

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2987 Session of
1994

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

REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 28, 1994

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.