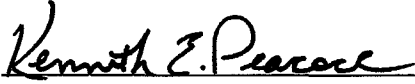


APPALACHIAN STATE UNIVERSITY
Office of the Chancellor



Dr. Kenneth E. Peacock
Chancellor

RM - Safety and Workers'
Compensation Policies
Effective: May 20, 2009
Revision: May 20, 2009
Policy 17, Bicycle Helmets

SUBJECT: Safety and Workers' Compensation Policies, Policy 17 – Bicycle Helmets

This certifies approval of a revision of Safety and Workers' Compensation Policies, Policy 17, Bicycle Helmets

Safety and Workers' Compensation Policies

Policy 17 - Bicycle Helmets

Introduction and Overview

It is the intent of this policy to reduce potential hazards associated with the use of bicycles which may contribute to injury or loss of life at Appalachian State University.

The Town of Boone has enacted Town of Boone Ordinance Section 71.11 ("Bicycle Equipment and Operating Regulations"). The Preamble to the Ordinance, which requires the use of helmets when operating bicycles "on a public right-of-way or on any property open to the public or used by the public for pedestrian or vehicular purposes," states the following findings:

- (1) The major cause of death and permanent disability in bicycle accidents is head injury; and
- (2) Helmets and child carrying devices which meet nationally recognized standards have been demonstrated to significantly reduce the numbers of head injuries in accidents; and
- (3) Many cyclists do not use the appropriate equipment; and
- (4) Incentives are necessary to encourage bicyclists to wear helmets.

The University's Code of Student Conduct, at Section 4.02ap., prohibits students from . . . [r]iding a bicycle without a helmet." Because a penalty for this misconduct is not specified in the Code, the range of penalties for "[r]iding a bicycle without a helmet" fall within Section 6.16 ("All Other Violations of the Code of Student Conduct"): "Minimum sanction: Reprimand"; "Maximum sanction: Expulsion."

Because it is unlawful to ride a bicycle in the Town of Boone, including to and from the Appalachian State University campus, the University, for the reasons stated in the Ordinance's Preamble, has concluded that it should have a uniform policy, consistent with the Town's Ordinance, that is applicable to all members of the University community, *i.e.*, faculty, staff, students, and administrators.

Policy

Every person operating, or riding as a passenger on, a bicycle on: (1) the Appalachian State University campus; (2) any public right-of-way on or adjacent to the campus; or (3) any University property open to the public or used by the public for pedestrian or vehicular purposes – shall wear a helmet of good fit, fastened securely, and meeting:

- (a) ANSI Z90.4 standards, or
- (b) The Snell Memorial Foundation's Standards (1984 and subsequent) for Protective Headgear for Use in Bicycling or Non-Motorized Sports, or
- (c) ASTM bicycle helmet standards, or
- (d) Canadian Standards Association standard, Cycling Helmets – CAN/CSA-D113.2-M89, or
- (e) Subsequent amendment(s) to the bicycle helmet standards described above.

The ASU Police shall be responsible for enforcing this Policy 17.

The first violation of this Policy 17 shall be excused if the person charged submits proof to the ASU Police within ten days that a helmet meeting the standards in (a), (b), (c), or (d) above has been acquired for use by the operator or passenger.

With respect to any subsequent violation of this Policy 17:

(a) by a student: the ASU Police shall forward a copy of the citation to the Office of Student Conduct.

(b) by faculty, staff, or administrative personnel: the ASU Police shall forward copies of the citation to the employee's supervisor and the relevant vice chancellor for disciplinary action.