



1997 ASSEMBLY BILL 309

April 24, 1997 - Introduced by Representatives WASSERMAN, HANDRICK, URBAN, J. LEHMAN, NOTESTEIN, RILEY, SPRINGER and R. YOUNG. Referred to Committee on Urban and Local Affairs.

1 **AN ACT to amend** 349.18 (2); and **to create** 346.79 (6) and 346.82 (3) of the
2 statutes; **relating to:** the use of bicycle helmets and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill requires that whenever a person 12 years of age or younger is operating a bicycle upon a highway, bicycle lane or bicycle way, the person wear an approved bicycle helmet properly fastened to his or her head. A violator may be required to forfeit not more than \$20, except that no forfeiture may be assessed if the person provides proof that, within 30 days after the citation was issued, he or she purchased a helmet. The bill also authorizes cities, villages, towns, counties and other public bodies authorized to enact traffic regulations to increase the age under which a person operating a bicycle is required to wear a helmet.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 346.79 (6) of the statutes is created to read:
4 346.79 (6) (a) Subject to par. (b), any operator or passenger on a bicycle who has
5 not attained 12 years of age shall wear a helmet that meets the requirements of this
6 paragraph securely fastened to his or her head according to the directions of the

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1 manufacturer of the helmet. A helmet meets the requirements of this paragraph if
2 it meets or exceeds the impact standards for protective bicycle helmets established
3 by the American National Standards Institute or the Snell Memorial Foundation in
4 effect on the effective date of this paragraph [revisor inserts date].

5 (b) Notwithstanding ss. 349.03 (1) and 349.06, any ordinance that increases the
6 age limit specified in par. (a) but that strictly conforms with par. (a) in all other
7 respects is considered to be in strict conformity with that paragraph.

8 **SECTION 2.** 346.82 (3) of the statutes is created to read:

9 346.82 (3) Any person violating s. 346.79 (6) may be required to forfeit not more
10 than \$20, except that no forfeiture may be assessed if the person provides proof that,
11 within 30 days after the uniform traffic citation was issued, he or she purchased a
12 helmet that meets the requirements of s. 346.79 (6).

13 **SECTION 3.** 349.18 (2) of the statutes is amended to read:

14 349.18 (2) Any city, town or village may by ordinance enacted pursuant to s.
15 ~~349.06 regulate the operation of bicycles and motor bicycles and may by ordinance~~
16 require registration of any bicycle or motor bicycle owned by a resident of the city,
17 town or village, including the payment of a registration fee.

18 (END)