
A BILL FOR AN ACT

RELATING TO SKATEBOARDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 46-72.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~[+]§46-72.5[+]~~ **Counties' limited liability for skateboard**
4 **activities at public skateboard parks~~[-]~~; skateboard helmets.**

5 (a) No public entity or public employee shall be liable to any
6 person for injury or damage sustained when using a public
7 skateboard park, except when injury or damage is caused by a
8 condition resulting from the public entity's failure to maintain
9 or repair the skateboard park.

10 (b) Counties shall maintain a record of all known or
11 reported injuries incurred by skateboard users in a public
12 skateboard park and all claims paid for such injuries ~~[and shall~~
13 ~~submit a report to the legislature on or before twenty days~~
14 ~~before the convening of the 2008 legislative session, along with~~
15 ~~any recommendations regarding the need for further immunity from~~
16 ~~liability].~~

17 (c) No person under years of age shall operate a
18 skateboard in a public skateboard park unless the person is



1 wearing a properly fitted and fastened skateboard helmet that
2 meets the standards of ASTM International or the United States
3 Consumer Product Safety Commission.

4 (d) The counties shall post at each public skateboard
5 park, a conspicuous sign in a location reasonably calculated to
6 bring the sign to the attention of park users. The sign shall
7 contain the following language: "It is illegal for any person
8 under _____ years of age to operate a skateboard in a public
9 skateboard park unless the person is wearing a properly fitted
10 and fastened helmet that meets the standards of ASTM
11 International or the United States Consumer Product Safety
12 Commission."

13 (e) A violation of subsection (c) shall be punishable by a
14 fine of not more than \$ _____ . The parent or legal guardian
15 having control or custody of an unemancipated minor whose
16 conduct violates this section shall be liable for the amount of
17 the fine imposed pursuant to this section.

18 (f) Notwithstanding any law to the contrary, the fines
19 collected for a violation of subsection (c) shall be paid into
20 the state treasury to the credit of the state general fund."

21 SECTION 2. Section 662-19, Hawaii Revised Statutes, is
22 amended to read as follows:



1 " ~~[+]~~§662-19 ~~[+]~~ Limited liability for skateboarding
2 activities in public skateboard parks ~~[-]~~; skateboard helmets.

3 (a) No public entity or public employee shall be liable to any
4 person for injury or damage sustained when using a public
5 skateboard park, except when injury or damage is caused by a
6 condition resulting from the public entity's failure to maintain
7 or repair the skateboard park.

8 (b) Public entities that own or maintain public skateboard
9 parks shall maintain a record of all known or reported injuries
10 incurred by skateboard users in a public skateboard park and all
11 claims paid for such injuries ~~[and shall submit a report to the~~
12 ~~legislature on or before twenty days before the convening of the~~
13 ~~2008 legislative session, along with any recommendations~~
14 ~~regarding the need for further immunity from liability].~~

15 (c) No person under _____ years of age shall operate a
16 skateboard in a public skateboard park unless the person is
17 wearing a properly fitted and fastened skateboard helmet that
18 meets the standards of ASTM International or the United States
19 Consumer Product Safety Commission.

20 (d) The state agency that has jurisdiction over the public
21 skateboard park shall post at each public skateboard park, a
22 conspicuous sign in a location reasonably calculated to bring



1 the sign to the attention of park users. The sign shall contain
2 the following language: "It is illegal for any person under
3 years of age to operate a skateboard in a public skateboard park
4 unless the person is wearing a properly fitted and fastened
5 skateboard helmet that meets the standards of ASTM International
6 or the United States Consumer Product Safety Commission."

7 (e) A violation of subsection (c) shall be punishable by a
8 fine of not more than \$. The parent or legal guardian
9 having control or custody of an unemancipated minor whose
10 conduct violates this section shall be liable for the amount of
11 the fine imposed pursuant to this section.

12 (f) Notwithstanding any law to the contrary, the fines
13 collected for a violation of subsection (c) shall be paid into
14 the state treasury to the credit of the state general fund."

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval.

18

INTRODUCED BY:



JAN 17 2013



Report Title:

Public Skateboard Parks; Limited Liability; Helmets

Description:

Prohibits anyone under years of age from operating a skateboard in a public skateboard park unless the person is wearing a properly fitted and fastened helmet that meets specified standards. Establishes a fine for violations. Requires the respective state agency or county to post signs at public skateboard parks to bring the requirement to the attention of park users.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

