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LOCAL LAW NO. 4 - 2000

A LOCAL LAW OF THE COUNTY OF ONONDAGA REQUIRING ALL PERSONS BETWEEN THE AGES OF FOURTEEN AND EIGHTEEN YEARS TO WEAR A HELMET WHILE OPERATING A BICYCLE OR IN-LINE SKATING

BE IT ENACTED BY THE ONONDAGA COUNTY LEGISLATURE OF THE COUNTY OF ONONDAGA, NEW YORK, AS FOLLOWS:

Section 1. PURPOSE: The purpose of this local law is to protect the health, safety, and welfare of bicycle riders and in-line skaters by requiring the use of helmets for all persons fourteen or more years of age and less than eighteen years of age while bicycle riding and in-line skating in Onondaga County.

Section 2. FINDINGS: This Legislature finds and determines:

A. That it has been reliably reported that, in Onondaga County, patients fourteen year of age or older treated by the Pediatric Emergency Department of University Hospital have more severe injuries associated with bicycle riding than younger children, the increased severity likely associated with failure to wear safety helmets;

B. Local police advise that, being cognizant of the increased severity of these injuries, a safety helmet local law can be used proactively as a law enforcement tool and to assist parents in encouraging safety helmet use among fourteen to seventeen years old.

C. It has been estimated that every dollar spent on a bicycle safety helmet saves $30.00 in direct medical costs and other costs to society.

D. Research has demonstrated that bicycle education programs and bicycle helmet legislation constitute a powerful and effective combination in promoting the use of bicycle helmets and that helmets are currently available at little or no cost at sites throughout Onondaga County.

Section 3. DEFINITIONS: As used in this Local Law "Bicycle" and "In-line Skate" shall have the same definition s set forth in the Vehicle and Traffic Law.

Section 4. REQUIREMENTS: No person, fourteen or more years of age and less than eighteen years of age, shall operate a bicycle or skate or glide on in-line skates in Onondaga County unless such person is wearing a helmet meeting standards set by the New York State Commissioner of Motor Vehicles. For the purposes of this section wearing a helmet means having a properly fitting helmet fastened securely upon the head of the wearer with the helmet straps securely fastened.

Section 5. PENALTY: Any person who violates the provisions of Section 4 of this local law shall pay a civil fine not to exceed fifty dollars.

Section 6. WAIVER: The Court shall waive any fine for which a person who violates the provisions of Section 4 of this local law would be liable if such person supplies the court with proof that between the date of violation and the appearance date for such violation such person purchased a helmet which meets the requirements of Section 4 above. Said waiver of fine shall not apply to a second or subsequent conviction under Section 4 of this local law.

Section 7. This local law shall be effective upon filing pursuant to the Municipal Home Rule Law.

HELMET LL
jr

ADOPTED
JUL -5 2000