

## Chapter 11.57 BICYCLE HELMETS

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**11.57.005 Definitions.** 

For the purposes of this chapter, the following terms shall have the following meanings:

A. “Approved bicycle **helmet**” means a head covering designed to protect the head that meets or exceeds safety standards adopted by the United States Consumer Product Safety Commission (CPSC), the American National Standards Institute (ANSI), the Snell Foundation or such subsequently nationally recognized standard for bicycle **helmet** performance as Washington State may adopt.

B. “Bicycle” means every device propelled solely by human power upon which a person or persons may ride, having two tandem wheels, either of which is eight inches or more in diameter, or three wheels, any one of which is more than 20 inches in diameter. The term “bicycle” shall include any child-seat, trailer, side car, or other device attached to a bicycle. A device meeting the definition of a bicycle shall be considered a bicycle notwithstanding the fact that training wheels are affixed to the device.

C. “Child” means a person under the age of 18.

D. "Cycle" means a vehicle with at least one wheel, a saddle seat, and pedals by which it is propelled.

E. "Guardian" means a person legally responsible for the care and management of a person under the age of 18. "Guardian" shall include the parent, a person with legal custody, a person with temporary custody, or a person who is temporarily caring for the child.

F. "Public area" means the public roadways, sidewalks, bicycle paths, parks, public property, public rights-of-way, and publicly owned facilities within the city limits of the city of Lynnwood. (Ord. 2521 § 2, 2004)

**11.57.010 Helmet required.** 

Any person operating or riding on a bicycle or cycle not powered by a motor on a public highway, bicycle path, or on any right-of-way or publicly owned facilities under the jurisdiction of the city of Lynnwood shall wear an approved bicycle helmet designed for bicycle safety. The helmet must be equipped with either a neck or chin strap that shall fasten securely while the bicycle or cycle is in motion. (Ord. 2521 § 2, 2004)

**11.57.020 Minors – Guardian's responsibility.** 

The guardian of a person under the age of 18 years shall not knowingly allow, or fail to take reasonable steps, to prevent that person from operating or riding on a bicycle or other cycle not powered by a motor on a public highway, bicycle path or any right-of-way or publicly owned facilities under the jurisdiction of the city of Lynnwood, unless that person is wearing an approved bicycle helmet. (Ord. 2521 § 2, 2004)

**11.57.030 Passengers.** 

No person shall transport another person on a bicycle or any other cycle not powered by a motor on a public roadway, bicycle path, or any right-of-way or publicly owned facilities under the jurisdiction of the city of Lynnwood, unless the other person is wearing an approved bicycle helmet. (Ord. 2521 § 2, 2004)

**11.57.040 Sales of helmets.** 

No person shall sell or offer for sale a bicycle helmet that does not meet or exceed safety standards adopted by the United States Consumer Product Safety Commission (CPSC), the American National Standards Institute (ANSI), the Snell Foundation or such subsequently nationally recognized standard for bicycle helmet performance as Washington State may adopt. (Ord. 2521 § 2, 2004)

#### **11.57.050 Rented bicycles.**

No person (vendor) shall rent to another a bicycle for use by another person unless the other person possesses or is supplied with an approved bicycle **helmet**. (Ord. 2521 § 2, 2004)

#### **11.57.060 Violation – Infraction.**

A violation of this chapter is a traffic infraction. (Ord. 2521 § 2, 2004)

#### **11.57.070 Enforcement.**

Any duly commissioned law enforcement officer having law enforcement authority at the place where a violation of this regulation occurs is authorized to enforce the provisions of this chapter. (Ord. 2521 § 2, 2004)

#### **11.57.080 Violation – Penalty.**

Any person found to have committed a violation of this chapter shall be assessed a monetary penalty of \$30.00 for each violation, not including applicable court costs. (Ord. 2521 § 2, 2004)

#### **11.57.090 Penalty – Payment.**

Whenever a monetary penalty is imposed by a court under this chapter, it is immediately payable. If the person is unable to pay at the time the penalty is imposed, the court may grant extension for a period in which the penalty may be paid. (Ord. 2521 § 2, 2004)

#### **11.57.100 Penalty – Waiver, reduction or suspension.**

The court may waive, reduce or suspend the monetary penalty described herein, and may impose such conditions on any waiver, reduction or suspension as it deems just. If the court determines the person has insufficient funds to pay the monetary penalty, the court may order performance of a number of hours community service in lieu of the monetary penalty, at a rate of the then-current statement of wage per hour. (Ord. 2521 § 2, 2004)

#### **11.57.110 Infraction – Dismissal following **helmet** purchase.**

The first time a person has been issued a notice of infraction for violation of this chapter, if such person appears in person before the court and supplies the court with proof that between the date of notice of infraction and the appearance date in court the person has purchased a **helmet** that meets the requirements of this chapter, the court shall dismiss the notice of infraction without costs. (Ord. 2521 § 2, 2004)