

***SB 105 (Yee) – Public Safety: Snow Sport Helmets***

***Introduced January 13, 2011, Amended June 22, 2011***

Existing law requires a person under 18 years of age to wear a properly fitted and fastened bicycle helmet while operating a bicycle or riding upon a bicycle as a passenger upon the streets or any other public bicycle path.

This bill would require a person under 18 years of age to wear a properly fitted and fastened snow sport helmet while operating snow skis or a snowboard, or while riding upon a seat or other device that is attached to the snow skis or a snowboard, while participating in the sport of downhill skiing or snowboarding.

The bill would impose a \$25 fine for a violation of this requirement. Because this bill would create a new crime, it would impose a state-mandated local program.

The bill would specify that nothing in those provisions shall be construed to increase or decrease duties imposed under existing law. The bill would also specify that those provisions shall not apply to Nordic skiing.

The bill would require a ski resort to post signs at the resort giving reasonable notice of the snow sport helmet requirement and the fine for a violation of that requirement. The bill also would require a ski resort to provide prominent written notice of the snow sport helmet requirement on all trail maps and resort Internet Web sites. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.



AMENDED IN ASSEMBLY JUNE 22, 2011

AMENDED IN SENATE APRIL 12, 2011

AMENDED IN SENATE MARCH 15, 2011

**SENATE BILL**

**No. 105**

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**Introduced by Senator Yee  
(Coauthor: Senator Alquist)**

(Coauthors: Assembly Members Dickinson and, Ma, and Williams)

January 13, 2011

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An act to add Article 3 (commencing with Section 115810) to Chapter 4 of Part 10 of Division 104 of the Health and Safety Code, relating to public safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 105, as amended, Yee. Public safety: snow sport helmets.

Existing law requires a person under 18 years of age to wear a properly fitted and fastened bicycle helmet while operating a bicycle or riding upon a bicycle as a passenger upon the streets or any other public bicycle path.

This bill would require a person under 18 years of age to wear a properly fitted and fastened snow sport helmet while operating snow skis or a snowboard, or while riding upon a seat or other device that is attached to the snow skis or a snowboard, while participating in the sport of downhill skiing or snowboarding. The bill would impose a \$25 fine for a violation of this requirement. Because this bill would create a new crime, it would impose a state-mandated local program.

The bill would specify that nothing in those provisions shall be construed to increase or decrease duties imposed under existing law.

The bill would also specify that those provisions shall not apply to Nordic skiing.

The bill would require a ski resort to post signs at the resort giving reasonable notice of the snow sport helmet requirement and the fine for a violation of that requirement. The bill also would require a ski resort to provide prominent written notice of the snow sport helmet requirement on all trail maps and resort Internet Web sites.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Article 3 (commencing with Section 115810) is  
2 added to Chapter 4 of Part 10 of Division 104 of the Health and  
3 Safety Code, to read:

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Article 3. Snow Sports

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7 115810. (a) A person under 18 years of age shall not operate  
8 snow skis or a snowboard while participating in the sport of  
9 downhill skiing or snowboarding unless that person is wearing a  
10 properly fitted and fastened snow sport helmet that meets the  
11 standards of the Central European Norm CE1077, the ASTM  
12 International F 2040, the Snell Memorial Foundation RS-98, or  
13 the United States Consumer Product Safety Commission (CPSC),  
14 or standards subsequently established by those entities. This  
15 requirement also applies to any person who rides upon a seat or  
16 any other device that is attached to the snow skis or a snowboard  
17 while participating in the sport of downhill skiing or snowboarding.

18 (b) (1) A violation of this section is an infraction punishable  
19 by a fine of not more than twenty-five dollars (\$25).

20 (2) The parent or legal guardian having control or custody of  
21 an unemancipated minor whose conduct violates this section shall  
22 be jointly and severally liable with the minor for the amount of  
23 the fine imposed pursuant to this subdivision.

1 (c) This section shall not apply to Nordic skiing.

2 (d) Nothing in this section shall be construed to increase or  
3 decrease duties imposed under existing law.

4 115811. A ski resort shall comply with both of the following:

5 (a) Post signs at the resort giving reasonable notice that a person  
6 under 18 years of age shall not operate snow skis or a snowboard  
7 while participating in the sport of downhill skiing or snowboarding  
8 unless that person is wearing a properly fitted and fastened snow  
9 sport helmet, and that any person who fails to do so will be subject  
10 to a fine under Section 115810.

11 (b) Provide prominent written notice of the helmet requirement  
12 under Section 115810 on all trail maps and resort Internet Web  
13 sites.

14 SEC. 2. No reimbursement is required by this act pursuant to  
15 Section 6 of Article XIII B of the California Constitution because  
16 the only costs that may be incurred by a local agency or school  
17 district will be incurred because this act creates a new crime or  
18 infraction, eliminates a crime or infraction, or changes the penalty  
19 for a crime or infraction, within the meaning of Section 17556 of  
20 the Government Code, or changes the definition of a crime within  
21 the meaning of Section 6 of Article XIII B of the California  
22 Constitution.

