SENATE DOCKET, NO. FILED ON: 1/21/2009

**SENATE . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Steven C. Panagiotakos**

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General  
 Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act requiring the use of helmets by certain children during winter sporting activities.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Steven C. Panagiotakos | First Middlsex |

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act requiring the use of helmets by certain children during winter sporting activities.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1.

Chapter 45 of the General Laws is hereby amended by interesting after section 18 the following section:-

Section 18A. Notwithstanding any general or special law to the contrary, a child 12 years of age or younger engaged in a winter sporting activity including, but not limited to, sledding, snowboarding and ice skating, on a public way or in a public park, playground or recreational facility shall wear a helmet. Such helmet shall fit the child’s head and shall be secured by straps at all times while engaged in such winter sport activity. The helmet shall meet the standards for helmets established by the American National Standards Institute (ANSI Z 90.4) or subsequent standards or the Snell Memorial Foundations 1984 standard for use in bicycling or subsequent standards. A violation of this section shall not be used as evidence of contributory negligence in a civil action.

A city or town shall not adopt a bylaw or ordinance which changes the standards required by this section.