

By Senator Aronberg

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

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

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

20 Section 2. It is the intent of the Legislature to further
21 promote the safety, health, and welfare of children younger than
22 16 years of age who engage in equestrian activities and
23 recreation in this state by enacting safety standards to
24 minimize the number of serious or fatal head injuries sustained
25 by children during equestrian activities and recreation.

26 Section 3. Helmet requirements; penalties.-

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

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

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

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

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

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

40 (3) A trainer, instructor, supervisor, or other person may
41 not knowingly rent or lease an equine to be ridden by a child
42 younger than 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 with a helmet meeting the standards of
46 this section.

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

50 (5) A person who violates subsection (3) or subsection (4)
51 commits a noncriminal violation, punishable as provided in s.
52 775.083, Florida Statutes.

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

55 (a) Competing or performing during a show or event in which
56 he or she is registered as a competitor or participant;

57 (b) Riding on privately owned land; or

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

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Section 4. This act shall take effect October 1, 2009.