

SENATE BILL REPORT

SB 5234

As Reported By Senate Committee On:
Parks, Fish & Wildlife, February 18, 2003

Title: An act relating to skate parks.

Brief Description: Requiring helmets within public skate parks.

Sponsors: Senators Shin, Rasmussen, Keiser, Reardon, Kohl-Welles and Fairley.

Brief History:

Committee Activity: Parks, Fish & Wildlife: 2/4/03, 2/18/03 [DPS].

SENATE COMMITTEE ON PARKS, FISH & WILDLIFE

Majority Report: That Substitute Senate Bill No. 5234 be substituted therefor, and the substitute bill do pass.

Signed by Senators Oke, Chair; Sheahan, Vice Chair; Doumit, Esser, Jacobsen, Spanel and Swecker.

Staff: Genevieve Pisarski (786-7488)

Background: Publicly-owned or operated skate parks provide a controlled environment for skateboarders and bicyclists that is apart from private or other public property. Skate parks generally have concrete surfaces that can cause head injuries, in the event of an accident.

Summary of Substitute Bill: Any person using or riding on a skateboard, bicycle, scooter, or roller skates in a publicly-owned or operated skate park must wear an approved protective helmet. The management of the park may remove or deny access to anyone not wearing a helmet, but there is no duty to enforce the requirement.

Substitute Bill Compared to Original Bill: Language is added to clarify that owners or operators of public skate parks have no duty to enforce. The definition of skateboard is made consistent with local ordinances. The Department of Health is not required to maintain a list of approved helmets. An approved helmet is one that meets standards established by national standards testing institutes.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Severe head injuries and deaths have resulted from skateboarding accidents. Individuals' rights to make choices are very important, but severe head injuries result in great social and economic costs. The public should not have to bear the costs of preventable

injuries, such as insurance, taxes, and special education needs. A law requiring helmets will increase awareness and diligence. There should be no new duty placed on public skate parks that could lead to additional liability.

Testimony Against: None.

Testified: Senator Rasmussen (pro); Kent Hamilton, Brain Injury Assn. of WA (pro); Vicki Kirkpatrick, WA State Assn. of Local Public Health Officials (pro); Doug Levy, Cities of Everett, Kent, Federal Way (concerns); Kent Thorsted, Brain Injury Assn. of WA (pro).