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:

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

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

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

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

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

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

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

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

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

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

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

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

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