

**SENATE BILL NO. 13**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-SECOND LEGISLATURE - FIRST SESSION

**BY SENATOR ELLIS**

**Introduced: 1/8/01**

**Referred: Transportation, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act requiring a person under 16 years of age to wear a helmet when operating or**  
2 **riding on an off-road vehicle; and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
5 to read:

6 SHORT TITLE. This Act may be known as the "Child Helmet Act for Off-Road  
7 Vehicles and Snow Machines."

8 \* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to  
9 read:

10 PURPOSE. It is the purpose of this Act to reduce the incidence of death and disability  
11 accidents related to off-road vehicle use by requiring that every person under 16 years of age  
12 wear a protective helmet when operating or riding on an off-road vehicle.

13 \* **Sec. 3.** AS 28.05 is amended by adding a new section to read:

14 **Sec. 28.05.102. Required use of helmet with off-road vehicle.** (a) A person

1 who is under 16 years of age may not operate or ride on an off-road vehicle unless the  
2 person wears a helmet that meets the helmet standards of the United States Consumer  
3 Products Safety Commission or other protective headgear standards required by the  
4 department.

5 (b) A parent, guardian, or other person having legal custody of a person under  
6 16 years of age may not knowingly, negligently, or recklessly authorize or permit the  
7 person to operate or ride on an off-road vehicle in violation of (a) of this section.

8 (c) A municipality may adopt helmet standards as strict or more stringent than  
9 those described in this section.

10 (d) A person who violates (a) or (b) of this section is guilty of a violation and  
11 is subject to the following penalties:

12 (1) for a first offense, a warning or a fine not to exceed \$25; a court  
13 may waive a fine for a first violation of (a) of this section upon presentation of  
14 evidence that the violator has purchased or procured a helmet that meets the  
15 requirements of (a) of this section and demonstrates the intention of using the helmet  
16 as required by law;

17 (2) for a second or subsequent offense, a fine not to exceed \$50.

18 (e) In this section, an "off-road vehicle" means a vehicle that is not required to  
19 be registered under AS 28.10.011 and includes a snow machine, a four-wheeler, an all-  
20 terrain vehicle or a similar motorized vehicle, and a sled or other device towed by or in  
21 any way attached to an off-road vehicle.

22 \* **Sec. 4.** This Act takes effect July 1, 2001.