



SPONSOR: Sen. Ennis & Rep. Heffernan & Rep. Baumbach  
Sens. Henry, Lavelle, Poore, Richardson, Sokola; Reps.  
Bolden, Hudson, Kowalko, Lynn, Miro, Smyk, Wilson

DELAWARE STATE SENATE  
149th GENERAL ASSEMBLY

SENATE BILL NO. 105

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD HELMET REQUIREMENTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

- 1           Section 1. Amend § 4198M, Chapter 41, Title 21 of the Delaware Code by making deletions as shown by strike  
2 through and insertions as shown by underline as follows:
- 3           (i) ~~No helmet is required by the operator of a moped or triped unless under 16 years of age.~~ A person under 18  
4 years of age shall not operate or ride as a passenger upon a moped or triped unless that person is wearing a properly fitted  
5 and fastened helmet which meets or exceeds the standards set forth in § 4198K of this title.

SYNOPSIS

Persons under age 18 must wear a helmet when operating or riding as a passenger on a bicycle, motorized skateboard or scooter, all terrain vehicle (ATV), off-highway vehicle (OHV), or electric personal assistive mobility device (EPAMD). See Title 21 Del. C. §§ 4198K, 4198N, 6823, and 4098O respectively. This bill would achieve consistency by requiring moped and triped operators and passengers to wear a helmet if under age 18. This legislation is an initiative of the State Council for Persons with Disabilities Brain Injury Committee to reduce the incidence of brain injuries among minors.

Author: Senator Ennis