

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

H. B. No. 97

Representative Skindell

Cosponsors: Representatives Upchurch, Patterson

A BILL

To enact section 4511.531 of the Revised Code to 1
require bicycle operators and passengers under 2
18 years of age to wear protective helmets and 3
to establish the Bicycle Safety Fund. 4

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

Section 1. That section 4511.531 of the Revised Code be 5
enacted to read as follows: 6

Sec. 4511.531. (A) As used in this section: 7

(1) "Approved helmet" means a helmet that meets or exceeds 8
the standards for protective bicycle helmets established by the 9
American national standards institute, the American society for 10
testing and materials, or the Snell memorial foundation. 11

(2) "Low-income family" means a family with an income not 12
exceeding the federal poverty guidelines as defined in section 13
5101.46 of the Revised Code. 14

(B) (1) No person under eighteen years of age shall operate 15
a bicycle on a roadway unless that person is wearing an approved 16
helmet that is of good fit and is fastened securely on the 17

person's head.

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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.

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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.

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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.

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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.

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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.

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(E) The offenses established under this section are strict
liability offenses and section 2901.20 of the Revised Code does
not apply. The designation of these offenses as strict liability
offenses shall not be construed to imply that any other offense,
for which there is no specified degree of culpability, is not a

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strict liability offense. 47

Section 2. Notwithstanding any provision of law to the 48
contrary, for the period of one year after the effective date of 49
this act, no law enforcement officer shall issue a ticket, 50
citation, or summons to a person who violates division (B) of 51
section 4511.531 of the Revised Code. During that time, the law 52
enforcement officer instead shall issue the person a written 53
warning explaining the provisions of section 4511.531 of the 54
Revised Code. The written warning may notify the person of the 55
specific date, one year after the effective date of this act, 56
when law enforcement officers shall begin enforcing the 57
provisions of section 4511.531 of the Revised Code. 58