

# STATE OF NEW YORK

5822--A

2025-2026 Regular Sessions

## IN ASSEMBLY

February 20, 2025

Introduced by M. of A. DILAN -- read once and referred to the Committee on Consumer Affairs and Protection -- recommitted to the Committee on Consumer Affairs and Protection in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to requirements for the rental of helmets

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "safe helmet act".

3 § 2. The general business law is amended by adding a new section 391-  
4 ccc to read as follows:

5 § 391-ccc. Rental of helmets. 1. No person, corporation, association  
6 or partnership who rents helmets or provides helmets to customers as  
7 part of their business shall rent or provide a helmet that has previous-  
8 ly sustained an impact. For the purposes of this section, the term  
9 "impact" shall mean any collision, strike, fall, or other contact  
10 between a helmet and a surface or other object that is sufficient to  
11 compromise the structural integrity of such helmet, whether or not  
12 damage is visible.

13 2. (a) (i) Every person, corporation, association or partnership who  
14 rents helmets or provides helmets to customers as part of their business  
15 shall directly inquire from every customer about whether any impacts  
16 have been sustained to a rented or provided helmet upon the return of  
17 such helmet.

18 (ii) Every person, corporation, association or partnership who rents  
19 helmets or provides helmets to customers as part of their business shall  
20 keep a written record of every notification of an impact provided by a  
21 customer pursuant to subparagraph (i) of this paragraph.

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

LBD09843-03-6

1 (b) No person, corporation, association or partnership who rents  
2 helmets or provides helmets to customers as part of their business  
3 shall:

4 (i) charge a customer a fee or penalty if a helmet rented or provided  
5 to such customer sustained an impact while in the possession of such  
6 customer; or

7 (ii) provide a discount or incentive to a customer for returning a  
8 rented or provided helmet undamaged.

9 3. No person, corporation, association or partnership who rents  
10 helmets or provides helmets to customers as part of their business shall  
11 store a helmet which has sustained an impact with undamaged helmets.

12 4. A person, corporation, association or partnership that rents or  
13 provides helmets to customers as part of their business shall post a  
14 notice clearly visible to customers, and provide to such customers at  
15 the time of rental, with a written notice, printed or typed, setting  
16 forth the requirements provided under this section.

17 5. Whenever there shall be a violation of this section, an application  
18 may be made by the attorney general in the name of the people of the  
19 state of New York, to a court or justice having jurisdiction by a  
20 special proceeding to issue an injunction, and upon notice to the  
21 defendant of not less than five days, to enjoin and restrain the contin-  
22 uance of such violation; and if it shall appear to the satisfaction of  
23 the court or justice that the defendant has, in fact, violated this  
24 section, an injunction may be issued by the court or justice, enjoining  
25 and restraining any further violations, without requiring proof that any  
26 person has, in fact, been injured or damaged thereby. Whenever a court  
27 shall determine that a violation of this section has occurred, the court  
28 may impose a civil penalty of not more than one hundred dollars.

29 § 3. This act shall take effect on the ninetieth day after it shall  
30 have become a law.