S T A T E O F N E W Y O R K

5087

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

Introduced by M. of A. V. LOPEZ -- read once and referred to the Committee on Judiciary

AN ACT to amend the general obligations law, in relation to the use of protective headgear at ski areas

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The general obligations law is amended by adding a new section 18-105-a to read as follows:

S 18-105-A. USE OF PROTECTIVE HEADGEAR AT SKI AREAS. 1. NO PARTICIPANT SHALL ENGAGE IN SKI AREA ACTIVITY UNLESS SUCH PARTICIPANT IS WEARING A HELMET MEETING THE APPROPRIATE STANDARDS OF THE AMERICAN NATIONAL STANDARDS INSTITUTE OR THE SNELL-MEMORIAL FOUNDATION'S STANDARDS FOR PROTECTIVE HEADGEAR. FOR THE PURPOSE OF THIS SUBDIVISION WEARING A HELMET MEANS HAVING A HELMET OF GOOD FIT FASTENED SECURELY UPON THE HEAD WITH HELMET STRAPS.

2. ANY PARTICIPANT WHO VIOLATES THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION SHALL PAY A FINE OF FIFTY DOLLARS FOR THE FIRST OFFENSE AND A FINE OF ONE HUNDRED DOLLARS FOR EACH SUBSEQUENT OFFENSE. ANY MINOR WHO IS SIXTEEN YEARS OF AGE, WHO VIOLATES THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION SHALL BE JOINTLY AND SEVERALLY LIABLE WITH HIS OR HER PARENT OR LEGAL GUARDIAN FOR THE FINE IMPOSED.

S 2. This act shall take effect on the sixtieth day after it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD08695-01-9