

- **CHAPTER 10.06 - BICYCLE HELMETS**

- **10.06.010 - 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.

(Ord. #2764, 5/26/1993)

- **10.06.020 - Definitions.**

The following definitions are adopted for this chapter:

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 16 inches or more in diameter, or three wheels, any one of which is more than 20 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 16 years.

(Ord. #2764, 5/26/1993)

- **10.06.030 - Regulations.**

Beginning January 1, 1994, 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 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 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 16 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 unless that person is wearing a helmet that meets the requirements in subsection A.

D.

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

E.

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

(Ord. #2764, 5/26/1993)

- **10.06.040 - Enforcement.**

A.

It is a civil infraction for any person to do any act forbidden, or fail to perform any act required in PAMC [10.06.030](#) A.

(1)

A civil infraction shall be processed as set forth in Chapter 7.80 RCW and the Washington Infraction Rules for Courts of Limited Jurisdiction.

(2)

Any duly commissioned police officer of the Port Angeles Police Department is authorized to enforce this chapter.

(3)

Any person found to have committed a violation of this chapter shall be subject to a monetary penalty of \$15.00 for each such violation, not including applicable court costs.

B.

In order to educate the public concerning the provisions of PAMC 10.06.030.A. during the period from January 1, 1994 to January 1, 1995, a person violating PAMC 10.06.030.A. will not be subject to a civil infraction though a written warning of the violation may be issued. After January 1, 1995, a violator may be issued a regular notice of civil infraction. If this is the first time a person has been issued a notice of civil infraction for a violation of PAMC 10.06.030.A. and he or she appears in person before the court and provides evidence that he or she has obtained a bicycle helmet in order to comply with PAMC 10.06.030.A., the court may dismiss the notice of civil infraction without costs.

(Ord. #2764, 5/26/1993)

- **10.06.050 - Implementation programs.**

In order to provide an effective means of implementing a requirement for all bicyclists and their passengers to wear helmets, the City Manager is authorized and directed 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 in effect by January 1, 1994, provided that the existence or effectiveness of such programs shall not be a defense to a civil infraction notice issued under this chapter.

(Ord. #2764, 5/26/1993)

