

SENATE BILL No. 463

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2; IC 9-21-23.

Synopsis: Bicycle, skateboard, skate, and scooter helmet requirement. Requires a person who is less than 18 years of age to wear a protective helmet when operating or riding on a bicycle, a skateboard, roller skates, inline skates, or a scooter while on public property (the helmet requirement). Provides that: (1) an individual who violates the helmet requirement; or (2) a parent or guardian of an individual who authorizes or knowingly permits the individual to violate the helmet requirement; commits a Class D infraction punishable by a fine of not more than \$50. Provides that a law enforcement officer may impound a bicycle, a skateboard, roller skates, inline skates, or a scooter used in a violation of the helmet requirement, and that the law enforcement agency may not release the bicycle, skateboard, roller skates, inline skates, or scooter until the parent or guardian of the individual who committed the violation: (1) appears in person at an office of the law enforcement agency; and (2) provides assurance that the violation will not be repeated.

Effective: July 1, 2019.

Merritt

January 14, 2019, read first time and referred to Committee on Health and Provider Services.



First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

SENATE BILL No. 463

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-80.3 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2019]: **Sec. 80.3. "Inline skates", for purposes of IC 9-21-23, has**
4 **the meaning set forth in IC 9-21-23-1.**

5 SECTION 2. IC 9-13-2-157.3 IS ADDED TO THE INDIANA
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2019]: **Sec. 157.3. "Roller skates", for**
8 **purposes of IC 9-21-23, has the meaning set forth in IC 9-21-23-2.**

9 SECTION 3. IC 9-13-2-161.7 IS ADDED TO THE INDIANA
10 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2019]: **Sec. 161.7. "Scooter", for purposes of**
12 **IC 9-21-23, has the meaning set forth in IC 9-21-23-3.**

13 SECTION 4. IC 9-13-2-167.2 IS ADDED TO THE INDIANA
14 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
15 [EFFECTIVE JULY 1, 2019]: **Sec. 167.2. "Skateboard", for**
16 **purposes of IC 9-21-23, has the meaning set forth in IC 9-21-23-4.**

17 SECTION 5. IC 9-21-23 IS ADDED TO THE INDIANA CODE AS



1 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
2 1, 2019]:

3 **Chapter 23. Helmet Requirement for Use of Bicycles,**
4 **Skateboards, Roller Skates, Inline Skates, or Scooters**

5 **Sec. 1. As used in this chapter, "inline skates" means shoes to**
6 **which wheels are:**

- 7 (1) attached; and
8 (2) arranged singly in a tandem line rather than in pairs.

9 **Sec. 2. As used in this chapter, "roller skates" means:**

- 10 (1) shoes to which a set of wheels is attached; or
11 (2) a frame:

- 12 (A) to which wheels are attached; and
13 (B) that can be fitted to the sole of a shoe.

14 **Sec. 3. As used in this chapter, "scooter" means a foot operated**
15 **vehicle consisting of:**

- 16 (1) a footboard mounted between two (2) wheels arranged in
17 tandem; and
18 (2) an upright steering handle that is attached to the front
19 wheel.

20 **Sec. 4. As used in this chapter, "skateboard" means a short**
21 **footboard mounted on wheels that is used for coasting and**
22 **performing stunts.**

23 **Sec. 5. (a) A person less than eighteen (18) years of age who**
24 **operates or rides on:**

- 25 (1) a bicycle;
26 (2) a skateboard;
27 (3) roller skates;
28 (4) inline skates; or
29 (5) a scooter;

30 **on public property shall wear a protective helmet at all times while**
31 **the person is in motion on the bicycle, skateboard, roller skates,**
32 **inline skates, or scooter.**

33 **(b) A protective helmet required by this section must:**

- 34 (1) meet or exceed the impact standards for protective
35 helmets set by the:
36 (A) American National Standards Institute (ANSI);
37 (B) American Society for Testing and Materials (ASTM);
38 or
39 (C) Snell Memorial Foundation;
40 (2) properly fit the person wearing the helmet;
41 (3) be in working condition; and
42 (4) be securely fastened to the wearer's head with the helmet's



1 straps.
2 **Sec. 6. A:**
3 (1) parent of a child less than eighteen (18) years of age; or
4 (2) guardian of a protected person (as defined in IC 29-3-1-13)
5 less than eighteen (18) years of age;
6 may not authorize or knowingly permit the child or protected
7 person to violate this chapter.
8 **Sec. 7. (a) A person who violates this chapter commits a Class**
9 **D infraction.**
10 (b) Notwithstanding IC 34-28-5-4, a civil judgment of not more
11 than fifty dollars (\$50) may be imposed for a violation of this
12 chapter.
13 (c) A law enforcement officer who observes a violation of this
14 chapter may:
15 (1) issue a citation to the individual the law enforcement
16 officer observes violating this chapter; and
17 (2) impound the bicycle, skateboard, roller skates, inline
18 skates, or scooter used in the commission of the violation.
19 (d) The law enforcement agency that employs a law enforcement
20 officer who impounds a bicycle, a skateboard, roller skates, inline
21 skates, or a scooter under subsection (c) shall hold the bicycle,
22 skateboard, roller skates, inline skates, or scooter until the parent
23 or guardian of the individual who committed the violation:
24 (1) appears in person at an office of the law enforcement
25 agency designated on the citation issued by the law
26 enforcement agency for the violation; and
27 (2) provides assurance that the violation will not be repeated.

