



## **PLEASE NOTE**

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the [Royal Gazette](#) should be consulted to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the [Table of Regulations](#).

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## CHAPTER H-5

### HIGHWAY TRAFFIC ACT

#### BICYCLE SAFETY HELMET REGULATIONS

Pursuant to section 312 of the of the *Highway Traffic Act*, R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

1. In these regulations “Act” means the *Highway Traffic Act* R.S.P.E.I. Act 1988, Cap. H-5. (EC329/03)

2. (1) For the purposes of clause 194(2)(a.1) and section 194.1 of the Act, a bicycle safety helmet worn by a person who is riding a bicycle or a passenger of a bicycle must Bicycle safety helmet standards

(a) meet the standards for bicycle safety helmets in effect on the date on which it was manufactured that are prescribed by one of the following:

(i) Canadian Standards Association standard CAN/CSA D113.2-M89 (Cycling Helmets), as amended from time to time;

(ii) Snell Memorial Foundation standard B-95 (1995 Standard For Protective Headgear For Use With Bicycles), as amended from time to time;

(iii) Snell Memorial Foundation standard B-90 (1990 Standard For Protective Headgear For Use With Bicycles), as amended from time to time;

(iv) Snell Memorial Foundation standard B-90S (1994 Supplementary Standard For Protective Headgear For Use With Bicycles), as amended from time to time;

(v) Snell Memorial Foundation standard N-94 (1994 Standard For Protective Headgear For Use in Non-Motorized Sports), as amended from time to time;

(vi) American Society for Testing and Materials standard ASTM F 1447-94 (Standard Specification For Protective Headgear for Use in Bicycling), as amended from time to time;

(vii) American National Standards Institute standard ANSI Z90.4-1984 (American National Standard For Protective Headgear for Use in Bicycling), as amended from time to time;

(b) have a smooth outer surface;

(c) be constructed so that the helmet is capable of absorbing energy on impact;

(d) be strongly attached to a strap designed to be fastened under the chin of the person wearing it;

(e) be undamaged from use or misuse;

- (f) have a label showing that the helmet meets one of the standards set out in clause (a); and
- (g) properly fit the person wearing it.

*Idem*

(2) A reference in clause (a) to a standard as amended from time to time means any amendment made to the standard on or after the coming into force of these regulations.

Exemption  
certificate

(3) The Registrar may, on application by a person in Form 1 of the Schedule, issue a bicycle safety helmet exemption certificate in Form 2 of the Schedule if the Registrar is satisfied that the person

- (a) has a head measurement that exceeds 64 cm in circumference; or
- (b) should not be required, for any reason satisfactory to the Registrar, to wear a bicycle safety helmet.

*Idem*

(4) A person who holds a bicycle safety helmet exemption certificate issued by the Registrar is not required to wear a bicycle safety helmet.

Expiry

(5) A bicycle safety helmet exemption certificate issued under subsection (3) expires five (5) years from the date of issue stated in the certificate unless the certificate is previously terminated or cancelled by the Registrar. (EC329/03)

**SCHEDULE  
FORM 1**

EXEMPTION APPLICATION FOR  
BICYCLE SAFETY HELMET EXEMPTION CERTIFICATE

*PLEASE PRINT*

FIRST NAME	MIDDLE INITIAL	LAST NAME	BIRTH DATE <small>Day/Month/Year</small>
MAILING ADDRESS			POSTAL CODE
Phone: ( )                      Fax: ( )                      Email:			

**NOTE**

*The Registrar may, on application by a person, issue a bicycle safety helmet exemption certificate if the Registrar is satisfied that the person*

*(a) has a head measurement that exceeds 64 cm in circumference; or*

*(b) should not be required, for any reason satisfactory to the Registrar, to wear a bicycle safety helmet.*

<p><b>RECOMMENDATIONS TO THE REGISTRAR - HEAD MEASUREMENT</b></p> <p>PLEASE INDICATE HEADSIZE (if applicable)</p> <p>MEASUREMENT _____</p> <p>SIGNATURE OF APPLICANT _____</p> <p>DATE _____</p>
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**FORM 2**

PRINCE EDWARD ISLAND DEPARTMENT OF TRANSPORTATION &  
PUBLIC WORKS  
HIGHWAY SAFETY OPERATIONS

BICYCLE SAFETY HELMET EXEMPTION CERTIFICATE

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THIS IS TO CERTIFY THAT:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of birth: \_\_\_\_\_  
day month year

IS EXEMPT FROM WEARING A BICYCLE SAFETY HELMET  
UNDER CLAUSE 194(2)(a.1) AND SECTION 194.1 OF THE *HIGHWAY TRAFFIC ACT*

REASON:      HEAD SIZE      \_\_\_\_\_  
                   OTHER                    \_\_\_\_\_ Specify

DATE OF ISSUE: \_\_\_\_\_

\_\_\_\_\_  
 Signature of Registrar

Certificate valid for 5 years from date of issue.

EC329/03