

ORDINANCE NO. 3730

AN ORDINANCE to add a new Section 10-7-12 (BICYCLE HELMETS), to Chapter 7 (BICYCLES), Title 10 (MOTOR VEHICLES AND TRAFFIC) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 7, Title 10 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended by adding a new Section 10-7-12, to read as follows:

Sec. 10-7-12 Bicycle helmets.

(a) Requirement. Every person 14 years of age or younger shall wear a protective helmet when riding or being carried on a bicycle on any roadway, sidewalk or public bicycle path within the city. For the purpose of this section, "protective helmet" shall refer to any helmet that meets the standards promulgated by the American National Standards Institute or the Snell Memorial Foundation.

(b) Civil penalty. The parents of any person who violates this section shall be, jointly and severally, liable for a civil penalty. For each such violation, the parents of the violator shall be liable for a penalty of \$25; provided, that such penalty shall be suspended (i) for any person's first violation and (ii) for any person's second or subsequent violation, if the person provides proof of ownership of, or of having purchased or acquired, subsequent to the violation but prior to the deadline for payment of the civil penalty, a helmet of the type required by this section.

(c) Procedures. If a violation of this section has occurred, the violator shall be given written notice of the violation. The notice shall state:

(1) that the parents of the violator shall be liable for the civil penalty set forth in subsection (b);

(2) the circumstances under which the civil penalty may be suspended, as provided in subsection (b); and

(3) the deadline by which the parents of the violator must appear, either in person or by mail, before the treasurer of the city and admit liability for or plead no contest to the violation, and pay the civil penalty established for the violation, or alternatively provide satisfactory proof of ownership, purchase or acquisition, within the time specified in subsection (b), of a helmet of the type required by subsection (a).

An admission of liability or a statement of no contest to a violation of this section shall not be deemed a criminal violation for any purpose. If the parents of a violator do not elect to admit liability or plead no contest, the violation shall be tried in the Alexandria General District Court upon the filing of a warrant in debt.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

PATRICIA S. TICER
Mayor

Final Passage: June 18, 1994