

TOWN OF MAYFIELD LOCAL LAW NO. 4 OF THE YEAR 1994

A local law requiring bicycle helmets for operators or passengers on a bicycle between 1 and 14 years old.

Be it enacted by the Town Board of the Town of Mayfield as follows:

Section 1

In an effort to reduce bicycle related injuries and fatalities, the State of New York adopted certain amendments to Vehicle and Traffic Law Section 1238 pursuant to Chapters 265 and 267 of the Laws of 1993. The amendments provide that the Town may adopt a local law that prohibits a person who is one or more years of age and less than 14 years of age from operating or riding as a passenger on a bicycle without wearing a bicycle helmet. The Town of Mayfield has elected to adopt such a local law as hereinafter set forth.

Section 2

No person, one or more years of age and less than 14 years of age, shall operate or ride as a passenger on a bicycle unless such person is wearing a helmet meeting the standards of the American National Standards Institute (AnsiZ90.4 bicycle helmet standards) or the Snell Memorial Foundation's standards for protective headgear for use in Bicycling. For the purposes of this local law, wearing a helmet means having a helmet of good fit fastened securely upon the head with the helmet straps.

Section 3

- A. Any person who violates the provisions of this local law shall pay a civil fine not to exceed \$50.00.
- B. The Court shall waive any fine for which a person who violates the provisions of this local law would be liable:
 - i. If such person supplies the Court with proof that between the date of violation and the appearance date for such violation, such person purchased or rented a helmet, or
 - ii. If the Court finds that due to reasons of economic hardship, such person was unable to purchase a helmet, or due to economic hardship, such person was unable to obtain a helmet from the Statewide Bicycle Helmet Distribution Program, as established in Section 206 of the Public Health law, or a local distribution program.

Section 4

This local law shall be effective immediately upon filing with the New York Secretary of State.