

# Senate Study Bill 1066

## Bill Text

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1 1 Section 1. INTENT AND FINDINGS. It is the intent of the  
1 2 general assembly to require that all children under the age of  
1 3 fourteen wear an approved bicycle helmet when riding on a  
1 4 bicycle or when riding in a trailer towed by a bicycle. The  
1 5 general assembly finds and declares the following:

1 6 1. Each year hundreds of children are killed and many more  
1 7 injured in bicycle-related accidents.

1 8 2. Head injuries account for more than half of all  
1 9 bicycle-related deaths and emergency room visits.

1 10 3. The single most effective safety device available to  
1 11 reduce head injuries and fatalities from bicycle crashes is a  
1 12 bicycle helmet. Helmets have been shown to significantly  
1 13 reduce the risk of head injury and of brain injury.

1 14 4. In addition to saving lives and preventing injuries,  
1 15 bicycle helmets save money in avoided health care costs and  
1 16 other costs to society.

1 17 Sec. 2. Section [321.236](#), Code 2001, is amended by adding  
1 18 the following new subsection:

1 19 NEW SUBSECTION. 14. Requiring the use of bicycle helmets  
1 20 as provided in section 321.435.

1 21 Sec. 3. NEW SECTION. 321.435 BICYCLE HELMETS.

1 22 1. Local authorities may adopt an ordinance or resolution  
1 23 that regulates the use of bicycles in any or all of the  
1 24 following manners:

1 25 a. Prohibits a person under fourteen years of age from  
1 26 operating a bicycle, or riding on a bicycle as a passenger,  
1 27 unless that person is wearing a properly fitted and fastened  
1 28 bicycle helmet which meets the standards of the American  
1 29 national standards institute or the 1990 standard for  
1 30 protective headgear for use in bicycling produced by the Snell  
1 31 memorial foundation or another appropriate standard.

1 32 b. Requires a person under fourteen years of age who rides  
1 33 on a bicycle while in a restraining seat which is attached to  
1 34 the bicycle or in a trailer towed by a bicycle to wear a  
1 35 helmet that meets the standards described in paragraph "a".

2 1 c. Requires a person regularly engaged in the business of  
2 2 renting bicycles to provide a helmet to any person required to  
2 3 wear a helmet by the ordinance or resolution who will operate  
2 4 the bicycle, if the person does not already have a helmet. A  
2 5 reasonable fee may be charged for the helmet rental.

2 6 2. A person regularly engaged in the business of renting  
2 7 bicycles who is regulated by an ordinance or resolution  
2 8 adopted under subsection 1, paragraph "c", and who complies  
2 9 with that paragraph is not liable for damages for any injuries  
2 10 sustained by a bicycle operator or passenger as a result of  
2 11 the operator's or passenger's failure to wear a helmet or to  
2 12 wear a properly fitted or fastened helmet in violation of an  
2 13 ordinance or resolution adopted under this section.

2 14 3. A violation of an ordinance or resolution adopted under  
2 15 this section shall not be considered admissible or material as  
2 16 evidence of comparative fault under chapter 668.

2 17 4. The department of public health shall publish a list of  
2 18 bicycle helmets that meet the standards described in  
2 19 subsection 1, paragraph "a".

2 20 Sec. 4. MATERIALS TO LOCAL COMMUNITIES. The department of  
2 21 public health shall work in conjunction with the Iowa safe

2 22 kids coalition to provide bicycle safety education information  
2 23 to local communities for distribution in those communities.

2 24 EXPLANATION

2 25 This bill allows local authorities to adopt ordinances or  
2 26 resolutions that regulate the use of bicycles in any or all of  
2 27 the following manners:

2 28 Requires persons under 14 years of age who are operating or  
2 29 riding on a bicycle to wear bicycle helmets.

2 30 Requires persons under 14 years of age who ride on a  
2 31 bicycle while in a restraining seat attached to the bicycle or  
2 32 in a trailer towed by a bicycle to wear bicycle helmets.

2 33 Requires persons renting bicycles to the public to provide  
2 34 helmets to renters for a reasonable fee.

2 35 The bill also provides that persons renting bicycles in  
3 1 compliance with such a local ordinance or resolution are not  
3 2 liable for damages sustained as a result of an operator's or  
3 3 passenger's failure to properly wear a helmet.

3 4 The bill provides that a violation of an ordinance or  
3 5 resolution adopted under the Act shall not be evidence or  
3 6 comparative fault under Code chapter 668.

3 7 The bill requires the department of public health to  
3 8 publish a list of approved bicycle helmets.

3 9 The bill directs the department of public health to work  
3 10 with the Iowa safe kids coalition to distribute bicycle safety  
3 11 education information to local communities.

3 12 LSB 1829SC 79

3 13 nh/cf/24