

As Introduced

**132nd General Assembly
Regular Session
2017-2018**

S. B. No. 59

Senator Skindell

Cosponsors: Senators Williams, Brown, Lehner

A BILL

To enact section 4511.531 of the Revised Code to
require bicycle operators and passengers under
18 years of age to wear protective helmets when
the bicycle is operated on a roadway and to
establish the Bicycle Safety Fund to be used by
the Department of Public Safety to assist low-
income families in the purchase of bicycle
helmets.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4511.531 of the Revised Code be
enacted to read as follows:

Sec. 4511.531. (A) As used in this section:

(1) "Approved helmet" means a helmet that meets or exceeds
the standards for protective bicycle helmets established by the
American national standards institute, the American society for
testing and materials, or the Snell memorial foundation.

(2) "Low-income family" means a family with an income not
exceeding the federal poverty guidelines as defined in section
5101.46 of the Revised Code.

(B) (1) No person under eighteen years of age shall operate a bicycle on a roadway unless that person is wearing an approved helmet that is of good fit and is fastened securely on the person's head. 19
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(2) No person under eighteen years of age shall be a passenger on a bicycle on a roadway, including as a passenger in a restraining seat or in a bicycle trailer, unless the person is wearing an approved helmet that is of good fit and is fastened securely on the person's head. 23
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(C) (1) Whoever violates division (B) of this section shall be fined twenty-five dollars. The parent, guardian, or other person having custody of the offender is responsible for the payment of any fine imposed under this division. 28
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(2) Upon receipt by the court of satisfactory proof that the offender has a protective helmet, the court may waive the fine for the violation. 32
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(3) All fines collected for a violation of division (B) of this section shall be forwarded to the treasurer of state and credited to the bicycle safety fund, which is hereby created in the state treasury. The department of public safety shall use the money credited to the fund to assist low-income families in the purchase of approved bicycle helmets in accordance with guidelines the director of public safety shall establish. All investment earnings of the bicycle safety fund shall be credited to the fund. 35
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(D) The provisions of this section or a violation of those provisions shall not be used as evidence in any civil action. 44
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(E) The offenses established under this section are strict liability offenses and section 2901.20 of the Revised Code does 46
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not apply. The designation of these offenses as strict liability 48
offenses shall not be construed to imply that any other offense, 49
for which there is no specified degree of culpability, is not a 50
strict liability offense. 51

Section 2. Notwithstanding any provision of law to the 52
contrary, for the period of one year after the effective date of 53
this act, no law enforcement officer shall issue a ticket, 54
citation, or summons to a person who violates division (B) of 55
section 4511.531 of the Revised Code. During that time, the law 56
enforcement officer instead shall issue the person a written 57
warning explaining the provisions of section 4511.531 of the 58
Revised Code. The written warning may notify the person of the 59
specific date, one year after the effective date of this act, 60
when law enforcement officers shall begin enforcing the 61
provisions of section 4511.531 of the Revised Code. 62