



BARBARA J. FIALA
Commissioner

STATE OF NEW YORK DEPARTMENT OF MOTOR VEHICLES

6 EMPIRE STATE PLAZA, ALBANY, NY 12228

"P" 28 (2013)

"M" 19 (2013)

Albany, New York

October 30, 2013

TO: All Enforcement Agencies and Magistrates

SUBJECT: Chapter 246 of the Laws of 2013 - Helmet Law

Chapter 246 of the Laws of 2013 amends section 1265 of the Vehicle and Traffic Law to increase the age from 14 to 18 at which a person must wear a helmet when riding a horse. The civil fine for violations of this section has been increased to a maximum of \$250.

In addition, the law also requires horse providers to provide protective helmets to riders less than 18 years of age at no cost beyond the rental cost. The fine for violation of this provision has also been increased to a maximum of \$250.

These changes became effective on July 31, 2013, and apply to violations committed on or after that date.

A copy of Chapter 246 is attached for your reference. Please share this information with appropriate staff. Thank you.

Barbara J. Fiala
Commissioner

Attachment

AN ACT to amend the vehicle and traffic law and the general business law, in relation to requiring that persons less than eighteen years of age wear a helmet when riding a horse

Became a law July 31, 2013, with the approval of the Governor.
Passed by a majority vote, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivisions 1 and 2 of section 1265 of the vehicle and traffic law, as added by chapter 455 of the laws of 1999, are amended to read as follows:

1. No person less than [~~fourteen~~] **eighteen** years of age shall ride a horse unless such person is wearing a helmet meeting or exceeding ASTM F1163 (Safety Equipment Institute certified) Equestrian Standard. For purposes of this section, "certified" shall mean that the helmet's manufacturer agrees to the rules and provisions of a system that includes independent testing and quality control audits, and that each helmet manufactured by such manufacturer is permanently marked with the certifying body's registered mark or logo before such helmet is sold or offered for sale. For the purposes of this section, wearing a helmet means having a helmet fastened securely upon the head using the manufacturer's fitting guidelines for the particular model used.

2. Any person who violates the provisions of this section shall pay a civil fine not to exceed **two hundred** fifty dollars. A police officer shall only issue a summons for a violation of this section by a person less than [~~fourteen~~] **eighteen** years of age to the parent or guardian of such person if the violation by such person occurs in the presence of such person's parent or guardian and where such parent or guardian is eighteen years of age or more. Such summons shall only be issued to such parent or guardian, and shall not be issued to the person less than [~~fourteen~~] **eighteen** years of age.

§ 2. Subdivisions 2 and 4 of section 396-dd of the general business law, as added by chapter 455 of the laws of 1999, are amended to read as follows:

2. Every horse provider shall provide protective helmets to beginning riders and to riders less than [~~fourteen~~] **eighteen** years of age at no cost beyond the rental fee; offer all riders the use of such protective helmets regardless of their age or experience; and provide appropriate helmet safety information to all riders.

4. A knowing violation of this section shall be subject to a civil penalty not to exceed **two hundred** fifty dollars for each such violation.

§ 3. This act shall take effect immediately.

EXPLANATION--Matter in **italics** is new; matter in brackets [-] is old law to be omitted.