bicycle which meets or exceeds current nationally recognized standards of design and manufacture for the protection of the passenger's head from impacts in an accident without the need for a helmet.

C.

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 motorized bicycle or to use in-line skates, roller skates, a skateboard, a scooter, or similar wheeled device, without wearing a bicycle helmet of good fit, fastened securely upon the head with the straps of the helmet.

D.

No person operating a bicycle or motorized bicycle on a public roadway, public bicycle path or other public right-of-way shall allow anyone who is either four (4) years old or younger, weighing forty (40) pounds or less, to ride as a passenger on the bicycle or motorized bicycle other than in a seat which shall adequately retain the passenger in place and protect the passenger from the bicycle's or motorized bicycle's moving parts.

E.

A person regularly engaged in the business of renting bicycles, motorized bicycles, in-line skates, roller skates, skateboards, scooters, or similar wheeled devices shall require each person seeking to rent one (1) or more of these items to provide his/her signature either on the rental form or on a separate form indicating both of the following:

1.

Receipt of a written explanation of the provisions of this Section and the penalties for violations as provided in Code Section 100.090.

2.

A statement concerning whether the person will be an operator or passenger on the bicycle, motorized bicycle, in-line skates, roller skates, skateboard, scooter, or similar wheeled device in an area where the use of a bicycle helmet is required.

F.

A person regularly engaged in the business of selling or renting bicycles, motorized bicycles, in-line skates, roller skates, skateboards, scooters, or similar wheeled devices shall provide a bicycle helmet to any person who will be an operator or passenger on the bicycle, motorized bicycle, in-line skates, roller skates, skateboard, scooter, or similar wheeled device in an area requiring a bicycle helmet, if the person does not already have a helmet in his/her possession. A reasonable fee may be charged for the bicycle helmet rental.

G.

Any operator or passenger found to be in violation of this Section may be issued an equipment violation notice as prescribed on a Missouri Uniform Complaint and Summons. The person responsible for payment of the violation may have the violation dismissed, if it is his/her first such notice of violation and the person submits a receipt for a proof of purchase of a bicycle helmet along with the helmet to the Creve Coeur Police Department within five (5) calendar days of the date of the violation notice.

H.

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 the violator's parent, custodian or legal guardian.

I.

This Section shall only apply to bicycles, motorized bicycles, in-line skates, roller skates, skateboards, scooters, and similar wheeled devices operated on a public roadway, public bicycle path or other public rights-of-way and not on private residential property.