

1                                   A bill to be entitled  
 2       An act relating to equine activities; providing  
 3       legislative intent; creating s. 773.06, F.S.; defining the  
 4       term "equine"; requiring a child younger than a specified  
 5       age to wear a helmet when riding an equine in certain  
 6       locations; providing requirements for helmets; requiring a  
 7       person renting or leasing an equine for riding by a child  
 8       younger than a specified age to provide a helmet if the  
 9       child does not have a helmet; prohibiting a parent or  
 10      guardian of a child younger than a specified age from  
 11      authorizing or permitting the child to engage in certain  
 12      conduct; providing a penalty; providing exceptions;  
 13      providing an effective date.

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

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 17           Section 1. It is the intent of the Legislature to further  
 18 promote the safety, health, and welfare of children younger than  
 19 16 years of age who engage in equestrian activities and  
 20 recreation in this state by enacting safety standards to  
 21 minimize the number of serious or fatal head injuries sustained  
 22 by children during equestrian activities and recreation.

23           Section 2. Section 773.06, Florida Statutes, is created to  
 24 read:

25           773.06 Helmet requirements; penalties.--

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

28           (2) A child who is younger than 16 years of age must wear

29 a helmet that meets the current applicable standards of the  
 30 American Society of Testing and Materials for protective  
 31 headgear used in horseback riding and that is properly fitted  
 32 and fastened securely upon the child's head by a strap when the  
 33 child is riding an equine upon:

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

35 (b) A public equestrian trail, public recreational trail,  
 36 public park or preserve, or public school site; or

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

38 (3) A trainer, instructor, supervisor, or other person may  
 39 not knowingly rent or lease an equine to be ridden by a child  
 40 younger than 16 years of age unless the child possesses a helmet  
 41 meeting the requirements of this section or the trainer,  
 42 instructor, supervisor, or other person renting or leasing the  
 43 equine supplies the child with a helmet meeting the standards of  
 44 this section.

45 (4) A parent or guardian of a child younger than 16 years  
 46 of age may not authorize or knowingly permit the child to  
 47 violate this section.

48 (5) A person who violates subsection (3) or subsection (4)  
 49 commits a noncriminal violation, punishable as provided in s.  
 50 775.083.

51 (6) This section does not apply to a child younger than 16  
 52 years of age who is riding an equine when the child is:

53 (a) Practicing for or competing or performing in shows or  
 54 events, including, but not limited to, rodeos and parades, where  
 55 helmets are not historically a part of the show or event;

56 (b) Riding on privately owned land even if the land is

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57 occasionally separated by a public road or right-of-way that  
58 must be crossed; or

59 (c) Engaged in an agricultural practice or pursuit.

60 Section 3. This act shall take effect October 1, 2009.