

TITLE 9: VEHICLE CODE
DIVISION 5: RULES OF THE ROAD

§ 5758. Safety Helmets.

(a) An operator or passenger less than eighteen years of age of a bicycle, or other human power vehicle, or all terrain vehicle (ATV's), or moped shall wear a safety helmet securely fastened on such person's head while on a highway, secondary road or designated bike path.

(b) A "safety helmet" shall mean a type of helmet meeting the requirements of Federal Motor Safety Standard No. 218, 49 CFR, Sec. 571.218 or a helmet approved by the Commissioner of Public Safety.

(c) Any person who violates this section shall be fined not less than \$50 per violation, in the case of a minor under the age of eighteen, the parents or legal guardians shall be responsible for any fine under this Act.

Source: PL 12-84, § 3 (5758), modified.

Commission Comment: PL 12-84 took effect January 18, 2002 and contained findings, purpose, severability, and savings clause provisions. According to PL 12-84:

Section 1. Findings. The Legislature finds that the head trauma caused by bicycle, all terrain vehicles (ATV's), and moped accidents are frequently seen and treated at the Commonwealth Health Center's emergency room. In addition, the Legislature finds that these bicycles, all terrain vehicles, and moped related head trauma accidents could have been prevented if the operators or passengers had worn safety helmets in the course of operating their vehicles. The Legislature further finds that the age group most affected are the eighteen and under group.

Section 2. Purpose. The purpose of this Act is to require the operators and passengers, under that age of eighteen (18), while operating bicycles, other human powered vehicles, all terrain vehicles (ATV's) and mopeds on any highway or secondary road within the Commonwealth to wear safety helmets of a type required by the Federal Motor Vehicle Safety Standard or as approved by the Commissioner of Public Safety.