
ASSEMBLY BILL NO. 187—ASSEMBLYMEN SPIEGEL;
BILBRAY-AXELROD, DURAN, FUMO AND MUNK

FEBRUARY 18, 2019

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing the safety of children.
(BDR 43-128)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to public safety; requiring a parent or guardian to ensure that a child wears a safety helmet when operating, using or riding, or when the child is a passenger on or is being pulled by someone operating, using or riding a bicycle or certain other recreational devices; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Section 1** of this bill prohibits the parent or guardian of any child who is less
2 than 18 years of age from knowingly allowing the child to operate, use or ride a
3 bicycle, tricycle, electric bicycle, scooter, roller skates or other similar recreational
4 device used to move about or while a passenger or being pulled by a person who is
5 using such a device, unless the child has a safety helmet securely attached to his or
6 her head. **Section 1** further provides that a violation of the safety helmet
7 requirement is not a moving traffic violation for the purposes of a person’s driving
8 record. For a first violation a parent or guardian is given a verbal warning and
9 information about free or reduced-cost helmets, and a second or subsequent
10 violation results in a fine of \$15, which can be waived if proof is provided to the
11 court that a safety helmet has been obtained by or for the child.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 484B of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *The parent or legal guardian of a child who is less than 18*
4 *years of age shall not knowingly allow the child to operate, use or*
5 *ride, as applicable, a bicycle, tricycle, electric bicycle, scooter,*
6 *roller skates or other similar recreational device used to move*
7 *about or while a passenger or being pulled by another person who*
8 *is using such a device, unless the child wears a safety helmet*
9 *securely fastened on the head of the child.*

10 2. *A violation of subsection 1:*

11 (a) *Is not a moving traffic violation for the purposes of NRS*
12 *483.473 and must not be recorded by the Department on a driver's*
13 *record;*

14 (b) *Is not a ground for taking a child into custody pursuant to*
15 *NRS 62C.010;*

16 (c) *Does not constitute:*

17 (1) *Abuse, neglect or endangerment of a child pursuant to*
18 *NRS 200.508 on the part of a parent, guardian or other adult.*

19 (2) *Contributory negligence per se and is not admissible as*
20 *evidence of contributory negligence in a personal injury action.*

21 3. *A parent or guardian who is cited for a violation of*
22 *subsection 1 is guilty of a misdemeanor and shall be punished:*

23 (a) *For a first violation, by a verbal warning to the parent or*
24 *guardian and the provision in verbal or written form to the parent*
25 *or guardian of those resources available in the community, if any,*
26 *for obtaining a free or low-priced safety helmet.*

27 (b) *For a second or subsequent violation, by a fine of \$15.*

28 4. *The fine provided in subsection 3 may be waived by the*
29 *court if, at or before the time the fine is due, the parent or*
30 *guardian of the child presents to the court proof of purchase of a*
31 *safety helmet for the child.*

32 5. *As used in this section, "safety helmet" means a helmet*
33 *that is:*

34 (a) *Designed to provide the head of the wearer protection from*
35 *impact; and*

36 (b) *Appropriate in size for the wearer.*

37 **Sec. 2.** This act becomes effective on July 1, 2019.

