

SENATE BILL REPORT

SB 6030

**AS REPORTED BY COMMITTEE ON HEALTH & LONG-TERM CARE,
JANUARY 23, 1992**

Brief Description: Requiring bicyclists to wear helmets.

SPONSORS: Senators West, Johnson and Bailey

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass as amended.

Signed by Senators West, Chairman; M. Kreidler, Niemi,
and Wojahn.

Staff: Scott Plack (786-7409)

Hearing Dates: January 16, 1992; January 23, 1992

BACKGROUND:

Each year in the United States nearly 600,000 people visit an emergency department because of injuries related to riding a bicycle. More than 1,300 of these people die. The vast majority of bicycle-related injuries are head injuries. In a national four-year study researchers estimated that more than 2,500 bicycle-related head injury deaths could have been avoided if protective helmets had been worn. In Washington State, 1989 hospital discharge data indicates that 217 people were discharged from the state's hospitals with bicycle-related head injuries. Over 70 percent (154) involved children under the age of 19 years of age.

Medical care for a single case of head injury can range from about \$8,000 for initial hospital care to over \$160,000 for long-term rehabilitation. In fiscal year 1986, hospital care for head injury patients cost some \$36 million with 42 percent of these costs coming from public programs. Head injury patients account for more than one-third of the patients receiving \$47,000 or more in medical care annually through the state Medicaid program.

SUMMARY:

It is unlawful for a child under the age of 16 years of age to ride a bicycle on a public highway, street, road, sidewalk or bicycle path or trail without wearing an approved bicycle helmet.

It is additionally unlawful for a person to transport on a bicycle a child under the age of 16 years or for a guardian to allow a child under the age of 16 years of age to ride a bicycle on public highways, streets, roads, sidewalks or bicycle paths or trails without an approved bicycle helmet.

The term "Guardian" means a parent, legal guardian, temporary guardian including babysitters, or other persons who maintain responsibility, whether voluntary or otherwise, for the safety or welfare of any child under the age of 16 years.

It is unlawful for any person to rent a bicycle for use by a child under the age of 16 unless the child is in possession of an approved helmet. The individual renting the bicycle must be reasonably satisfied that the child will use the helmet and shall ask the age of the child prior to renting the bicycle.

The State Patrol shall require that bicycle helmets meet standards developed by the American National Standards Institute, the Snell Memorial Foundation or other nationally recognized organization setting such standards. It is unlawful for a person to sell a bicycle helmet not meeting these standards.

The State Patrol shall adopt rules to implement this act.

SUMMARY OF PROPOSED SENATE AMENDMENT:

Private and public education programs are recognized as effective in encouraging people of all ages to use bicycle helmets. Effective July 1, 1993 it will be unlawful for any person to ride a bicycle without a State Patrol approved helmet. After this date it is also unlawful for any person to transport a person on a bicycle without an approved helmet or for a guardian to knowingly allow any child under 18 years of age to ride a bicycle without an approved helmet unless the guardian has taken reasonable steps to prevent the child from riding the bicycle without a helmet. Violation of the bill is a traffic offense. Warning citations shall be issued from July 1, 1993 until January 1, 1994 after which time a violation may be issued.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

Bicycle helmets have been shown to save lives and reduce injury. Educational programs to increase public awareness about helmet use are important and have increased helmet use. Helmets should be required of all age groups and not just children.

TESTIMONY AGAINST: None

TESTIFIED: PRO: Ilene Kasten, DOH; Joe Ganen, Bicycle Federation of Washington (with amendment); Susie Tracey, WSMA; Steve Lund, WTSC; Ken Bertrand, Group Health; Stephen Vogel, Clallam County E.M.S. Council; Jim Eychaner, Capitol Bicycle Club (with amendment); Phil Miller, King County Public Works Non-Motorized Transportation Program (neutral)

