

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H2/11/03

A Bill

HOUSE BILL 1315

5 By: Representatives Lendall, Blair
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7

For An Act To Be Entitled

8 THE CHILD BICYCLE SAFETY ACT.
9

Subtitle

10 THE CHILD BICYCLE SAFETY ACT.
11

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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15 SECTION 1. Title.

16 This act shall be known and may be cited as the "Child Bicycle Safety
17 Act".
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19 SECTION 2. Definitions.

20 As used in this act:

21 (1) "Bicycle" means a human-powered vehicle:

22 (A) With two (2) or more wheels in tandem, designed to
23 transport, by the act of pedaling, one (1) or more persons, seated on one (1)
24 or more saddle seats on its frame; and

25 (B) Used on a public road, bicycle path, or right-of-way;

26 (2) "Bicycle path" means a right-of-way under the jurisdiction and
27 control of the state, or a city, town or county of the state, for use
28 primarily by bicyclists and pedestrians;

29 (3) "Operator" means a person who travels on a bicycle, seated on a
30 saddle seat, from which that person is intended to and can pedal the bicycle;

31 (4) "Passenger" means any person who travels on a bicycle in any
32 manner except as an operator;

33 (5) "Protective bicycle helmet" means a piece of headgear which, on
34 the effective date of this act, meets or exceeds the impact standard for
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1 protective bicycle helmets set by the Consumer Product Safety Council, as in
2 effect January 1, 2003, the Snell Memorial Foundation, as in effect January
3 1, 2003, and the American Society for Testing and Materials, as in effect
4 January 1, 2003:

5 (6) "Right-of-way" means any right-of-way, other than a public road or
6 public bicycle path, under the jurisdiction and control of the state or a
7 city, town, or county of the state; and

8 (7) "Road" means a right-of-way under the jurisdiction and control of
9 the state or a local political subdivision thereof for use primarily by motor
10 vehicle traffic.

11
12 SECTION 3. (a) It is unlawful for any person fourteen (14) years of
13 age or under to use a bicycle on a public road, bicycle path, or right-of-
14 way, or a park or recreational area under the jurisdiction and control of the
15 state or a political subdivision of the state unless, at all times, the
16 person wears a protective bicycle helmet fastened securely upon the head by
17 the straps of the helmet.

18 (b) It is unlawful for any parent or legal guardian of a person
19 fourteen (14) years of age or under to knowingly permit the person to operate
20 or be a passenger on a bicycle in violation of subsection (a) of this
21 section.

22 (c) A city, town, or county of the state may adopt standards more
23 stringent than the requirements of this section.

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25 SECTION 4. (a) A person regularly engaged in the business of renting
26 bicycles shall require each person seeking to rent a bicycle to provide his
27 or her signature either on the rental form or on a separate form, indicating:

28 (1) Receipt of a written explanation of the provisions of this
29 act and the penalties for violations; and

30 (2) A statement concerning whether a person fourteen (14) years
31 of age or under will operate the bicycle in an area where the use of a helmet
32 is required.

33 (b) A person regularly engaged in the business of renting bicycles
34 shall provide a helmet to any person who will operate the bicycle in an area
35 requiring a helmet, if the person does not already have a helmet in his or
36 her possession.

