

By Mr. Toomey of Cambridge, petition of Timothy J. Toomey, Jr., and other members of the General Court for legislation to require the use of safety helmets for persons using skates, skate boards and certain vehicles for children under the age of sixteen. Public Safety.

The Commonwealth of Massachusetts

In the Year Two Thousand and Three.

AN ACT TO REQUIRE THE USE OF SAFETY HELMETS FOR PERSONS UNDER THE AGE OF SIXTEEN WHILE OPERATING BICYCLES, IN-LINE SKATES, SCOOTERS, AND SKATEBOARDS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 11B of chapter 85 of the Massachusetts  
2 General Laws, as appearing in the 2000 Official Edition, is hereby  
3 amended by striking out in the first line of clause (iii) of subsec-  
4 tion two the word "twelve" and inserting in place thereof the  
5 word:— "sixteen".

1 SECTION 2. Chapter 85 of the Massachusetts General Laws, as  
2 appearing in the 2000 Official Edition, is hereby amended by  
3 adding the following new section:—

4 "Section 11B<sup>1/2</sup>. Any person sixteen years of age or younger  
5 operating inline skates, a skate board, a scooter, or other manually  
6 propelled wheeled vehicle, on a public way, bicycle path or on  
7 any other public right-of-way shall wear a helmet. Such helmet  
8 shall fit the person's head and secured by straps at times while  
9 operating inline skates, scooters, skate board or other manually  
10 propelled wheeled vehicle, and shall meet the standards for hel-  
11 mets established by the American National Standards Institute  
12 (ANSI Z 90.4) or subsequent standards or the Snell Memorial  
13 Foundation's nineteen hundred and eighty-four standard for use in  
14 bicycling or subsequent standards. A violation of this section shall  
15 not be used as evidence of contributory negligence in any civil  
16 action."

1 SECTION 3. Section 11D of said chapter 85 is hereby amended  
2 by striking out the first paragraph and inserting in place thereof  
3 the following new paragraph:—

4 “Every person engaged in the retail business of selling or  
5 renting bicycles, inline skates, scooters, skate boards or other  
6 manually propelled wheeled vehicle shall display in an area con-  
7 spicuous to customers of such business a sign containing the  
8 following statement: ‘Massachusetts law requires that a bicycle  
9 helmet be worn by persons sixteen years of age and under who are  
10 operators or passengers on a bicycle, inline skates, scooters, or  
11 skate boards.’ ”