

#### 10.22.010 Definitions.

As used in this Chapter, the following terms shall have the meanings indicated, unless the context clearly requires otherwise:

- A. "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 16 inches or more in diameter, or three wheels, any one of which is more than 20 inches in diameter (RCW [46.04.071](#)). Within this Chapter, the term "bicycle" shall include any attached trailers, side cars, and/or other device being towed by a bicycle.
- B. "Guardian" means a parent, legal guardian, an adult with custody, or temporary guardian, who maintains responsibility, whether voluntary or otherwise, for the safety and welfare of a person under the age of 18 years.
- C. "**Helmet**" means a head covering that meets or exceeds safety standards adopted by Standard Z 90.4 set by the American National Standards Institute (ANSI), or the Snell Foundation, or such subsequent nationally-recognized standard for bicycle **helmet** performance as the County Council may adopt.
- D. "Public area" means public roadways, bicycle paths, parks, or any right-of-way or publicly-owned facility under the jurisdiction of Pierce County.

(Ord. [93-128](#) § 2 (part), 1994)

#### 10.22.020 Bicycle **Helmet** Required.

- A. Any person bicycling or riding as a bicycle passenger on or in tow of a bicycle upon any public area in unincorporated Pierce County shall wear an approved bicycle **helmet** designed for safety that meets or exceeds the standards adopted in PCC [10.22.010](#) C., and shall have either the neck or chin strap of the **helmet** fastened securely while the bicycle is in motion.
- B. No person shall transport another person on or in tow of a bicycle upon any public area in the jurisdiction of Pierce County, unless the passenger is wearing a **helmet** that meets the requirements of this Chapter.
- C. A parent or guardian is responsible for requiring that a child under the age of 16 years wears an approved bicycle **helmet** while bicycling or riding as a passenger on a bicycle in any public area in unincorporated Pierce County, and has the neck or chin strap of the **helmet** fastened securely.

(Ord. [93-128](#) § 2 (part), 1994)

#### 10.22.030 Bicycle Races and Events – Bicycle **Helmet** Required.

- A. Any person managing a bicycle race, an organized event involving bicycling, or a bicycle tour in the public areas of unincorporated Pierce County shall require that all participants on or in tow of bicycles wear approved bicycle **helmets**.

B. The person managing any such event shall include the bicycle **helmet** requirement in any promotional brochures and on registration materials.

(Ord. [93-128](#) § 2 (part), 1994)

#### **10.22.040 Bicycle Leasing or Loan – Bicycle **Helmet** Required.**

A. Any person engaging in the business of renting or loaning (e.g. "a test drive") any bicycle for use in any public place in unincorporated Pierce County shall supply the persons leasing or using bicycles with approved bicycle **helmets** as defined herein, along with the bicycles, unless the bicycle riders and passengers possess approved bicycle **helmets** of their own, and offer proof thereof, for use with the bicycle.

B. The rental papers (contract, agreement, or receipt) must advise the person renting the bicycle of the bicycle **helmet** requirements of this Chapter.

C. It is a defense to this Section for a person wearing an unapproved bicycle **helmet** that the **helmet** was furnished in conjunction with his or her lease of a bicycle by a person engaged in the business of renting bicycles, and that the **helmet** was fastened securely while bicycling.

(Ord. [93-128](#) § 2 (part), 1994)

#### **10.22.050 **Helmet** Sales – Safety Standards.**

A. No person shall sell or offer for sale a bicycle **helmet** that does not meet or exceed the safety standards set by the American National Standards Institute (ANSI) Standard Z 90.4, or the Snell Foundation, or such subsequent nationally recognized standard for bicycle **helmet** performance as the County Council may adopt.

B. It is a defense that the sale or offer for sale was an isolated sale of used merchandise made by an individual who was not engaged in the business of selling or repairing recreational equipment, such as a seller at a garage or rummage sale.

(Ord. [93-128](#) § 2 (part), 1994)

#### **10.22.060 Penalties – Traffic Infraction.**

A. Any person violating any of the provisions of this Chapter shall have committed a traffic infraction and shall be liable for monetary penalties as set forth in RCW [46.63](#), not to exceed \$25.00.

B. The Court may waive, reduce, or suspend the penalty and clear the notice of violation as a warning for an individual who has not received a notice of violation of this Chapter within one year, and provides proof that he or she has acquired an approved bicycle **helmet** at the time of appearance in Court.

C. Each child under 16 not meeting the requirements of PCC [10.22.020](#) shall represent a separate violation.

D. Each rental and each event under PCC [10.22.040](#) shall be a separate violation.

(Ord. [93-128](#) § 2 (part), 1994)

### 10.22.070 Enforcement.

- A. The County Sheriff's Office shall be responsible to enforce the provisions of this Chapter.
- B. For the purpose of this Chapter, law enforcement officers may at their discretion:
  - 1. Enter, during business hours, the premises of a business selling, repairing, or renting bicycles or selling sporting or recreation equipment, to determine compliance with this Chapter;
  - 2. Post notice outside the premises of a business that offers for sale, rent, or other public use, bicycle **helmets** that do not meet the safety standards of this Chapter, so that the public is informed; and
  - 3. Stop a bicycle race, an organized event involving bicycling, or a bicycle tour that takes place in a public area, when there is conspicuous disregard for the requirements of this Chapter, involving multiple infractions.

(Ord. [93-128](#) § 2 (part), 1994)

### 10.22.080 Information and Education.

- A. Information about the need for bicycle **helmets**, safe **helmet** use, safe bicycle operation, and existing bicycle safety programs is available at the Pierce County Parks and Recreation Department.
- B. Pierce County encourages any person engaging in the business of selling bicycles to include information on bicycle safety and the bicycle **helmet** requirements of this Chapter with each bicycle sold.
- C. Pierce County encourages any person engaging in the business of selling bicycle **helmets** to include information on safe **helmet** usage with each **helmet** sold.

(Ord. [93-128](#) § 2 (part), 1994)

### 10.22.090 Severability.

If any provision of this Chapter or its application to any person or circumstance is held invalid, the remainder of the Chapter or the application of the provision to other persons or circumstances shall not be affected. (Ord. [93-128](#) § 2 (part), 1994)