

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

House Bill 718 (Delegate McKee)
Environmental Matters

Vehicle Laws - Skateboards - Protective Helmets

This bill prohibits an individual younger than 16 from riding on a skateboard on any highway, bicycle way, sidewalk or other property open to or used by the public for pedestrian or vehicular traffic unless the individual is wearing a helmet that meets specified standards for protective headgear.

Fiscal Summary

State Effect: The requirement to wear a helmet while skateboarding is not punishable by a fine. Enforcement could be handled with existing resources.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: There is no State law regarding skateboarders and appropriate safety gear.

An individual younger than 16 may not ride a bicycle, on a scooter, or on in-line skates on any highway, bicycle way, sidewalk or other property open to or used by the public for pedestrian or vehicular traffic unless the individual is wearing a helmet. The helmet has to meet or exceed the standards of the American National Standards Institute, the Snell Memorial Foundation, or the American Society of Testing and Measurements for protective headgear for use in bicycling or in-line skating. The provision is enforced by

the issuance of a warning that informs the offender of the helmet requirement and provides educational materials about helmet use.

The provisions regarding the bicycle helmet requirement also apply to a person younger than 16 who is a passenger in an attached restraining seat or in a trailer being towed by the bicycle. The bicycle helmet requirement does not apply, however, to the boardwalk between the Ocean City inlet and 27th Street during specified hours in the town of Ocean City.

Background: According to the National Parks and Recreation Association, over 13 million people actively participate in skateboarding in the U.S. According to the latest information available from the Consumer Product Safety Commission (CPSC), about 26,000 persons are treated each year in hospital emergency rooms with skateboard-related injuries, and about 760 or 4% of these are head injuries requiring hospitalization. Sprains, fractures, and contusions are the most common types of injuries, but deaths due to falls and collisions with cars have also been reported. According to the CPSC, 6 out of every 10 skateboard injuries happen to children younger than 15. Skateboarders who have been skating for less than a week suffer one-third of the injuries. Riders with one year or more experience have the next highest number of injuries.

California, Massachusetts, New Jersey, New York, and Oregon have enacted laws requiring helmets for skateboarders. In addition to Maryland, other states that have considered, or are considering, this legislation include New Mexico and West Virginia.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of Transportation, Department of Health and Mental Hygiene, U.S. Consumer Product Safety Commission, *usa.safekids.org*, Washington Area Bicyclists Association, Bicycle Helmet Safety Institute, National Parks and Recreation Association, Department of Legislative Services

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