

Maddox  
Tinsman  
Holbeck

SSB-1066  
Judiciary  
Succeeded By  
SF/HF 321

SENATE FILE  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON MADDOX)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act requiring protective headgear for juvenile bicyclists,  
2 creating a bicycle safety fund, and providing for a helmet  
3 rental fee and a penalty.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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

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

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

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

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

17 Sec. 2. Section 321.236, Code 2001, is amended by adding  
18 the following new subsection:

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

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

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

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

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

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

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

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

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

20 Sec. 4. MATERIALS TO LOCAL COMMUNITIES. The department of  
21 public health shall work in conjunction with the Iowa safe  
22 kids coalition to provide bicycle safety education information  
23 to local communities for distribution in those communities.

24 EXPLANATION

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

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

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

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

35 The bill also provides that persons renting bicycles in

1 compliance with such a local ordinance or resolution are not  
2 liable for damages sustained as a result of an operator's or  
3 passenger's failure to properly wear a helmet.

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

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

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

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4/5/01 Referred To: Judiciary

FILED MAR 1 '01

SENATE FILE 321  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1066)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to bicycle helmets, including local authorities'  
2 adoption of ordinances relating to the use of bicycle helmets,  
3 and providing legislative intent.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 321

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2 general assembly to require that all children under the age of  
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4 bicycle or when riding in a trailer towed by a bicycle. The  
5 general assembly finds and declares the following:

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7 injured in bicycle-related accidents.

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9 bicycle-related deaths and emergency room visits.

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

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

17 Sec. 2. Section 321.236, Code 2001, is amended by adding  
18 the following new subsection:

19 NEW SUBSECTION. 14. Requiring the use of bicycle helmets  
20 as provided in section 321.435 or in any other manner.

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

22 1. If a local authority adopts an ordinance or resolution  
23 that regulates the use of bicycles, the ordinance or  
24 resolution may include any or all of the following types of  
25 provisions:

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

33 b. Requires a person under fourteen years of age who rides  
34 on a bicycle while in a restraining seat which is attached to  
35 the bicycle or in a trailer towed by a bicycle to wear a

1 helmet that meets the standards described in paragraph "a".

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

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

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

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

21 Sec. 4. MATERIALS TO LOCAL COMMUNITIES. The department of  
22 public health shall work in conjunction with the Iowa safe  
23 kids coalition to provide bicycle safety education information  
24 to local communities for distribution in those communities.

25 EXPLANATION

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

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

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

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

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

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

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

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

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