

**As Introduced**

**131st General Assembly**

**Regular Session**

**2015-2016**

**S. B. No. 157**

**Senator Jones**

**Cosponsors: Senators Patton, Brown**

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**A BILL**

To enact section 4511.531 of the Revised Code to  
generally require any person under sixteen years  
of age to wear a helmet while on a bicycle, to  
require bicycle rental businesses to inform any  
person under sixteen years of age who rents a  
bicycle of this requirement and provide helmet  
rentals, and to provide limited civil immunity  
for bicycle rental businesses that comply with  
these requirements.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 4511.531 of the Revised Code be  
enacted to read as follows:

**Sec. 4511.531.** (A) (1) No person under sixteen years of age shall operate a bicycle on the right-of-way of a street or highway, a path set aside for the exclusive use of bicycles, a shared-use path, a sidewalk, a public park, or any other public land unless that person is wearing an approved helmet that is of good fit and that is fastened securely on the person's head.

(2) No person under sixteen years of age shall be a

passenger on a bicycle on the right-of-way of a street or 19  
highway, a path set aside for the exclusive use of bicycles, a 20  
shared-use path, a sidewalk, a public park, or any other public 21  
land unless that person is wearing an approved helmet that is of 22  
good fit and that is fastened securely on the person's head. 23

(3) A municipal corporation may adopt bicycle helmet 24  
regulations that are as stringent as, or more stringent than, 25  
the regulations contained in divisions (A) (1) and (2) of this 26  
section. 27

(B) (1) A person regularly engaged in the business of 28  
renting bicycles shall do all of the following prior to 29  
providing a bicycle for use by a person under sixteen years of 30  
age: 31

(a) Provide a written explanation of the requirements of 32  
this section in a form established by the director of public 33  
safety by rule; 34

(b) Require the parent, guardian, or other person having 35  
custody of a person under sixteen years of age to attest that 36  
the parent, guardian, or other person having custody of the 37  
person under sixteen years of age has read and understands the 38  
written explanation of the requirements of this section; 39

(c) Provide a helmet to the person under sixteen years of 40  
age if the person does not currently possess a helmet and will 41  
operate a rental bicycle in an area where a helmet is required 42  
under division (A) of this section. The person regularly engaged 43  
in the business of renting bicycles may charge a reasonable fee 44  
for the helmet rental. 45

(2) A self-service bicycle rental company shall post a 46  
notice of the requirements of this section as required by the 47

director of public safety by rule. A self-service bicycle rental 48  
company is not required to provide a helmet to a person under 49  
sixteen years of age under this section. 50

(C) (1) Failure to wear a bicycle helmet as required by 51  
division (A) (1) or (2) of this section or a substantially 52  
equivalent municipal ordinance shall not be admissible as 53  
evidence in any civil action. 54

(2) A person regularly engaged in the business of renting 55  
bicycles who complies with the requirements under division (B) 56  
(1) of this section is not liable in a civil action for damages 57  
based upon any injuries caused by the failure of a person under 58  
sixteen years of age who rented a bicycle to wear a helmet or to 59  
wear a helmet properly as required by division (A) (1) or (2) of 60  
this section. 61

(3) A self-service bicycle rental company is not liable in 62  
a civil action for damages based upon any injuries caused by the 63  
failure of a person under sixteen years of age who rented a 64  
bicycle from the company to wear a helmet or to wear a helmet 65  
properly as required by division (A) (1) or (2) of this section. 66

(D) (1) Whoever violates division (A) (1) or (2) of this 67  
section shall be fined as follows: 68

(a) On the first offense, not more than twenty-five 69  
dollars; 70

(b) On the second or subsequent offense, not more than one 71  
hundred dollars. 72

The parent, guardian, or other person having custody of a 73  
person under sixteen years of age is responsible for the payment 74  
of any fine imposed under division (D) (1) of this section. 75

(2) Upon receipt by the court of satisfactory proof that 76  
an offender has obtained an approved bicycle helmet and intends 77  
to use the helmet as required by divisions (A) (1) and (2) of 78  
this section, the court may waive the fine for the violation. 79

(3) All fines collected for a violation of division (A) (1) 80  
or (2) of this section shall be forwarded to the treasurer of 81  
state and credited to the bicycle safety fund, which is hereby 82  
created in the state treasury. The department of public safety 83  
shall use the money credited to the fund to create, improve, and 84  
sustain a bicycle safety education program offered to the public 85  
in each county and to assist low-income families in the purchase 86  
of approved bicycle helmets in accordance with guidelines the 87  
director of public safety shall establish. All investment 88  
earnings of the bicycle safety fund shall be credited to the 89  
fund. 90

(E) The director of public safety shall adopt such rules 91  
as are necessary for the implementation of this section and the 92  
establishment of a bicycle safety education program. 93

(F) This section does not apply in any municipal 94  
corporation that has in effect an ordinance governing the use of 95  
bicycle helmets that was adopted prior to the effective date of 96  
this section. 97

(G) As used in this section: 98

(1) "Approved helmet" means a helmet that meets or exceeds 99  
the standards for protective bicycle helmets established by the 100  
the United States consumer product safety commission, the 101  
American society for testing and materials, the Snell memorial 102  
foundation, or a safety standard established under federal law 103  
or a law of this state. 104

(2) "Low-income family" means a family with an income not exceeding two hundred per cent of the federal poverty guidelines as defined in section 5101.46 of the Revised Code. 105  
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(3) "Self-service bicycle rental company" means a business that operates self-service bicycle stations from which a person may rent a bicycle. 108  
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**Section 2.** Notwithstanding any provision of law to the contrary, for a period of one year after the effective date of this act, no law enforcement officer shall issue a ticket, citation, or summons to a person who violates division (A) (1) or (2) of section 4511.531 of the Revised Code. During that time, a law enforcement officer instead shall issue to the person a written warning explaining the provisions of section 4511.531 of the Revised Code. The written warning may notify the person of the specific date, one year after the effective date of this act, when law enforcement officers shall begin enforcing the provisions of section 4511.531 of the Revised Code. 111  
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