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

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

Section 1. This act may be cited as "Nicole's Law."

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

Section 3. Section 773.06, Florida Statutes, is created to
read:

773.06 Helmet requirements; penalties.--
(1) As used in this section, the term "equine" has the
same meaning as provided in s. 773.01.
(2) A child who is younger than 16 years of age must wear a helmet that meets the current applicable standards of the American Society of Testing and Materials for protective headgear used in horseback riding and that is properly fitted and fastened securely upon the child's head by a strap when the child is riding an equine upon:

(a) A public roadway or right-of-way;
(b) A public equestrian trail, public recreational trail, public park or preserve, or public school site; or
(c) Any other publicly owned or controlled property.

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

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

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

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

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

(b) Riding on privately owned land even if the land is occasionally separated by a public road or right-of-way that must be crossed; or

(c) Engaged in an agricultural practice or pursuit.

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