

Carrying of infants.

No person operating a bicycle shall allow a person who is under one year of age to ride as a passenger on a bicycle, nor shall such person be carried in a pack fastened to the operator. A first violation of the provisions of this section shall result in no fine. A second violation shall result in a civil fine not to exceed \$50.

§ 217-2 Helmet and child seat requirements.

No person shall operate a bicycle or ride as a passenger on bicycle unless:

A.

Such operator or passenger is wearing a helmet meeting the standards of the American National Standards Institute (Ansi Z 90.4 bicycle helmet standards) or the Snell Memorial Foundation's 1984 Standard for Protective Headgear for Use in Bicycling. For the purposes of this section, "wearing a helmet," means having a helmet of good fit fastened securely upon the head with the helmet straps; and

B.

For passengers one or more years of age and less than five years of age, such passenger is also placed in a separate seat attached to the bicycle and such seat shall have adequate provision for retaining the passenger in place and for protecting the passenger from the moving parts of the bicycle.

§ 217-3 Penalties for offenses.

Any person who violates the provisions of § **217-2** of this Article shall pay a civil fine not to exceed \$50.

§ 217-4 Waiver of fine.

The court shall waive any fine for which a person who violates the provisions of § **217-2A** of this article would be liable if such person supplies the court with proof that between the date of violation and the appearance date for such violation such person purchased or rented a helmet which meets the requirements of § **217-2A**. Further, the court shall waive any fine for which a person who violates the provisions of § **217-2B** of this Article would be liable if such person supplies the court with proof that between the date of violation and the appearance date for such violation such person purchased or rented a seat which meets the requirements of § **217-2B**. Such waiver of fine shall not apply to a second or subsequent conviction under Subsection **A** or **B** of § **217-2** of this article.