

Memorandum



CITY OF DALLAS

DATE April 25, 2014

TO Honorable Members of the Quality of Life & Environment Committee: Dwaine R. Caraway (Chair)
Sandy Greyson (Vice Chair), Adam Medrano, Rick Callahan, Carolyn R. Davis, Lee M. Kleinman

SUBJECT Bicycle Helmet Ordinances

On Monday, April 28th, the Quality of Life & Environment Committee will be briefed on current bicycle helmet ordinances.

Please contact me if you have any questions or need additional information.

A handwritten signature in blue ink that reads "Jill Jordan".

Jill A. Jordan, P.E.
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, Interim First Assistant City Manager

Forest E. Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Charles M. Cato, Interim Assistant City Manager
Theresa O'Donnell, Interim Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Shawn Williams, Interim Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

BICYCLE HELMET ORDINANCES

Quality of Life
& Environment
Committee
April 28, 2014



CITY OF DALLAS

BICYCLE USE ORDINANCES

The Purpose of this briefing is to review:

- The “all age groups” bicycle helmet requirement (Sec 9-8 Dallas City Code)
- The prohibition of bicycles inside public buildings (Sec 9-2 Dallas City Code)

Dallas City Code

Chapter 9: Bicycles

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.

Dallas City Code

Chapter 9: Bicycles

SEC. 9-9. SALE OR LEASE OF BICYCLES.

- (a) A dealer commits an offense if he sells a bicycle or any bicycle side car, trailer, or child carrier without having a sign conspicuously posted on the dealer's premises, in the form, location, and manner approved by the chief of police, notifying all customers that it is a city ordinance violation to operate or ride upon a bicycle without a helmet.
- (b) A dealer commits an offense if he leases a bicycle or any bicycle side car, trailer, or child carrier without:
 - (1) providing a helmet to each person who will operate or ride upon the bicycle or the bicycle side car, trailer, or child carrier; or
 - (2) determining through physical observation that a helmet is in the possession of each person who will operate or ride upon the bicycle or the bicycle side car, trailer, or child carrier.

Dallas City Code

Chapter 9: Bicycles

SEC. 9-10. PENALTY.

An offense under this article is punishable by a fine not to exceed:

- (1) \$10 for the first offense;
- (2) \$25 for the second offense; and
- (3) \$50 for the third and each subsequent offense.

Bicycle Helmet Requirements in Peer Cities and States

Dallas, TX	All Ages
Seattle, WA	All Ages
Vancouver, BC	All Ages
Austin, TX	Under 18
Charlotte, NC	Under 16
Chicago, IL	Messengers Only
District of Columbia	Under 16
Fort Worth, TX	Under 18
Houston, TX	Under 18
New York, NY	Under 13

The State of Texas does not require bicycle helmets

21 States require helmets for riders under 18
(ages vary by state)

Dallas City Code

Chapter 9: Bicycles

SEC. 9-2. BICYCLES PROHIBITED IN PUBLIC BUILDINGS.

No person shall carry, push, propel or ride an assembled or operable bicycle in any public building in the city.

The proposed change is to remove this prohibition in an effort to encourage more employees and the public to bicycle to work and public facilities.

City of Dallas

Bicycle Use Ordinances

- Committee direction on whether to hold a public hearing for stakeholder input on May 12, 2014