

# **AN ORDINANCE FOR THE SAFE OPERATION OF BICYCLES AND OTHER RIDEABLE DEVICES**

We the Selectboard of the Town of Middlebury, under the authority of 24 V.S.A. Chapter 61, Subchapter 11, Section 104 of the Middlebury Charter, and such other Statutes as may be applicable hereby enact and adopt the following Ordinance:

## **ARTICLE I DEFINITIONS**

### **Section 101.**

“Bicycle” is herein defined as every device on which a person may ride that is capable of being propelled with mechanical linkage by human power, whether assisted by motor or not, having two or more wheels, including three-wheeled and four-wheeled cycles, and so-called pedal vehicles, which may have an enclosed cab, and motor assisted bicycles as defined by Title 23 V.S.A 4 (45)(B).

### **Section 102.**

“Other rideable device” is defined herein as every wheeled device on which a person may ride, whether assisted by motor or not, excluding bicycles, motor vehicles, and rideable personal mobility aids. Examples of other rideable devices include but are not limited to: kick and electric scooters, skateboards, longboards, scoot bikes, roller skis, roller skates and rollerblades, unicycles, Segways, hoverboards, and similar self-balancing human transportation devices.

### **Section 103.**

“Rideable personal mobility aid” is defined herein as a wheelchair or motorized mobility scooter, as are used by persons with ambulatory difficulties, as defined in 23 VSA Section 304a (a)(1).

## **ARTICLE II**

### **GENERAL OPERATION OF BICYCLES AND OTHER RIDEABLE DEVICES /AIDS**

#### **Section 201.**

(a) A person operating a bicycle or other rideable device on the travelled portion of any street or highway is granted all of the rights and is subject to all of the duties applicable to operators of motor vehicles, except as to those provisions which by their very nature, have no applications, or as otherwise stated in this ordinance.

(b) Whenever a person dismounts from a bicycle or other rideable device the person is granted all of the rights and is subject to all regulations applicable to pedestrians.

(c) A person operating a wheelchair or rideable personal mobility aid is granted all of the rights and is subject to all of the regulations applicable to pedestrians.

**Section 202.**

The parent of any child and the guardian of any ward shall not encourage or permit any such child or ward to violate any of the provisions of this Ordinance.

**Section 203.**

A bicycle or other rideable device may be used to carry at any one time no more than the maximum number of persons for which it is designed and equipped.

**Section 204.**

No person may operate any bicycle or other rideable device while any person is holding on to a motor vehicle, or if the bicycle or other rideable device is attached to any motor vehicle.

**Section 205.**

Bicycles and other rideable devices shall be parked in in bike racks, where provided, or in such a manner as to afford the least obstruction to pedestrians and persons operating motor vehicles, bicycles, and other rideable devices. No bicycle or other rideable device shall be parked in a marked vehicular parking space.

**Section 206.**

No person may operate a bicycle or other rideable device or personal mobility aid that is equipped with any siren or whistle, or any device simulating the sounds of an authorized emergency vehicle.

**Section 207.**

A bicycle or other rideable device shall not be operated unless equipped with a brake that enables stopping within 30 feet while traveling 15 mph on dry, clean, hard, and level surface.

**Section 208.**

Any person operating a bicycle or other rideable device that has a seat must ride upon or astride the designed seat.

**Section 209.**

A person operating a bicycle or other rideable device with handlebars must be able to safely control and keep at least one hand upon the handle bars, when carrying one or more packages, bundles or other articles.

**Section 210.**

Operation of a bicycle or other rideable device at nighttime, defined as from one half-hour after sunset until one half-hour before sunrise, requires use of a lamp that emits a white light that is visible from a distance of at least five hundred feet to the front. Operation at

nighttime additionally requires use of a red light that is visible three hundred feet from the rear; or reflective rear-facing material of at least 20 square inches or reflectors or both, visible three hundred feet to the rear.

### **ARTICLE III**

### **OPERATION OF BICYCLES AND OTHER RIDEABLE DEVICES ON ROADWAYS**

#### **Section 301.**

A person operating a bicycle or other rideable device upon a roadway shall ride in the right-most through-lane of the roadway and may occupy a full lane subject to the following provisions:

1. If the right-most through-lane is wide enough to be safely shared with overtaking vehicles, a person operating a bicycle or other rideable device shall ride as far to the right as reasonably judged safe by the operator in order to facilitate the movement of such overtaking vehicles.
2. A person operating a bicycle or other rideable device may use a lane other than the right-most through-lane when:
  - a) Passing another vehicle proceeding in the same direction;
  - b) Preparing for a left turn at an intersection or into a private road or driveway;
  - c) Preparing for a right turn at an intersection or into a private road or driveway for which a dedicated right-turn lane is provided;
  - d) Reasonably necessary to avoid hazards, including, but not limited to, fixed or moving objects, parked or moving vehicles, bicycles or other rideable devices, pedestrians, animals, or surface hazards;
  - e) Riding on parts of roadways set aside for the exclusive use of bicycles.

#### **Section 302**

A person operating a bicycle or other rideable device may use any portion of the roadway to evade a hazard, but must exercise due care in doing so, including by yielding to motor vehicles whenever possible.

#### **Section 303.**

Persons operating bicycles or other rideable devices upon a roadway may ride two abreast only in the following locations:

1. On paths or parts of the roadway set aside the exclusive use of bicycles (marked as bike lanes);
2. On roadways marked for shared use;
3. Where the usable combined width of lane and any shoulder are sufficient for motor vehicles to safely pass two-abreast riders within the right-most through lane; and
4. In situations reasonably judged to afford motorists adequate sight and stopping distance. Considerations in this regard include but are not limited to the presence of curves and hills, the width of the roadway, and other environmental conditions.

**Section 304.**

Consistent with 23 VSA §1065(a,b), all signals to indicate change of speed or direction, when given by hand, shall be given by the operator of the bicycle or other rideable device in the following manner:

1. Left turn: Left hand and arm extended horizontally to the left.
2. Right turn: Left hand and arm extended upward. Alternatively, the operator may give a right-turn signal by extending the right hand and arm horizontally to the right side of the bicycle.
3. Stop or decrease speed: Left hand and arm extended downward.
4. It is not necessary to signal while the operator is using their hands for braking.

**Section 305.**

A person operating a bicycle or other rideable device in compliance with this article and not violating any other section of this ordinance is not impeding traffic.

**ARTICLE IV**

**GENERAL OPERATION OF BICYCLES AND OTHER RIDEABLE DEVICES ON SIDEWALKS**

**Section 401.**

A person operating a bicycle or other rideable device on a sidewalk shall in all cases yield the right of way to pedestrians.

**Section 402.**

A person operating a bicycle or other rideable device on a sidewalk shall travel in a predictable manner and at sufficiently slow speeds so as to ensure safe passage of pedestrians and operators of other bicycles and other rideable devices, including those unexpectedly entering and exiting the sidewalk from buildings, alleys, and driveways.

**Section 403.**

A person operating a bicycle or other rideable device on a sidewalk shall dismount and walk the bicycle or other rideable device at times and locations where the sidewalk is congested.

**Section 404.**

A person operating a bicycle or other rideable device may overtake a pedestrian only where sufficient room exists to overtake safely, and shall give a reasonably audible signal, verbally or through use of a bell, before overtaking the pedestrian.

**ARTICLE V**

**OPERATION OF BICYCLES AND OTHER RIDEABLE DEVICES WITHIN THE DOWNTOWN AREA**

**Section 501.**

No person shall ride or be otherwise mounted on a bicycle or other rideable device between 9 a.m. and 5 p.m. on the sidewalks bounding:

- (a) Merchant's Row between South Pleasant Street and Main Street;
- (b) Main Street between Printers Alley and Park Street /Main St intersection
- (c) Park St
- (d) Mill St
- (e) Printer's Alley

Notwithstanding the above, children under age ten operating a non-motorized bicycle or other rideable device, under direct supervision by an adult or other caretaker, may ride on sidewalks in the downtown area, at any time.

**Section 502.**

Bicycles and other rideable devices may be operated in the following locations and on any sidewalks adjacent to them subject to the provisions in 502 (a) and 502 (b) that follow: on Bakery Lane; in the Municipal parking lots on Bakery Lane (upper, lower, and side); and in the Mill Street Municipal parking lots.

- (a) Other rideable devices must have installed and properly functioning braking capability, with the exception of children under age 10 operating a scoot bike or kick scooter.
- (b) Bicycles and other rideable devices may be operated for transit purposes only. Broader recreational uses are prohibited.

**Section 503.**

Main Street between the intersection with Seymour Street and the intersection with South Street, including the roundabout, is a shared use roadway for bicycles as defined in Section 101 of this ordinance, and motor vehicles.

**ARTICLE VI ENFORCEMENT AND PENALTIES**

**Section 601.**

A person who violates any provision of this ordinance shall be fined not more than \$100 for each offense.

Waiver fine: \$25

Adopted: May 24, 1977; Effective: July 3, 1977

Amended: November 1, 1988; Effective: December 11, 1988

Amended: August 25, 1998; Effective October 4, 1998

Amended: August 10, 1999; Effective September 19, 1999

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Amended: April 13, 2021; Effective: May 23, 2021