

ACT 255

H.B. NO. 1763

A Bill for an Act Relating to Bicycles.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 291C, Hawaii Revised Statutes, is amended by adding a new section to part XIII to be appropriately designated and to read as follows:

“**§291C- Bicycle helmets.** (a) No person under sixteen years of age shall operate a bicycle upon a street, bikeway, or any other public property unless that person is wearing a properly fitted and fastened bicycle helmet that has been tested by a nationally recognized agency such as the National Highway Traffic Safety Administration, the National Safety Council, or the Children’s Safety Network, and is designed to fit the user and protect against head trauma. This requirement also applies to a person who rides upon a bicycle while in a restraining seat that is attached to the bicycle or who rides in a trailer towed by the bicycle.

(b) A person who provides bicycles for hire shall not rent a bicycle to any person unless every person who is under age sixteen is wearing a bicycle helmet, as required in subsection (a), while operating the rented bicycle, occupying a restraining seat that is attached to the rented bicycle, or riding in a trailer towed by the rented bicycle.

(c) A violation of this section is punishable by a fine of not more than \$25. The parent or legal guardian having control or custody of an unemancipated minor whose conduct violates this section shall be liable for the amount of the fine imposed pursuant to this section.

(d) Notwithstanding any law to the contrary, the fines collected for a violation of this section shall be paid into the state treasury to the credit of the state general fund.”

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before its effective date.

SECTION 3. New statutory material is underscored.¹

SECTION 4. This Act shall take effect on January 1, 2001.

(Approved June 20, 2000.)

Note

1. Edited pursuant to HRS §23G-16.5.