

**ARTICLE II.  
BICYCLE HELMETS.**

**SEC. 9-7. DEFINITIONS.**

(a) In this article:

(1) DEALER means any commercial establishment that sells or leases new or used bicycles, whether as its principal business activity or in connection with the selling or leasing of other merchandise, from a place of business within the city.

(2) GUARDIAN means:

(A) a person who, under court order, is the guardian of the person of a minor; or

(B) a public or private agency with whom a minor has been placed by a court.

(3) HELMET means a properly-fitted bicycle helmet that:

(A) is not structurally damaged; and

(B) conforms to current standards of the American National Standards Institute, the American Society for Testing and Materials, the Snell Memorial Foundation, or any federal agency having regulatory jurisdiction over bicycle helmets.

(4) MINOR means any person under 17 years of age.

(5) PARENT means a person who is the natural parent, adoptive parent, or step-parent of another person.

(6) PUBLIC WAY means any property located within the city that is publicly owned or maintained, including but not limited to a publicly owned or maintained street, highway, alley, sidewalk, trail, or park facility.

(7) WEARING A HELMET means that a helmet is properly attached to a person's head with the chin straps of the helmet securely fastened and tightened. (Ord. 22764, eff. 9/1/96)

**SEC. 9-8. BICYCLE HELMET REQUIRED.**

(a) A person commits an offense if he operates or rides upon a bicycle or any side car, trailer, child carrier, seat, or other device attached to a bicycle without wearing a helmet.

(b) A parent or guardian of a minor commits an offense if he knowingly causes or permits, or by insufficient control allows, the minor to operate or ride upon a bicycle or any side car, trailer, child carrier, seat, or other device attached to a bicycle, without the minor wearing a helmet.

(c) A person commits an offense if he transports another person upon a bicycle or any side car, trailer, child carrier, seat, or other device attached to a bicycle, without the other person wearing a helmet.

(d) It is a defense to prosecution under Subsection (a), (b), or (c) that:

(1) the bicycle was not being operated upon a public way at the time of the alleged offense; or

(2) for a first offense only, the person owns or has acquired a helmet for himself or his passenger, whichever is applicable, prior to appearance in municipal court. (Ord. 22764, eff. 9/1/96)