

Memorandum



CITY OF DALLAS

DATE May 9, 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 Update on Bicycle Helmet Ordinance

On Monday, April 28th, Quality of Life & Environment Committee members requested background information on the development and adoption of the 1996 bicycle helmet ordinance, and public input at its next meeting.

On Monday, May 12th, the Quality of Life & Environment Committee will be briefed on the requested information. Public input will be sought following the briefing.

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

A handwritten signature in blue ink that reads "Joey Zapata".

Joey Zapata
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

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

Update on Bicycle Helmet Ordinance

Presented to the Quality of Life & Environment
Committee

May 12, 2014



Purpose

- On Monday, April 28th, Quality of Life & Environment Committee members requested background information on the development and adoption of the 1996 bicycle helmet ordinance, and public input at its next meeting
- This briefing will provide the requested information
- Public input will be sought following the briefing

Background

State Government	Action	Date
73 rd Texas State Legislature	<p>HB 2247 – Requires a helmet be worn by all bicycle operators and passengers</p> <p>Dealers will need to provide purchaser of bicycle a written explanation of the law</p> <p>Require that a dealer may not lease a bicycle to a person without determining that a helmet is in the possession of each person who will operate or ride the bicycle</p>	<p>Introduced March 11, 1993</p> <p>Left pending in committee May 11, 1993</p>
73 rd Texas State Legislature	HB 1978 – Gave the Texas Department of Public Safety the responsibility for establishing criteria for a training curriculum and certification for instructors to teach bicycle safety	Introduced March 10, 1993
Governor	Signed HB 1978	June 18, 1993

Prior Actions

Council Committee/ Commission	Action	Date
Health, Youth, and Human Services Committee	Requested a draft ordinance requiring bicycle helmets for all ages and one for under 17 years of age	October 9, 1995
Public Safety Committee	Briefed on the proposed ordinance by the City Attorney's Office	December 4, 1995
Youth Commission	Voted in opposition of proposed ordinance, but in support of bicycle training and education	December 14, 1995

Prior Actions

Council Committee/ Commission	Action	Date
Human Services Commission	Voted in favor of proposed all ages ordinance	December 18, 1995
Health, Youth, and Human Services Committee & Youth Commission – Joint Public Hearing	Of the 73 people who spoke at the public hearing: <ul style="list-style-type: none">• 44 Supported ordinance for all ages• 25 Supported ordinance for persons under 17 years of age• 4 Spoke in opposition to the ordinance	January 23, 1996
Health, Youth, and Human Services Committee	Recommended that an open-age ordinance be forwarded to the full council with a recommendation for approval; the full council would determine the specific age group	February 12, 1996

Prior Actions

Committee/Council	Action	Date
City Council Briefing	Staff briefing, summarized on pages 7- 11	May 15, 1996

Issues from Briefing

- Bicycle related head injuries and deaths were a serious public health concern and a product of preventable accidents
 - In 1993, 6,164 Texans died from accidents, 3,184 died from motor vehicle accidents and 57 were killed while riding bicycles
 - In Dallas, 1994 and 1995 surveys indicated that the number of cyclists who wore helmets averaged 5% – 23%
 - Only three cities in Texas had passed bicycle helmet ordinances
 - According to statistics, persons aged 0-19 have the highest percentage of bicycle-related head injuries and deaths; persons 60 and older have the second highest

Issues from Briefing

- Concerned that:
 - A mandatory bicycle helmet ordinance would be difficult to enforce, could result in minimal or selective enforcement, and could be counterproductive to establishing positive community relationships
 - A mandated bicycle helmet ordinance may reduce bicycle ridership
 - The ordinance seeks to legislate behavior for only one of the many causes of head injuries
 - The cost of providing helmets for all of its bicycle riders may present a serious burden to some families
 - In order to be effective, helmets must be properly fitted and worn correctly
 - Conclusions from various studies were stated as being often contradictory, confusing, inconclusive, and debatable due to differences in interpretation and methodologies of data collection

Staff Recommendations (1996)

- Enhance the existing bicycle public education program through the Dallas Police Department and the PWT's Bicycle Coordinator
 - Collaborate with private businesses to define ways of reducing the cost of helmets
 - Develop incentives and ways to increase the use of bicycle helmets
- If a helmet ordinance were to be approved by Council, recommend that the ordinance mandate helmet use for persons of all ages

May 22, 1996 Council Action

Motions	Option Details	Details Cont.	Approval
Motion A	Helmet required for all		Voting Yes: 10 Voting No: 5
Motion B	Helmet required for under 17		Voting Yes: 4 Voting No: 11
Motion C	No penalty for violation & No notification requirements of bicycle dealers	Directed city manager to develop an education and outreach plan; and to provide a status report to council after twelve months	No Vote

Motion A and motion B both contained an amendment which requires:

- A dealer to have a sign conspicuously posted on the dealer's premises notifying all customers that it is a city ordinance violation to operate or ride a bicycle without a helmet;
- Require that a dealer may not lease a bicycle to a person without determining through physical observation that a helmet is in the possession of each person who will operate or ride the bicycle

Draft Ordinance Options

- **Option 1:** No change to the ordinance. Anyone who rides a bicycle is required to wear a helmet.
- **Option 2:** Delete the helmet requirement entirely. No one will be required to wear a bicycle helmet.
- **Option 3:** Amend the ordinance to require bicycle helmets for minors only. The helmet ordinance currently defines minors as “any person under 17 years of age.”

Public Input
