

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 910  
Second Edition Engrossed 5/11/95  
Senate Judiciary I/Constitution Committee Substitute Adopted 6/5/96  
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Short Title: Child Bicycle Safety Act.

(Public)

Sponsors:

Referred to:

April 12, 1995

A BILL TO BE ENTITLED  
AN ACT TO REQUIRE THE USE OF CERTAIN SAFETY EQUIPMENT BY  
CHILDREN WHEN THEY ARE BICYCLE OPERATORS OR PASSENGERS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 20 of the General Statutes is amended by adding a new Part 10B to Article 3 to read:

**"PART 10B. CHILD BICYCLE SAFETY ACT.**

**"§ 20-171.6. Short title.**

This Part shall be known and may be cited as the 'Child Bicycle Safety Act'.

**"§ 20-171.7. Definitions.**

As used in this Part, the following terms have the following meanings:

- (1) 'Bicycle' means a human-powered vehicle with two wheels in tandem designed to transport, by the action of pedaling, one or more persons seated on one or more saddle seats on its frame. Such term also includes a human-powered vehicle designed to transport, by the action of pedaling, which has more than two wheels where the vehicle is used

1           on a public roadway, public bicycle path, or other public right-of-way,  
2           but does not include a tricycle.

3           (2) 'Operator' means a person who travels on a bicycle seated on a saddle  
4           seat from which that person is intended to and can pedal the bicycle.

5           (3) 'Other public right-of-way' means any right-of-way other than a public  
6           roadway or public bicycle path that is under the jurisdiction and control  
7           of this State or a local political subdivision thereof and is designed for  
8           use and used by vehicular and/or pedestrian traffic.

9           (4) 'Passenger' means a person who travels on a bicycle in any manner  
10           except as an operator.

11           (5) 'Protective bicycle helmet' means a piece of headgear which meets or  
12           exceeds the impact standards for protective bicycle helmets set by the  
13           American National Standards Institute (ANSI) or the Snell Memorial  
14           Foundation.

15           (6) 'Public bicycle path' means a right-of-way under the jurisdiction and  
16           control of this State or a local political subdivision thereof for use  
17           primarily by bicycles and pedestrians.

18           (7) 'Public roadway' means a right-of-way under the jurisdiction and control  
19           of this State or a local political subdivision thereof for use primarily by  
20           motor vehicles.

21           (8) 'Restraining seat' means a seat separate from the saddle seat of the  
22           operator of the bicycle that is fastened securely to the frame of the  
23           bicycle and is adequately equipped to restrain the passenger in such seat  
24           and protect such passenger from the moving parts of the bicycle.

25           (9) 'Tricycle' means a three-wheeled human-powered vehicle designed for  
26           use as a toy by a single child under the age of six years, the seat of  
27           which is no more than two feet from ground level.

28 **"§ 20-171.8. Requirements for helmet and restraining seat use.**

29           With regard to any bicycle used on a public roadway, public bicycle path, or other  
30 public right-of-way:

31           (a) Any person under the age 16 shall be encouraged not to operate or be a  
32 passenger on a bicycle unless at all times when the person is so engaged he or she wears a  
33 protective bicycle helmet of good fit fastened securely upon the head with the straps of  
34 the helmet.

35           Sec. 2. This act becomes effective upon ratification.