A RULE AND REGULATION King County bicycle helmet regulation requiring helmet use by all age cyclists; amending R&R 84, Section 1 (part), as amended, and BOH 9.04.010 and repealing R&R 84, Section 1 (part), as amended, and BOH 9.01.010, R&R 84, Section 1 (part), as amended, and BOH 9.01.020, R&R 03-05, Section 1 (part), and BOH 9.01.030, R&R 84, Section 1 (part), as amended, and BOH 9.01.100, R&R 84, Section 1 (part), as amended, and BOH 9.07.005, R&R 84, Section 1 (part), as amended, and BOH 9.07.010, R&R 84, Section 1 (part), as amended, and BOH 9.07.020, R&R 84, Section 1 (part), as amended, and BOH 9.10.010, R&R 84, Section 1 (part), as amended, and BOH 9.15.010 and R&R 84, Section 1 (part), as amended, and BOH 9.16.010.

BE IT ORDAINED BY THE KING COUNTY BOARD OF HEALTH:

SECTION 1. R&R 84, Section 1 (part), as amended, and BOH 9.04.010 are hereby amended to read as follows:

A. ((~~Head injuries are a major cause of death and disability associated with the operation of a bicycle on public roadways and bike paths. Every year approximately one thousand (1,000) Americans die of bicycle-related injuries. Approximately seventy-five percent (75%) of those deaths are due to head injuries. A significant number of those individuals who survive head injuries don't return to a normal life. They are often left with profound, disabling and long-lasting conditions. From 1989 through 1998, there were thirty-five (35) bicycle-related deaths and 2,003 bicycle-related hospitalizations in King County, including Seattle.~~

~~B. Bicycle helmets have been shown to prevent head injuries suffered by bicycle riders during a crash~~

~~or fall. Studies completed in 1989 and 1996 by investigators at Group Health Cooperative of Puget Sound and the Harborview Injury Prevention and Research Center show that helmet use could reduce the number of head injuries involving bicycling by sixty-nine percent (69%) to eighty-five percent (85%). The Medical Examiner noted that of the eight bicycle-related deaths in 2000, four were not wearing helmets. Moreover, the King County Child Death Review (CDR) found that of the five children who died while riding a bicycle from July 1998 through April 2002, four were unhelmeted; the CDR experts concluded that three of the children would have likely survived if a helmet had been worn. Finally, using tools developed by The Centers for Disease Control and Prevention it is estimated that nearly $ 10 million would be saved annually in both direct and indirect costs for bicycle-related head injuries if every cyclist were wearing a helmet in King County.~~

~~C. Educational and promotional efforts in King County have increased helmet use from two percent (2%) in 1985 to 61 percent (61%) in 1999 for children ages 5-12. In 1999, bicycle helmet use in adults was observed to be seventy-one percent (71%). However, these effects have plateaued. Additional efforts are needed to augment helmet use.~~

~~D. Studies in the United States and elsewhere demonstrate that legislation is effective in increasing helmet use. Helmet laws in Georgia, Maryland, and New York increased helmet use by 26% to 40%. In North Carolina, helmet use increased 2-3 fold after legislation. Furthermore, New Zealand found a thirty percent (30%) reduction in head injuries after passage of a helmet law. Thus, regulations requiring the use of bicycle helmets enhance the effectiveness of educational efforts to reduce the number and severity of head injuries resulting from bicycle crashes. The board of health therefore finds that bicycle helmets are required for the safe operation of bicycles not powered by motor on public roadways, bicycle paths or any right-of-way or publicly owned facility located in King County, including Seattle.~~)) Bicycling is an important recreational activity and mode of transportation that provides valuable exercise and supports a sustainable transportation option to fight climate change and promote health.

B. Head and brain injuries are a major cause of disability and death associated with the operation of a

bicycle on public roadways and bicycle paths; and every year over one thousand Americans die of bicycle related injuries. Approximately forty percent of those deaths are due to traumatic brain injuries, according to the Centers for Disease Control and Prevention.

C. Bicycle helmets are an important tool that have been shown to prevent head injuries suffered by bicycle riders during a crash or fall.

D. In 1993, the Board of Health passed a bicycle helmet requirement stating that any person riding a bicycle on a public road, bicycle path, right of way or publicly owned facility shall wear a protective helmet.

E. On June 18, 2020, the board passed Resolution 20-08, which declared racism a public health crisis and committed to assessing, revising and writing its policies with a racial justice and equity lens including the Board of Health Code.

F. On June 17, 2021, the board heard Briefing 21-B10, a panel discussion on bicycle helmet laws in King County and the disparate impacts of enforcement of the helmet regulations. Data presented demonstrated that citations were issued to Black, indigenous and people of color more frequently than to white cyclists, and that persons experiencing homelessness reported that the helmet requirement is a commonly cited reason for engagement with law enforcement.

G. The harm resulting from disparate enforcement of the helmet requirement included increased interactions with law enforcement for communities and financial burdens in the form of a civil fine and associated court fees.

H. The board determined that because of the inequitable enforcement of the helmet regulation, a punitive approach to addressing the need for helmet use for bicyclists was not appropriate and repealed the previous bicycle helmet regulation.

I. The board is committed to support and encourage efforts to provide education, access, and helmet promotion for all-age bicyclists and other micromobility riders.

SECTION 2. The following are hereby repealed:

A. R&R 84, Section 1 (part), as amended, and BOH 9.01.010;

B. R&R 84, Section 1 (part), as amended, and BOH 9.01.020;

C. R&R 03-05, Section 1 (part), and BOH 9.01.030;

D. R&R 84, Section 1 (part), as amended, and BOH 9.01.100;

E. R&R 84, Section 1 (part), as amended, and BOH 9.07.005;

F. R&R 84, Section 1 (part), as amended, and BOH 9.07.010;

G. R&R 84, Section 1 (part), as amended, and BOH 9.07.020;

H. R&R 84, Section 1 (part), as amended, and BOH 9.10.010;

I. R&R 84, Section 1 (part), as amended, and BOH 9.15.010; and

J. R&R 84, Section 1 (part), as amended, and BOH 9.16.010.



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