Memorandum

DATE May 9, 2014

TO Honorable Members of the Quality of Life & Environment Committee: Dwaine R. Caraway (Chair)
Sandy Greyson (Vice Chair), Adam Medrano, Rick Callahan, Carolyn R. Davis, Lee M. Kleinman

SUBJECT Update on Bicycle Helmet Ordinance

On Monday, April 28th, Quality of Life & Environment Committee members requested background information on the development and adoption of the 1996 bicycle helmet ordinance, and public input at its next meeting.

On Monday, May 12th, the Quality of Life & Environment Committee will be briefed on the requested information. Public input will be sought following the briefing.

Please contact me if you have any questions or need additional information.

[Signature]
Joey Zapata
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
   A.C. Gonzalaz, City Manager
   Warren M.S. Ernst, City Attorney
   Craig D. Kimon, City Auditor
   Rosa A. Rios, City Secretary
   Daniel F. Sdles, Administrative Judge
   Ryan S. Evans, Interim First Assistant City Manager

   Jill A. Jordan, P.E., Assistant City Manager
   Forest E. Turn, Assistant City Manager
   Charles M. Cato, Interim Assistant City Manager
   Theresa O'Donnell, Interim Assistant City Manager
   Jeanne Chipperfield, Chief Financial Officer
   Shawn Williams, Interim Public Information Officer
   Elsa Cantu, Assistant to the City Manager – Mayor & Council

“Dallas, the City that Works. Diverse, Vibrant and Progressive“
Update on Bicycle Helmet Ordinance

Presented to the Quality of Life & Environment Committee
May 12, 2014
Purpose

- On Monday, April 28\textsuperscript{th}, Quality of Life & Environment Committee members requested background information on the development and adoption of the 1996 bicycle helmet ordinance, and public input at its next meeting
- This briefing will provide the requested information
- Public input will be sought following the briefing
# Background

<table>
<thead>
<tr>
<th>State Government</th>
<th>Action</th>
<th>Date</th>
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| 73rd Texas State Legislature | HB 2247 – Requires a helmet be worn by all bicycle operators and passengers  
Dealers will need to provide purchaser of bicycle a written explanation of the law  
Require that a dealer may not lease a bicycle to a person without determining that a helmet is in the possession of each person who will operate or ride the bicycle | Introduced March 11, 1993  
Left pending in committee May 11, 1993 |
| 73rd Texas State Legislature | HB 1978 – Gave the Texas Department of Public Safety the responsibility for establishing criteria for a training curriculum and certification for instructors to teach bicycle safety | Introduced March 10, 1993 |
| Governor         | Signed HB 1978                                                         | June 18, 1993                             |
## Prior Actions

<table>
<thead>
<tr>
<th>Council Committee / Commission</th>
<th>Action</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>Health, Youth, and Human Services Committee</td>
<td>Requested a draft ordinance requiring bicycle helmets for all ages and one for under 17 years of age</td>
<td>October 9, 1995</td>
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<td>Public Safety Committee</td>
<td>Briefed on the proposed ordinance by the City Attorney’s Office</td>
<td>December 4, 1995</td>
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<td>Youth Commission</td>
<td>Voted in opposition of proposed ordinance, but in support of bicycle training and education</td>
<td>December 14, 1995</td>
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Prior Actions

<table>
<thead>
<tr>
<th>Council Committee/ Commission</th>
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<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Services Commission</td>
<td>Voted in favor of proposed all ages ordinance</td>
<td>December 18, 1995</td>
</tr>
<tr>
<td>Health, Youth, and Human Services Committee &amp; Youth Commission – Joint Public Hearing</td>
<td>Of the 73 people who spoke at the public hearing:</td>
<td>January 23, 1996</td>
</tr>
<tr>
<td></td>
<td>• 44 Supported ordinance for all ages</td>
<td></td>
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<tr>
<td></td>
<td>• 25 Supported ordinance for persons under 17 years of age</td>
<td></td>
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<td></td>
<td>• 4 Spoke in opposition to the ordinance</td>
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<tr>
<td>Health, Youth, and Human Services Committee</td>
<td>Recommended that an open-age ordinance be forwarded to the full council with a recommendation for approval; the full council would determine the specific age group</td>
<td>February 12, 1996</td>
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## Prior Actions

<table>
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<tr>
<th>Committee/Council</th>
<th>Action</th>
<th>Date</th>
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<tr>
<td>City Council Briefing</td>
<td>Staff briefing, summarized on pages 7-11</td>
<td>May 15, 1996</td>
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</table>
Bicycle related head injuries and deaths were a serious public health concern and a product of preventable accidents.

- In 1993, 6,164 Texans died from accidents, 3,184 died from motor vehicle accidents and 57 were killed while riding bicycles.
- In Dallas, 1994 and 1995 surveys indicated that the number of cyclists who wore helmets averaged 5% – 23%.
- Only three cities in Texas had passed bicycle helmet ordinances.
- According to statistics, persons aged 0-19 have the highest percentage of bicycle-related head injuries and deaths; persons 60 and older have the second highest.
Issues from Briefing

• Concerned that:
  • A mandatory bicycle helmet ordinance would be difficult to enforce, could result in minimal or selective enforcement, and could be counterproductive to establishing positive community relationships
  • A mandated bicycle helmet ordinance may reduce bicycle ridership
  • The ordinance seeks to legislate behavior for only one of the many causes of head injuries
  • The cost of providing helmets for all of its bicycle riders may present a serious burden to some families
  • In order to be effective, helmets must be properly fitted and worn correctly
  • Conclusions from various studies were stated as being often contradictory, confusing, inconclusive, and debatable due to differences in interpretation and methodologies of data collection
Staff Recommendations (1996)

- Enhance the existing bicycle public education program through the Dallas Police Department and the PWT’s Bicycle Coordinator
  - Collaborate with private businesses to define ways of reducing the cost of helmets
  - Develop incentives and ways to increase the use of bicycle helmets
- If a helmet ordinance were to be approved by Council, recommend that the ordinance mandate helmet use for persons of all ages
## May 22, 1996 Council Action

<table>
<thead>
<tr>
<th>Motions</th>
<th>Option Details</th>
<th>Details Cont.</th>
<th>Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motion A</td>
<td>Helmet required for all</td>
<td></td>
<td>Voting Yes: 10 Voting No: 5</td>
</tr>
<tr>
<td>Motion B</td>
<td>Helmet required for under 17</td>
<td></td>
<td>Voting Yes: 4 Voting No: 11</td>
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<tr>
<td>Motion C</td>
<td>No penalty for violation &amp; No notification requirements of bicycle dealers</td>
<td>Directed city manager to develop an education and outreach plan; and to provide a status report to council after twelve months</td>
<td>No Vote</td>
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</table>

Motion A and motion B both contained an amendment which requires:
- A dealer to have a sign conspicuously posted on the dealer’s premises notifying all customers that it is a city ordinance violation to operate or ride a bicycle without a helmet;
- Require that a dealer may not lease a bicycle to a person without determining through physical observation that a helmet is in the possession of each person who will operate or ride the bicycle;
Draft Ordinance Options

- **Option 1**: No change to the ordinance. Anyone who rides a bicycle is required to wear a helmet.

- **Option 2**: Delete the helmet requirement entirely. No one will be required to wear a bicycle helmet.

- **Option 3**: Amend the ordinance to require bicycle helmets for minors only. The helmet ordinance currently defines minors as “any person under 17 years of age.”
Public Input