

1 A bill to be entitled
 2 An act relating to equine activities; providing a short
 3 title; providing legislative intent; creating s. 773.11,
 4 F.S.; defining the term "equine"; requiring certain minors
 5 to wear helmets when riding equines in certain locations;
 6 providing requirements for helmets; requiring persons
 7 renting or leasing equines for riding by a minor under a
 8 specified age to provide a helmet if the minor does not
 9 have a helmet; prohibiting a parent or guardian of a minor
 10 under a specified age from authorizing or permitting a
 11 minor to engage in certain conduct; providing criminal
 12 penalties; providing exceptions; providing an effective
 13 date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 Section 1. This act may be cited as the "Nicole Hornstein
 18 Act."

19 Section 2. It is the intent of the Legislature to further
 20 promote the safety, health, and welfare of minors engaged in
 21 equestrian activities and recreation throughout the state by
 22 enacting safety standards to minimize the number of serious or
 23 fatal head injuries sustained by minors during equestrian
 24 activities and recreation.

25 Section 3. Section 773.11, Florida Statutes, is created to
 26 read:

27 773.11 Helmet requirements; penalties.--

HB 1023

2007

28 (1) As used in this section, the term "equine" has the
29 same meaning as provided in s. 773.01.

30 (2) A child who is under 16 years of age must wear a
31 helmet that meets the current applicable American Society of
32 Testing and Materials standards for protective headgear used in
33 horseback riding and that is properly fitted and fastened
34 securely upon the child's head by a strap when the child is
35 riding an equine upon any of the following:

36 (a) A public roadway or right-of-way;

37 (b) A public equestrian trail, public recreational trail,
38 public park and preserve, or public school site; or

39 (c) Any other publicly owned or controlled property.

40 (3) No trainer, instructor, supervisor, or other person
41 may knowingly rent or lease an equine to be ridden by a child
42 under 16 years of age unless the child possesses a helmet
43 meeting the requirements of this section or the trainer,
44 instructor, supervisor, or other person renting or leasing the
45 equine supplies the child a helmet meeting the standards of this
46 section.

47 (4) No parent or guardian of any child under 16 years of
48 age may authorize or knowingly permit any such child to violate
49 this section.

50 (5) Any person violating any provision of this section
51 commits a misdemeanor of the third degree, punishable as
52 provided in s. 775.082 or s. 775.083.

53 (6) This section does not apply to a minor riding an
54 equine when such rider is competing or performing during a show

HB 1023

2007

55 | or event in which he or she is registered as a competitor or
56 | participant.

57 | Section 4. This act shall take effect October 1, 2007.