

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL****No. 2987** Session of  
1994

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INTRODUCED BY COLAIZZO, PESCI, KUKOVICH, MICOZZIE, LAUGHLIN,  
SAURMAN, PETTIT, LaGROTTA, MELIO, LAUB, E. Z. TAYLOR,  
PHILLIPS, L. I. COHEN, GEIST, PISTELLA AND TOMLINSON,  
JUNE 28, 1994

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REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 28, 1994

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## AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, regulating riding with pedalcycle helmets; and  
3 providing penalties.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Section 3510 of Title 75 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 3510. Pedalcycle helmets for certain persons.

9 (a) General rule.--No person under 18 years of age shall  
10 operate a pedalcycle, and no person operating a pedalcycle shall  
11 allow any person who is [five] under 18 years of age or younger  
12 to ride as a passenger on a pedalcycle unless that [passenger  
13 is] person and passenger are each wearing a helmet meeting the  
14 standards of the American National Standards Institute or of the  
15 Snell Memorial Foundation's Standards for Protective Headgear  
16 for Use in Bicycling.

17 (b) Proof of purchase.--The first violation of subsection

1 (a) by any person may be dismissed by the court if the person  
2 charged produces proof that a helmet meeting the standards  
3 prescribed in subsection (a) has been purchased for use by the  
4 [passenger five years of age or younger] person.

5 (c) Civil actions.--In no event shall a violation or alleged  
6 violation of subsection (a) be used as evidence in a trial of  
7 any civil action; nor shall any jury in a civil action be  
8 instructed that any conduct did constitute or could be  
9 interpreted by them to constitute a violation of subsection (a);  
10 nor shall failure to use a pedalcycle helmet be considered as  
11 contributory negligence nor shall failure to use a pedalcycle  
12 helmet be admissible as evidence in the trial of any civil  
13 action.

14 (d) Penalty.--Notwithstanding any other provisions of law,  
15 any violation of subsection (a) is punishable by a fine,  
16 including all penalties, assessments and court costs imposed on  
17 the convicted person not to exceed [\$25. Persons age 17 and  
18 under shall not be subject to the penalty provisions of this  
19 subsection on the first offense.] \$30 for a first offense and  
20 \$60 for a second offense. Persons convicted of a third offense  
21 shall be prohibited from riding a pedalcycle for a period of six  
22 months.

23 (e) Definitions.--As used in this section, the term "wearing  
24 a helmet" means having a helmet of good fit fastened securely  
25 upon the head with the helmet straps.

26 Section 2. This act shall take effect in 60 days.