

Motorcycle/MDC Related Laws - Issued on Traffic Tickets

- No Endorsement on Motorcycle - T23 VSA 615(a) - NLP
- No License on MDC - T23 VSA 601 - NL
- No Helmet on Motorcycle - T23 VSA 1256 - NH
- No Helmet on MDC - NO VIOLATION
- NR/DP/INS/NI on Motorcycle or MDC - Some as vehicles
- Passenger Violations (Helmet/Seat) on Both - T23 VSA 1114 - RMC
- Splitting Lanes on Both - T23 VSA 1115 - MLT
- Riding on Sidewalks under Motor Power - T23 VSA 1114 - RMC
- Penalty - As Listed in T23's Schedule of Fines in Your Ticket Books
- Full Statutes are available on the Intranet @ BPD

Summary: Motorcycle and MDC Violations are issued on Traffic Tickets to the Operator, the same as regular motor vehicles. Motorcycles are 2 or 3 wheels, with engines larger than 50 cc's. MDC/Mopeds are 2 or 3 wheels, with engines of 50 cc's or less, that do not exceed 30 mph, have only one gear or "speed", and include mopeds, small scooters, and bicycles equipped with electric or gasoline motor kits. Under motor power, all of these must be on the roadway, require headlights, brake lights, turn signals, registration, and insurance when operating under motor power. If being pedaled, they are classified as bicycles and then only the bicycle laws apply.

Pedestrian Related Ordinances - Issued on VMC's

- Sec. 20-144 - Duty of drivers to exercise due care.
- Sec. 20-143 - Walking on roadway.
- Sec. 20-142 - Not to step off curb in path of vehicle.
- Sec. 20-141 - When pedestrians to yield to vehicles.
- Sec. 20-140 - Vehicles not to pass another stopped for pedestrians.
- Sec. 20-139 - Vehicles to yield to pedestrians crossing in crosswalk.
- Sec. 20-138 - Use of right half of crosswalks.
- Sec. 20-137 - Manner of crossing street.
- Sec. 20-136 - Pedestrian-control signal.
- Sec. 20-135 - Obedience to directions and signals.
- Sec. 20-13 - Penalty (Min \$50, Max \$200, Waiver \$50)
- Full Statutes are available on the Intranet @ BPD

Summary: Pedestrian violations are issued on VMC's and may be issued either to pedestrians or to operators of vehicles, depending on the violation. As with all other City Ordinance Violations, persons of interest are required to identify themselves for the purposes of issuance.

Skateboard/Bicycle Related Ordinances - Issued on VMC's

- Sec. 27-18 - Operation of non-motorized vehicles
- Sec. 27-19 - Use of non-motorized vehicles on the public right-of-way
- Sec. 27-21 - Penalty (Min \$21, Max \$500, Waiver \$70 - Set by Judicial Bureau)
- Full Statutes are available on the Intranet @ BPD

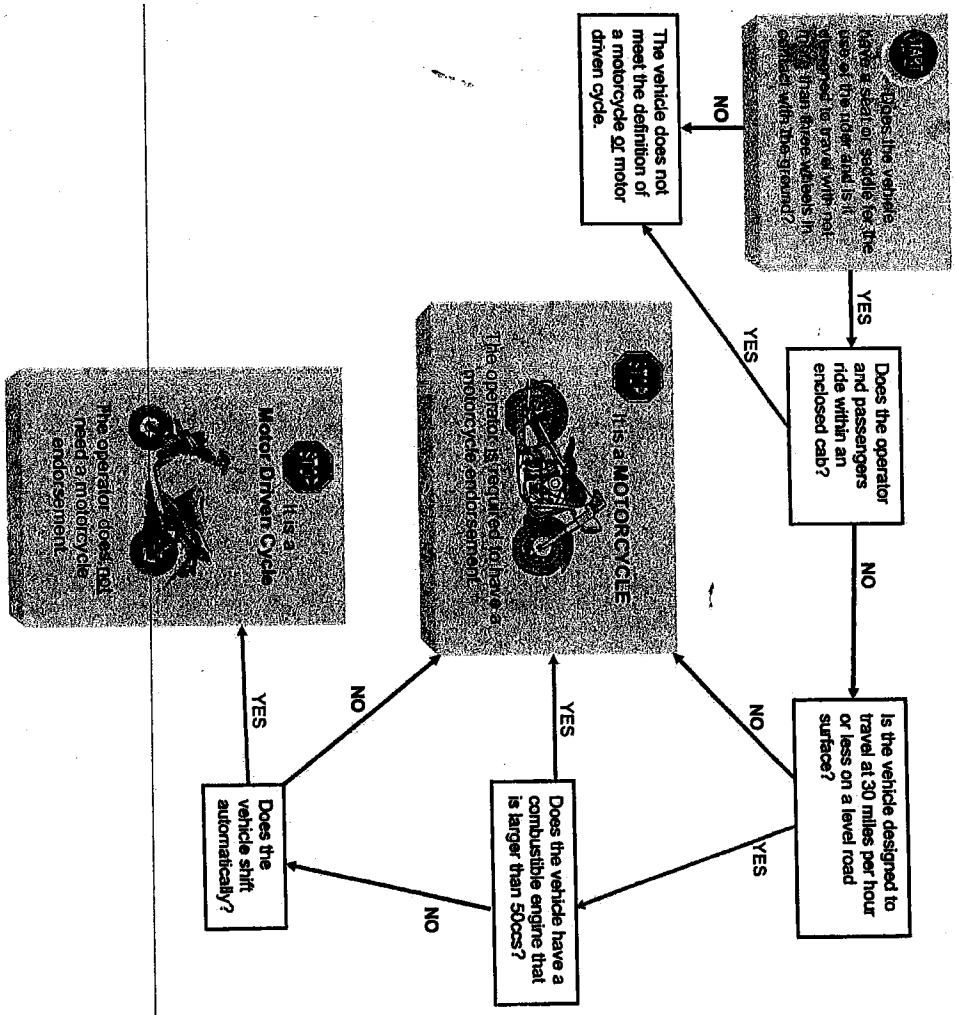
Summary: Skateboards/Bicycles operating in the roadway are required to operate as if they were a motor vehicle, and obey all traffic laws. Failure to do so is a City Ordinance ticket, issued under 27-19 with a Minimum of \$21, a Maximum of \$500 and a Waiver of \$70. Issue the ticket under 27-19, and note the specific violation that they committed (red light, stop sign, etc) as you will need it for court if it goes that far. Note: For second offenses within 12 months, Officers may impound the individual in question's skateboard.

Explanation: Skateboards/Bicycles are defined under 27-18 as being a non-motorized vehicle. Section 27-19 states that any person operating a non-motorized vehicle that qualifies under 27-18 (a skateboard) "within the public right-of-way" (which means in the road) "shall comply with all relevant traffic regulations and shall operate any such vehicle in a safe manner." Section 27-21 sets the penalties at: Min \$21, Max \$500, Waiver \$70. The Waiver is set by the Judicial Bureau by a panel of judges. Per the City Attorney, it is currently standing at \$70.

Motorcycles & Motor Driver Cycles

Do I need a motorcycle endorsement?

Operators of motor driver cycles and motorcycles must have a valid driver's license. Use the chart below to determine if the operator must also have a motorcycle endorsement.





City of Burlington Ordinances and State Law Regarding THE RIGHTS AND RESPONSIBILITIES OF CYCLISTS



Subject	State Law	City Ordinances	Enforcement
Abandoned bicycles	None	Bicycles may not be left in city right-of-way or on city property for more than 14 days, except in designated long term bike parking. §6-14	City: Police may remove bicycles in violation of 6-14. \$50 fine.
Abreast riding	No more than 2 abreast; riders shall not impede the normal and reasonable movement of traffic and shall ride within a single lane. 23 V.S.A. §1139(c)	Bikes must ride single file, except to pass. §6-7	City: EHSI: \$50-\$500 fine; waiver: \$70 (2010); Subsequent: \$50-\$500 fine; State: \$41-\$70 fine; \$70 waiver penalty (2010).
Brakes	No person may operate a bicycle unless it is equipped with a brake which will enable the operator to make the braked wheels slide on dry level, clean pavement. V.S.A. §1141(c)	No bicycle shall be operated without adequate brakes. §6-10	City: EHSI: \$50-\$500 fine; waiver: \$70 (2010); Subsequent: \$50-\$500 fine; State: \$41-\$70 fine; \$70 waiver penalty (2010).
Carrying articles	No person operating a bicycle may carry any package, bundle or article which prevents driver from keeping at least one hand upon handle bars. 23 V.S.A. §1140	None	State: \$41-\$70 fine; \$70 waiver penalty (2010)
Church Street Market-place, riding on	N/A	Prohibited, except as allowed by Church Street Marketplace Commission. (6-3)(3) May operate on traveled portions of Cherry, Bank and College.	City: EHSI: \$50-\$500 fine; waiver: \$70 (2010); Subsequent: \$50-\$500 fine; waiver: \$70 (2010) & impound bicycle.
Climbing to motor vehicles	No person may attach himself or any bicycle, wagon, roller skates, sled or by vehicle upon which he is riding or will ride to any motor vehicle. 23 V.S.A. §1138	No person, while riding or operating a bicycle on any street or alley in the city, shall attach his bicycle or himself to any other moving vehicle. §6-5	State: \$41-\$70 fine; \$70 waiver penalty (2010)
Hand signals	Left turn: left arm extended horizontally. Right turn: left arm extended upward or right arm extended horizontally. Stop or decrease speed: left arm extended downward. 23 V.S.A. §1065 No turn shall be made without first giving a signal. 23 V.S.A. §1065	Must signal before stopping or turning (signals as provided by state law). §6-8	City: EHSI: \$50-\$500 fine; waiver: \$70 (2010); Subsequent: \$50-\$500 fine; waiver: \$70 (2010) & impound bicycle. State: 2 Points & \$41-\$1191 fine; \$214 waiver penalty (2010)
Light operation	Lamp in the front which emits light visible from 300 feet; red light in the rear visible from 300 feet or reflector. 23 V.S.A. §1141	Lights required 1/2 hour after sunset to 1/2 hour before sunrise; white light in front; visible for 300 feet; red reflector and red light in rear (flashing or solid) visible for 300 feet. §6-11	City: EHSI: \$50-\$500 fine; waiver: \$70 (2010); Subsequent: \$50-\$500 fine; waiver: \$70 (2010) & impound bicycle. State: \$41-\$70 fine; \$70 waiver penalty (2010)
Parks; bicycles in	N/A	Prohibited from City Hall Park §6-3 (no prohibition in other parks)	City: EHSI: \$50-\$500 fine; waiver: \$70 (2010); Subsequent: \$50-\$500 fine; waiver: \$70 (2010) & impound bicycle.
Passing on sidewalks and paths	None	Bikes must give audible signal before passing on sidewalks and shared-use paths. 6-3(c)	City: EHSI: \$50-\$500 fine; waiver: \$70 (2010); Subsequent: \$50-\$500 fine; waiver: \$70 (2010) & impound bicycle.



City of Burlington Ordinances and State Law Regarding THE RIGHTS AND RESPONSIBILITIES OF CYCLISTS



Subject	State Law	City Ordinances	Enforcement
Passing of bicycles by motor vehicles	Motor vehicle shall exercise due care, which includes increasing clearance. 23 V.S.A. §1033(b)	Motor vehicles shall exercise due care by leaving a distance between the motor vehicle and the bicyclist of not less than three (3) feet. 20-32(b)	City: \$50-\$300 fine; waiver: \$50 (2010); Subsequent: \$50-\$300 fine; State: \$41-\$70 fine; \$70 waiver penalty (2010) State: 3 Points & \$41-\$1191 fine; \$214 waiver penalty (2010)
Pedestrian Right of way	None	Bikes must yield right of way to pedestrians on sidewalks. 6-3(b)	City: EHSI: \$50-\$500 fine; waiver: \$70 (2010); Subsequent: \$50-\$500 fine; waiver: \$70 (2010) & impound bicycle.
Registration	No requirement for registration.	No requirement for registration.	N/A
Rights and responsibilities, general	Every person riding a bicycle is granted all of the rights and is subject to all of the duties applicable to operators of vehicles, except as to those provisions which by their very nature preclude their application. 23 V.S.A. §1139(c)	Every person riding a bicycle upon the streets, alleys and highways within the city shall obey and conform with all signals, signs and ordinances regulating the operation of traffic not inconsistent with the provisions of this chapter. §6-1	Same penalties for bicycles as for motor vehicles under state and local rules.
Sidewalk speed limit	None	Must operate bikes at speed which is "reasonable for the existing conditions." 6-3(d)	City: EHSI: \$50-\$500 fine; waiver: \$70 (2010); Subsequent: \$50-\$500 fine; waiver: \$70 (2010) & impound bicycle.
Sidewalks, riding on	None	All bikes prohibited from sidewalks between St. Paul and South Winslow and between Main and Fed. 6-3(a)(2). Cyclists over 18 prohibited from sidewalks between Phildel and South Union and between Phildel and South Union. Operators of bicycles must come to a complete stop before crossing a street. 6-3(e)	City: EHSI: \$50-\$500 fine; waiver: \$70 (2010); Subsequent: \$50-\$500 fine; waiver: \$70 (2010) & impound bicycle.
Trees, locking to	None	Bikes may not be locked to trees. 6-16	City: Immediate impoundment and disposal pursuant to 6-17(c).
Two person riding	No person may use a bicycle to carry more persons at any one time than the number for which it is designed and equipped. 23 V.S.A. §1137	It shall be unlawful for more than one person to ride on a bicycle unless it is a tandem bicycle equipped with two sets of handlebars, two sprockets and two seats. §6-4	City: EHSI: \$50-\$500 fine; waiver: \$70 (2010); Subsequent: \$50-\$500 fine; waiver: \$70 (2010) & impound bicycle. State: \$41-\$70 fine; waiver: \$70 (2010)
Where to ride	Bikes should generally ride as near to the right as practicable. Exceptions: to make a left turn, if the right lane becomes a right-turn-only lane, to pass another user, to avoid a hazard. Must exercise due care when passing. 23 V.S.A. §1139(a)	None; follow state law.	State: \$41-\$70; waiver: \$70 (2010)

PREPARED BY WILL FLENDER FOR THE SAFE STREETS COLLABORATIVE. FOR MORE INFO VISIT WWW.SAFESTREETSVT.ORG.
The Safe Streets Collaborative is a works across Chittenden County whose goal is to build a culture of respect on our streets and sidewalks. Our philosophy is that everyone has a role to play in making our roadways safer for all. Primary funding generously provided by the Governor's Highway Safety Program, with additional support from the Chittenden County Metropolitan Planning Organization and Local Motion members.
FOR FULL TEXT OF ALL RELATED BURLINGTON ORDINANCES VISIT: WWW.MUNICODE.COM