

OCT 12 1999

ORDINANCE NO. 66A-44

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 13, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, BY ADDING SECTION 13-4.1, BICYCLE HELMET REQUIRED.

BE IT ORDAINED, by the Board of Supervisors of the County of James City, Virginia, that Chapter 13, Motor Vehicle and Traffic, is hereby amended and reordained by amending Article I, In General, by adding Section 13-4.1, Bicycle helmet required.

Article I. In General

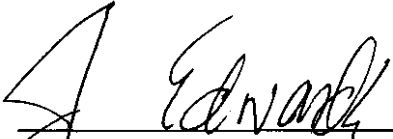
Sec. 13-4.1. Bicycle helmet required.

a) Every person 14 years of age or younger shall wear a protective helmet which meets the standards promulgated by the American National Standards Institute or the Snell Memorial Foundation whenever riding or being carried on a bicycle on any highway (as defined in §46.2-100, Code of Virginia), street, sidewalk, or bicycle path.

b) Violation of this section shall be punishable by a fine of \$25.00. However, with respect to any person riding or being carried on a bicycle, such fine shall be suspended for any person who meets both of the following criteria: (i) is a first-time violator and (ii) purchases a helmet of the type required by this section subsequent to the violation but prior to imposition of the fine.

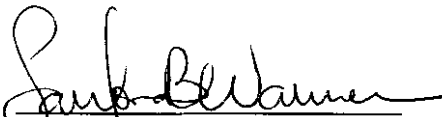
c) Violation of this section shall not constitute negligence or assumption of risk, be considered in mitigation of damages of whatever nature, be admissible in evidence, or be the subject of comment by counsel in any action for the recovery of damages arising out of the operation of any bicycle, nor shall anything in this section change any existing law, rule, or procedure pertaining to any civil action.

State law reference - Code of Va., § 46.2-906.1



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
NERVITT	AYE
SISK	AYE
MCGLENNON	AYE
BRADSHAW	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of October, 1999.