

HOUSE BILL REPORT

SB 5334

As Reported By House Committee On:
Health Care

Title: An act relating to bicycle helmets.

Brief Description: Requiring bicycle helmets.

Sponsors: Senators West and Moyer.

Brief History:

Reported by House Committee on:
Health Care, April 2, 1993, DP.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass. Signed by 14 members:
Representatives Dellwo, Chair; L. Johnson, Vice Chair; Dyer,
Ranking Minority Member; Ballasiotes, Assistant Ranking
Minority Member; Appelwick; Campbell; Conway; Cooke;
Flemming; Mastin; Mielke; Morris; Thibaudeau; and Veloria.

Minority Report: Do not pass. Signed by 1 member:
Representative Lisk.

Staff: Antonio Sanchez (786-7383).

Background: Each year in the United States nearly 600,000 bicycle accidents result in visits to a hospital emergency room. More than 1,300 of these people die. In Washington State, approximately 500 people are injured or killed every year from bicycle accident related injuries. The vast majority of bicycle-related injuries are head injuries.

Research shows that during the period between 1989 and 1990 bicycle injuries in Washington State cost \$6 million in hospital fees alone. The treatment and rehabilitation costs of bicycle-related head injuries average \$11,306 per injury. Nearly 16 percent of hospitalizations for bicycle-related injuries are paid through public assistance programs such as Medicaid.

A recent study conducted in Seattle has indicated that the use of bicycle helmets could reduce head injuries by 85 percent. Currently, four states have enacted mandatory helmet use legislation for children. These states are California, Massachusetts, New Jersey and New York. In

addition, the King County Board of Health recently enacted an ordinance requiring helmet use by bicycle riders of all ages. The ordinance applies to all areas of the county except the city of Seattle and took effect on March 4, 1993.

Summary of Bill: Effective January 1, 1994, it will be unlawful for any person to ride a bicycle without an approved bicycle helmet. It will also be unlawful for any person to transport another person on a bicycle, or in a trailer towed by a bicycle, without a helmet. Guardians of children under the age of 16 years must take reasonable steps to prevent the child from riding the bicycle without a helmet. Any person renting a bicycle must be reasonably satisfied that the person riding the bicycle will wear an approved helmet.

Violation of the act is a traffic offense but will not be reported on the person's driving record. In order to facilitate education about the act, from January 1, 1994, to January 1, 1995, a person found violating provisions of the act will not be served with a traffic infraction but may be subject to a written warning. After January 1, 1995, a traffic infraction may be issued. First offenders of the act may have the traffic infraction dismissed without costs if he or she appears before the court with evidence that he or she has obtained an approved helmet.

Existing private and public education programs are recognized as effective in encouraging people to use bicycle helmets.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The legislation will reduce the number of injuries and deaths from head injuries sustained while riding a bicycle. A Department of Health study estimates that a 50 percent compliance with the bill would result in a reduction of 840 head injuries and at least \$9.5 million in reduced medical costs. The education and delayed enforcement will help educate the public to use helmets.

Testimony Against: The bill is too narrow in scope and does not address the real problem. This measure would tie up the courts with contributory negligence suits. We need to focus on dangerous cycling rather than protective gear. Children should be the focus and are not.

Witnesses: Senator West, prime sponsor (pro); Donnie and Billy Smith (pro); Donald Obermiller, city of Des Moines and

Washington Association of Sheriffs and Police Chiefs (pro);
Phil Miller, King County Department of Public Works (pro);
Laura Giberson (pro); Joe Ganem (pro); Mike Dolan, Bicycle
Federation of Washington (pro); John Marshall (con); Larry
Shannon, Washington State Trial Lawyers (concerns); and Jim
Lazar, Capitol Bicycling Club (pro with amendment).