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## Equestrian helmet laws: Are you in or out?

**T**he dangerous nature of equestrian activities and the need for increased safety measures has become a hot topic over the past several years with accidents including crashes on the race track, falls on cross country and, perhaps most notably, the fall of former Olympic dressage rider Courtney King-Dye without wearing a helmet and leaving her permanently brain damaged.

Reviewing these and other equestrian-related accidents proves that helmets can, and do, minimize injuries. As a result, state and local equestrian helmet legislation has been proposed to require helmets in equestrian events, some defining the type of helmet, the equestrian event and/or the age of the participant.

While the increased protection helmets provide is arguably undisputable, the need for legislation mandating helmets in equine activities is a continuing debate.

This article introduces the development of equestrian helmet laws and outlines the current state of legislation and debate on the issue.

### Introduction to helmets in equine activities

Equestrian helmet legislation began with the horse-racing industry. In 1956, jockey LeRoy Nelson died from head injuries sustained at the Caliente Race-track in Tijuana, Mexico.

As a result, the California Horse Racing Board made it mandatory for all riders to wear a helmet while exercising or racing horses on tracks in California.

The United States Pony Club has always required helmets and has been credited with developing the first protective hat for non-racing equine activities. The

club even sent its helmets out for testing and requested the American Society of Testing and Materials, which had developed headgear standards for other sports, to develop standards for equestrian helmets.

In 1990, the society published the specifications which are now recognized as the safety standard for helmets used in the majority of equestrian sports. The Safety Equipment Institute is a separate nonprofit organization which certifies protective equipment, including the shock-absorbing capacity of helmets, the effectiveness of the harness strap to hold the helmet in place during a fall and the helmet's ability to handle extreme temperatures.

In 1983, the pony club adopted the new standard for helmets. The club safety study showed a 26 percent decrease in the number of reported head injuries and a 62 percent decrease in the number of facial injuries when comparing figures from before the 1983 standard and those from 1983 to 1990.

### Development of helmet laws and ordinances

Equestrian helmet legislation often arises out of tragic accidents where injuries could have been lessened or lives saved if an approved equestrian helmet had been worn.

Plantation, Fla., became the first city in the United States to adopt mandatory helmet legislation by enacting an ordinance requiring children under the age of 16 to use approved helmets when riding horses on public property and parents and horse providers were required to enforce this law.

The law became effective in 1999 after a 15-year-old girl died when her horse bolted into a fire hydrant and threw her to the pavement. The medical examiner



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concluded that a helmet might have saved her life.

Ironically, approximately two weeks after the girl's accident, her 14-year-old friend fell from a horse and was kicked in the head. The boy survived with only minor injuries while his cracked and demolished helmet likely saved his life.

In Illinois, there is no city, state or federal law mandating helmets to be worn by equine activity participants.

As in any state, Illinois horse boarding agreements, equestrian facility rules, written liability releases and/or equestrian competition association rules may require a participant to wear a helmet while engaged in equine activities.

Illinois equine activity participants, not otherwise governed by a contractual or association requirement, have the right to choose to ride with or without a protective helmet.

New York became the first state to mandate helmet use for minors (under the age of 14) in 1999 after a 23-year-old woman from Buffalo died as a result of falling from a Western saddle during a trail ride. The general

purpose of the bill was to decrease the number of head injuries resulting from horseback riding accidents and was supported by the fact that other sports less dangerous than horseback riding, such as bicycle riding, already had mandatory helmet laws.

The law also requires any horse provider to provide helmets to beginning riders and riders under 14-years-old and to offer helmets to all riders regardless of age or experience and provide helmet safety information to all riders.

Ontario, Canada, enacted a statute in 2001 after a rider's horse bolted and she fell from her saddle with her foot tangled in a stirrup and dragged about 150 meters — she was not wearing a helmet. The owner of the ranch and the head trail guide were arrested and charged with criminal negligence.

The Ontario statute requires anyone under the age of 18 to wear a helmet while riding a horse and requires any premises containing a horse-riding establishment to post a sign stating that: "Helmets to be worn by all persons under age 18."

Norco, Calif., enacted an ordinance in 2007 after a Christmas Eve death of a 12-year-old Norco resident who was thrown from a horse and suffered massive head injuries.

Florida passed a statewide law in 2009 after a 12-year-old Loxahatchee resident, not wearing a helmet, died from injuries sustained after a horse she was riding backed into a tree and fell over.

Some states have tried and failed to enact legislation, and some have revised their proposed bills which eventually became law. For example, California and Texas have both

introduced bills that have failed.

California critics pointed out that competition rules required specific headgear for competition and that the proposed law would require riders to choose to abide by the competition rules or break the state law. They also advocated their right to choose the hat of their choice whether because of tradition, heritage or other reasons. Notably, now U.S. Equestrian Federal rules for Western competition state that a helmet may be worn without penalty.

Texas' proposed bill initially required "rodeo helmets" for all rodeo participants under 18 years old. After strong opposition by the Texas High School Rodeo Association, the bill was revised and, with the support of the association, passed to only mandate helmets and vests for bull riders under 18 years old.

Maryland and Massachusetts are currently considering proposed legislation.

### **Opposition to helmets and helmet laws**

Challenges to wearing helmets include the appearance and tradition of those on the market. Manufacturers' attempts to develop helmets which resemble Western cowboy hats have failed due to their large appearance and size. Opponents challenge the fit of helmets complaining they are uncomfortable, hot and bulky.

They say that helmets only protect a small part of the body and therefore do not offer "complete" protection and that the most risk comes only in competition and therefore they are not needed while in training.

Some also say that helmets are only needed for beginners. Opposition to mandatory helmet legislation includes conflict between the law and competition rules, resistance to the government controlling whether an individual wears a helmet or not stating it should be left to a per-

sonal decision (like the motorcycle helmet debate) and the enforceability of helmet laws in remote public areas such as state parks or if the law is expanded to private lands.

### **Support for wearing helmets is there, but the support for legislation is not**

Helmet manufacturers, legislatures, medical associations and most equine associations support helmet safety. The manufacturers publish safety statistics and advocate that all riders wear a helmet meeting the well-recognized standards and have worked hard to improve the fit and design to meet customer demands for safety and style.

Government legislatures cite injury statistics to encourage helmet wearing as in the public interest to reduce medical costs on the general public. Medical associations support wearing helmets in all disciplines of horseback riding. Equine associations actively educate members

about helmet safety and encourage members' use through campaigns and rules allowing helmets without competition penalties.

However, equine participants are not so unanimously supportive of mandatory helmet legislation.

Most individuals recognize the safety risks of being on or around horses, however, many of these same people feel stronger about the freedom of choice when it comes to wearing a helmet.

No doubt this debate will continue and we will continue to follow the published positions. Regardless of whether mandated by legislation, association rules, facility best practices or peer pressure, this author advocates for helmet-wearing in all equestrian activities and hopes that it will not take another serious injury or death by a public figure to convince others to do the same.