

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Steven C. Panagiotakos

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:

Steven C. Panagiotakos

DISTRICT/ADDRESS:

First Middlesex

The Commonwealth of Massachusetts

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:

1 SECTION 1.

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

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

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