



A BILL FOR AN ORDINANCE

RELATING TO HELMETS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to address helmet requirements for minors when operating a skateboard, roller skates, including inline skates, a toy vehicle or a similar device upon the public sidewalks, alleys, malls, parks, grounds, parking lots, and other public places where such operation is permitted.

SECTION 2. Section 15-4.6, Revised Ordinances of Honolulu 1990, as amended ("Use of bicycles, skateboards, roller skates and similar devices restricted"), is amended by amending subsection (f) to read as follows:

"(f) Police officers and any other authorized officers shall issue a citation for any violation of this section, except they may arrest when the alleged violator refuses to cease the illegal activity after being issued a citation. Except as provided [herein,] in this section, the issuance and form of the citation shall be as provided in HRS Section [803-6.] 291D-5."

SECTION 3. Chapter 15, Article 18, Revised Ordinances of Honolulu 1990, as amended ("Operation of Bicycles and Play Vehicles"), is amended by adding a new section to be appropriately designated by the revisor of ordinances and to read as follows:

"Sec. 15-18. Helmet required.

(a) It is unlawful for any person under 16 years of age to operate a skateboard, roller skates, including inline skates, a toy vehicle or a similar device upon the public sidewalks, alleys, malls, parks, grounds, parking lots, and other public places where such operation is permitted, unless that person is wearing a properly fitted and fastened approved helmet.

(b) As used in this section, "approved helmet" means:

(1) For skateboard users, a helmet that at a minimum meets the skateboard-applicable helmet standards of ASTM International (ASTM F1492) or the Snell Memorial Foundation (Snell N-94), or superseding standards subsequently established by those entities, as evidenced by a certification sticker affixed to the helmet.



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- (2) For users of roller skates, including inline skates, toy vehicles or similar devices, a helmet that at a minimum meets the bicycle helmet standards of the United States Consumer Product Safety Commission (16 C.F.R. Part 1203) or the Snell Memorial Foundation (Snell B-90/95), or superseding standards subsequently established by those entities, as evidenced by a certification sticker affixed to the helmet.
- (c) Penalty. A violation of this section shall be punishable by a fine of \$25.00 for each offense. The parent or legal guardian having control or custody of an unemancipated minor whose conduct violates this section shall be jointly and severally liable with the minor for the amount of the fine imposed pursuant to this section.
- (d) Citation. Police officers and any other authorized officers shall issue a citation for any violation of this section, except they may arrest when the alleged violator refuses to cease the illegal activity after being issued a citation. Except as provided in this section, the issuance and form of the citation shall be as provided in HRS Section 291D-5."

SECTION 4. Section 10-1.2, Revised Ordinances of Honolulu 1990, as amended ("Park rules and regulations"), is amended by adding a new subsection (j) to read as follows:

- "(j) Any person under 16 years of age operating a skateboard, roller skates, including inline skates, a toy vehicle or a similar device within the limits of any public park where such operation is permitted, is subject to Section 15-18. ("Helmet required")."

SECTION 5. Ordinance material to be repealed is bracketed. New material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material or the underscoring.



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SECTION 6. This ordinance shall take effect upon its approval.

INTRODUCED BY:

[Handwritten Signature]

DATE OF INTRODUCTION:

OCT 02 2013

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

KIRK CALDWELL, Mayor
City and County of Honolulu

FILED
OCT 02 2013
PURSUANT TO ROH Sec. 1-2.4