

By Senator Aronberg

27-1579-07

See HB

1                                   A bill to be entitled

2           An act relating to equine activities; providing

3           a short title; providing legislative intent;

4           creating s. 773.11, F.S.; defining the term

5           "equine"; requiring certain minors to wear

6           helmets when riding equines in certain

7           locations; providing requirements for helmets;

8           requiring persons renting or leasing equines

9           for riding by a minor under a specified age to

10          provide a helmet if the minor does not have a

11          helmet; prohibiting a parent or guardian of a

12          minor under a specified age from authorizing or

13          permitting a minor to engage in certain

14          conduct; providing criminal penalties;

15          providing exceptions; providing an effective

16          date.

18 Be It Enacted by the Legislature of the State of Florida:

20           Section 1. This act may be cited as the "Nicole

21 Hornstein Act."

22           Section 2. It is the intent of the Legislature to

23 further promote the safety, health, and welfare of minors

24 engaged in equestrian activities and recreation throughout the

25 state by enacting safety standards to minimize the number of

26 serious or fatal head injuries sustained by minors during

27 equestrian activities and recreation.

28           Section 3. Section 773.11, Florida Statutes, is

29 created to read:

30           773.11 Helmet requirements; penalties.--

31

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

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

9           (a) A public roadway, right-of-way, or an area  
10 immediately adjacent to a public roadway or right-of-way;

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

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

14           (3) No trainer, instructor, supervisor, or other  
15 person may knowingly rent or lease an equine to be ridden by a  
16 child under 16 years of age unless the child possesses a  
17 helmet meeting the requirements of this section or the  
18 trainer, instructor, supervisor, or other person renting or  
19 leasing the equine supplies the child a helmet meeting the  
20 standards of this section.

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

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

27           (6) This section does not apply to a minor riding an  
28 equine when such rider is competing or performing during a  
29 show or event in which he or she is registered as a competitor  
30 or participant.

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