
HOUSE BILL 1874

State of Washington 58th Legislature 2003 Regular Session

By Representatives Miloscia, Pettigrew, Lovick, Schual-Berke and Simpson

Read first time 02/12/2003. Referred to Committee on Transportation.

1 AN ACT Relating to required use of helmets with nonmotorized
2 vehicles; adding a new section to chapter 46.61 RCW; adding a new
3 section to chapter 5.40 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that:

6 (1) Head injuries in children cost the residents of Washington
7 state both in terms of human suffering and financial costs. Head
8 injuries are the leading cause of death to children ages five to nine.
9 Over a lifetime, a severe head injury can cost over four million five
10 hundred thousand dollars and have long-term effects on the person's
11 quality of life.

12 (2) Nationally, over four hundred thousand children are admitted to
13 emergency departments every year for injuries related to bicycle
14 accidents. Almost half of serious injuries caused by bicycle accidents
15 result in traumatic brain injuries. Of the six hundred cyclists under
16 fourteen years old who die from bicycle-related accidents, head
17 injuries are the leading cause of death.

18 (3) Bicycles are a primary form of transportation and recreation
19 for many children, which leads to children ages five to fourteen

1 spending fifty percent more time riding bicycles than adult cyclists.
2 The large amount of time spent riding bicycles increases the likelihood
3 that these children will suffer an accident. Many head injuries to
4 children involved in bicycle accidents are easily avoidable through the
5 use of properly fitting helmets. Bicycle helmets can reduce the risk
6 of serious head injury by eighty-five percent and brain injury by
7 eighty-eight percent.

8 (4) Most bicycle accidents occur on bike paths, in parks, or in
9 driveways and do not involve contact with automobiles. Other
10 nonmotorized wheeled vehicles such as in-line skates, roller skates,
11 skateboards, and scooters use these facilities and can also benefit
12 from the use of helmets.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.61 RCW
14 to read as follows:

15 (1) No person under sixteen years old may operate or ride upon a
16 bicycle, nonmotorized scooter, or skateboard, nor wear in-line skates
17 or roller skates on a highway, bicycle path, or a sidewalk, unless he
18 or she is wearing a properly fitted and fastened protective helmet.

19 (2) The Washington state patrol shall make available on their web
20 site and upon request by mail a list of manufacturers of protective
21 helmets that meet the standards of either the American Society for
22 Testing and Materials or the United States Consumer Product Safety
23 Commission.

24 NEW SECTION. **Sec. 3.** A new section is added to chapter 5.40 RCW
25 to read as follows:

26 Failure to wear a bicycle helmet does not constitute fault, nor may
27 such failure be admissible as evidence of the fault of any entity in
28 any civil action.

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