

- **Chapter 6.20 - BICYCLE HELMETS**

Sections:

- **6.20.010 - Purpose.**

The City Council is concerned about the safety of bicycle riders on public rights-of-way. Pursuant to RCW 35.75.010 the City may by ordinance regulate the riding of bicycles upon streets, alleys, highways, or other public grounds within the City limits. In order to protect the health, welfare, and safety of the residents of the City, it is necessary and appropriate to require bicycle riders to wear protective helmets and to establish programs for public education and low-income subsidies to promote the use of bicycle helmets.

- **6.20.020 - Definitions.**

A.

"Bicycle" means every device propelled solely by human power upon which a person or persons ride, which device has two tandem wheels, either of which is sixteen inches or more in diameter, or three wheels, any one of which is more than twenty inches in diameter.

B.

"Guardian" means a parent, legal guardian, or temporary guardian, who maintains responsibility, whether voluntary or otherwise, for the safety and welfare of a person under the age of sixteen years.

- **6.20.030 - Regulations.**

It is unlawful:

A.

For a person to operate or ride upon a bicycle on a public roadway, bicycle path, or any right-of-way under the jurisdiction and control of the City within the City of Duvall unless wearing a protective helmet of a type certified to meet the requirements of standard Z-90.4 of the American National Standards Institute or such subsequent nationally recognized standard for bicycle helmet performance as the state patrol may adopt by rule. The helmet must be equipped with either a neck or chin strap that shall be fastened securely while the cycle is in motion.

B.

For a person to transport a person upon, in a restraining seat that is attached to, or in a trailer towed by, a bicycle on a public roadway, bicycle path, or any right-of-way under the jurisdiction and control of the City within the City of Duvall unless the person transported is wearing a helmet that meets the requirements in subsection A.

C.

For the guardian of a person under the age of sixteen years to knowingly allow that person to operate or ride upon a bicycle on a public roadway, bicycle path, or any right-of-way

under the jurisdiction and control of the City within the City of Duvall unless that person is wearing a **helmet** that meets the requirements of subsection A.

D.

For a person to sell or offer for sale a bicycle **helmet** that does not meet the requirement established in subsection A.

E.

For a person to rent a bicycle for use by a person unless the person possesses a **helmet** that meets the requirement of subsection A.

- **6.20.040 - Enforcement.**

A.

It is a civil infraction for any person to do any act forbidden, or fail to perform any act required in DMC [§ 6.20.030](#). Civil infractions under this section shall be processed as set forth in [Chapter 2.24](#).

1.

Any duly commissioned police officer of the Duvall Police Department or any Duvall Code Enforcement Officer is authorized to enforce this chapter.

2.

In order to educate the public concerning the provisions of DMC [§ 6.20.030](#) during the period from the effective date of this chapter until June 1, 1994, a person violating DMC [§ 6.20.030](#) will not be subject to a civil infraction but may be given a written warning of any violation. After May 31, 1994, a violator may be issued a regular notice of violation. If this is the first time a person has been issued a notice of violation of DMC [§ 6.20.030](#), and he or she presents to the person issuing the notice of violation within the time allowed for correction evidence that he or she has obtained a bicycle **helmet** in order to comply with DMC [§ 6.20.030](#), no civil infraction shall be issued and the case shall be closed. It shall not be necessary for the code enforcement or police officer to issue a notice of violation prior to issuing a notice of civil infraction for persons who have previously been served with a notice of violation under [Chapter 6.20](#).

(Ord. #708, 1994, amended by Ord. #841, 1997)

- **6.20.050 - Implementation programs.**

In order to provide an effective means of implementing a requirement for all bicyclists and their passengers to wear helmets, the Police Services Director is authorized to work with other public and private agencies to develop a program of **helmet** awareness designed to promote use of helmets by all ages and a program to subsidize use of helmets by low-income families. Such programs shall be put in effect by May 1, 1994, provided that the existence or effectiveness of such programs shall not be a defense to a civil infraction notice under this chapter.

(Chapter 6.20 adopted in Ord. #708, 1994)