

ORDINANCE NO. 18-006

AN ORDINANCE adopting a new Section 10.24.070 of the Camas Municipal Code, relating to helmet requirements for skateboards, roller skates, coasters, bicycles and other similar devices.

THE COUNCIL OF THE CITY OF CAMAS DO ORDAIN AS FOLLOWS:

Section I

A new Section 10.24.070 of the Camas Municipal Code is hereby adopted to provide as follows:

**CMC 10.24.070: Helmet Required.**

- A. No person shall operate or be passenger on a bicycle, in-line skates, roller skates, scooter, unicycle, or skateboard in or upon any public area within the city unless he or she is wearing a protective helmet. The helmet shall have either a neck or chin-strap which is securely fastened while the bicycle, in-line skates, roller skates, scooter, unicycle, or skateboard is in motion.
- B. A parent or guardian shall be responsible for requiring that a child under the age of 16 years wears a helmet, with the neck or chin-strap fastened securely, while that child is on a bicycle, in-line skates, roller skates, scooter, unicycle, or skateboard in any public area of the city.
- C. A police officer observing a person operating or riding as a passenger on a bicycle, in-line skates, roller skates, scooter, unicycle, or skateboard, in violation of the section, may stop and detain such person for the purpose of establishing identity and issuing an appropriate warning or citation.
- D. A person is exempt from the requirement to wear a helmet under this chapter, if wearing the helmet would violate a religious belief or practice of the person.

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- E. "Helmet" means a head covering designed for safety that meets or exceeds safety standards adopted by the Consumer Product Safety Commission (CPSC) or such subsequently nationally recognized standards for helmet performance. In the absence of an applicable CPSC standard, the head covering must meet or exceed the current standards adopted by either the American Society for Testing Materials (ASTM) or the Snell Foundation until such applicable CPSC standard exists or such subsequently nationally recognized standards for helmet performance is adopted. The helmet must be equipped with either a neck or chinstrap that shall be fastened securely while the wheeled-vehicle is in motion.
- F. Any person, including a parent or guardian, violating any of the provisions of this chapter shall have committed a civil infraction and shall be subject to a monetary penalty not to exceed \$50.00.

(1) If a child in violation of this chapter is 11 years of age or younger, any citation issued shall be issued to the parent, legal guardian, or adult with custody or temporary custody, rather than to the child.

(2) If a child in violation of this chapter is at least 12 years of age and is under 16 years of age, a citation may be issued to the child or to the parent, legal guardian, or adult with custody or temporary custody.

(3) The court may waive, reduce or suspend the civil penalty and clear the civil infraction as a warning for a person who has not been cited under this chapter within the previous three-year period from the date of the current infraction and provides proof that he or she has acquired an approved helmet at the time of appearance in court.

## Section II

This ordinance shall take force and be in effect five (5) days from and after its publication according to law.

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PASSED BY the Council and APPROVED by the Mayor this 5<sup>th</sup> day of March, 2018.

SIGNED: \_\_\_\_\_  
Mayor

SIGNED: \_\_\_\_\_  
Clerk

APPROVED as to form:

\_\_\_\_\_  
City Attorney