

Senate Study Bill 48

Conference Committee Text

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1 1 Section 1. NEW SECTION. 321.444A HELMETS.
1 2 1. A bicycle shall not be ridden upon a highway unless the
1 3 person who is riding the bicycle is wearing protective
1 4 headgear which complies with standards and specifications
1 5 adopted by the department. For purposes of this section,
1 6 "wearing protective headgear" means having a safety helmet on
1 7 the person's head that is fastened with the helmet straps and
1 8 that is of a size that fits the person's head securely without
1 9 excessive lateral or vertical movement.

1 10 2. A person shall not possess for the purpose of sale,
1 11 offer for sale, or sell protective headgear for use by a
1 12 person riding a bicycle unless the protective headgear meets
1 13 the standards and specifications required under this section.

1 14 Sec. 2. Section 805.8, subsection 2, paragraph e, Code
1 15 1995, is amended to read as follows:

1 16 e. For improperly used or nonused or defective or improper
1 17 equipment under sections 321.383, 321.384, 321.385, 321.386,
1 18 321.398, 321.402, 321.403, 321.404, 321.409, 321.419, 321.420,
1 19 321.423, 321.430, and 321.433, the scheduled fine is twenty
1 20 dollars. For failing to wear protective headgear as required
1 21 under section 321.444A, the scheduled fine is fifty dollars.

EXPLANATION

1 23 New section 321.444A is created in this bill. The section
1 24 requires persons who are riding a bicycle on the highway to
1 25 wear protective headgear.

1 26 The bill also prohibits a person from possessing for sale,
1 27 offering for sale, or selling protective headgear which does
1 28 not meet standards and specifications adopted by the
1 29 department. A person who does so may be charged with a simple
1 30 misdemeanor which is punishable by a fine of at least \$50 but
1 31 no more than \$100 or up to 30 days' imprisonment.

1 32 Section 805.8 is amended to provide a scheduled fine for
1 33 failure to wear protective headgear of \$50.

1 34 LSB 1849SC 76

1 35 js/sc/14