

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

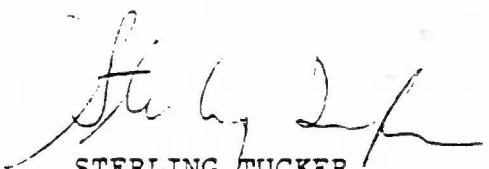
April 13, 1977

D.C LAW 1-110

"District of Columbia Motorized
Bicycle Act ".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act (PL 93-198), the Act, the Council of the District of Columbia adopted Bill No. 1-255 on first and second readings November 23, 1976, and December 7, 1976, respectively. Following the signature of the Mayor on January 5, 1977, this legislation was assigned Act No. 1-195, published in the January 21, 1977, edition of the D.C. Register, and transmitted to both Houses of Congress for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired and, therefore, cites the following legislation as D. C. Law 1-110, effective April 7, 1977.


STERLING TUCKER
Chairman of the Council

(Ref. 23, D.C. Reg., 4945, January 21, 1977)

D.C. LAW

1-110

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 7, 1977

To provide for the registration, licensing of operators, and inspection of motorized bicycles; to provide for rules for the operation and parking of bicycles, motorized bicycles, and motorcycles; and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Motorized Bicycle Act".

Sec. 2. Title 32 of the District of Columbia Rules and Regulations is hereby amended as follows:

(a) Section 1.301 (27) of Title 32 is amended to read as follows:

"(27) "Motorcycle" means any motor vehicle other than a motorized bicycle having either a tandem arrangement of two wheels or a tricyclic arrangement of three wheels and having a seat or saddle for the use of the operator.";

(b) Section 1.301 (28) of Title 32 is amended to read as follows:

"(28) "Motor-driven Cycle" means any motorcycle having a motor or engine which produces 5.0 brake horsepower (S.A.E. rating) or less.";

(c) Section 1.301 of Title 32 is amended by (A) renumbering subsections (29) through (58) as (30) through (59), respectively, and (B) inserting immediately after subsection (28) the following new subsection:

"(30) "Motorized Bicycle" means any motor vehicle having either a tandem arrangement of two wheels equipped with tires which are sixteen or more inches in diameter or a tricyclic arrangement of three wheels equipped with tires which are sixteen or more inches in diameter, having a seat or saddle for the use of the operator, weighing not more than 120 pounds, having an automatic transmission, and having a motor or engine which produces not more than 1.5 brake horsepower (S.A.E. rating), has a piston displacement of not more than 50 cubic centimeters, and is capable of moving the vehicle at a maximum speed of not more than 25 miles per hour on level ground when propelled exclusively by such motor or engine.";

(d) Section 2.205 (c) (1) of Title 32 is amended to read as follows:

"(l) No such person shall drive any motor vehicle other than a passenger vehicle, motorcycle, or motorized bicycle.";

(e) Section 2.205(d) of Title 32 is amended by striking out the second sentence therein and inserting in lieu thereof the following new sentence:

"This subsection shall not apply to the operation of motorcycles or motorized bicycles by persons holding a learner's permit.";

(f) Section 2.208 of Title 32 is amended by adding immediately after the second sentence of such section the following new sentence: "No demonstration shall be required for a motorized bicycle permit.";

(g) Section 2.612 of Title 32 is amended to read as follows:

Section 2.612 - Motorcycle Permits. A permit to operate motorcycles exclusively may be issued to any person who has successfully completed such examination as may be required by the Director pursuant to Section 2.208. Any person who has been issued a valid District of Columbia operator's permit may have such permit endorsed for the operation of motorcycles upon successfully completing such further examination as may be required by the Director

pursuant to Section 2.208 and subject to the provisions of Section 2.207.";

(h) Chapter II of Title 32 is amended by (A) renumbering Sections 2.613 and 2.614 as 2.614 and 2.615, respectively, and (b) inserting immediately after Section 2.612 the following new section:

"Section 2.613 - Motorized Bicycle Permits. A permit to operate motorized bicycles exclusively may be issued to any person who has successfully completed such examination as may be required by the Director pursuant to Section 2.208. Any person who has been issued any valid District of Columbia operator's permit may operate a motorized bicycle without having such permit endorsed for the operation of motorized bicycles and without completing any further examination under Section 2.208.";

(i) Section 3.302(b) of Title 32 is amended by striking out "Motor driven cycles,";

(j) Section 3.306(a) of Title 32 is amended by striking out "motor bicycle" and inserting in lieu thereof "motorized bicycle";

(k) Section 3.315(a) of Title 32 is amended by striking out "motor bicycles" and inserting in lieu thereof "motorized bicycles";

(1) Part II of Appendix A of Chapter III of Title 32 is amended by:

(1) redesignating "Classes" (E) through (G) therein as "Classes" (F) through (H), respectively;

(2) striking out "Except for Class G described below", as amended above, and inserting in lieu thereof "Except for Classes E and G described below"; and

(3) inserting immediately after the description of "Class D" the following new paragraph:

"Class E. Motorized Bicycles5.00*";

(m) Section 4.101 of Title 32 is amended by inserting immediately after the word "annually" therein the following new phrase: "except as otherwise provided in this Chapter";

(n) Section 4.202 of Title 32 is amended by:

(1) renumbering subsections (d) and (e) as (e) and (f), respectively, and (2) inserting immediately after subsection (c) the following new subsection:

"(d) All motorized bicycles registered in the District of Columbia, except motorized bicycles which are rented to, or offered for rent to the public, shall be inspected every three years by the Department for safe operating condition and for compliance with this Title. All motorized bicycles registered in the District of Columbia

and used for the purpose of engaging in the business of renting motorized bicycles shall be inspected annually by the Department for safe operating condition and for compliance with this Title,";

(c) Section 4.301 of Title 32 is amended to read as follows:

"Section 4.301 - PLACEMENT OF APPROVED, REJECTION, CONDEMNED, AND TEMPORARY INSPECTION STICKERS AND OF TEMPORARY REGISTRATION CARDS ON VEHICLES.

(a) Approved, rejection, condemned, and temporary inspection stickers and temporary registration cards for all motor vehicles other than motorcycles, motorized bicycles, and trailers shall be affixed to the windshield in the area of the right windshield wiper arm, except that on small compacts and foreign cars on which the windshield lays in a flat plane, such stickers and cards may be affixed to the lower right hand corner of the windshield.

(b) Approved, rejection, condemned, and temporary inspection stickers and temporary registration cards for motorcycles, motorized bicycles, and trailers shall be affixed to the identification tag. Mounting tabs shall be bolted to either corner of the identification tag.";

(c) Sections 6.202(a), 6.202(b), 6.202(c), 6.204(b), 6.205(a), 6.219(c) and 6.223(a) of Title 32 are

amended by striking out "motor-driven cycle" each place such words appear therein and inserting in lieu thereof "motorized bicycle":

(g) Sections 6.204(a), 6.219, 6.301(b), 6.301(k), 6.411(a), and 6.411(b) of Title 32 are amended by striking out "motor-driven cycles" each place such words appear therein and inserting in lieu thereof "motorized bicycles";

(r) Section 6.203(a) of Title 32 is amended by inserting immediately after the word "motorcycles" the following new words: ", Motorized bicycles,";

(s) Section 6.204(b) is amended by striking out "motorcycle or motor-driven cycle" and inserting in lieu thereof "motor-driven cycle whose speed attainable in 1.0 mile is 30 miles per hour or less or to any motorized bicycle";

(t) Section 6.217(a) of Title 32 is amended by adding immediately at the end thereof the following new sentence: "Stop lamps on motor-driven cycles and motorized bicycles may be actuated upon application of the left handle bar brake.";

(u) Section 6.221 of Title 32 is amended by inserting immediately after the words "motor-driven cycle" each place such words appear therein the following new words: "or motorized bicycle";

(v) Section 6.301(c) (5) of Title 32 is amended to read as follows:

"5. The wheel of a sidecar attached to a motorcycle, or the front wheel of a motor-driven cycle or motorized bicycle need not be equipped with brakes, provided that such motorcycle, motor-driven cycle, or motorized bicycle is capable of complying with the performance requirements of paragraph (k).";

(w) Section 6.301(m) of Title 32 is amended by adding immediately after the words "motor-driven cycle" the following new words: "or motorized bicycle";

(x) Section 6.407(a) of Title 32 is amended by striking out "motor bicycles and motor-driven cycles" and inserting in lieu thereof "and motorized bicycles".

(y) Section 11.101(b) of Title 32 is amended to read as follows:

"(b) "Bicycle" - A device which is propelled solely by human power, which is designed to be ridden by one or more persons, which has a saddle or seat for each person that the device is designed and equipped to carry, which has a tandem arrangement of two wheels, and which either has at least one wheel twenty or more inches in diameter or is designed to be ridden on a roadway. This definition shall not include any device equipped with a motor or engine

capable of propelling such device either exclusively or in combination with human power, whether or not such motor or engine is in actual operation.

(z) Title 32 is hereby amended by adding at the end thereof the following new Chapter:

"Chapter XII

SPECIAL REGULATIONS GOVERNING THE
OPERATION OF MOTORIZED BICYCLES

PART A - DEFINITIONS

Section 12.101 - DEFINITIONS. The words and phrases used in this chapter shall have the meanings ascribed to them in Sections 1.301 and 11.301 of this Title unless the context clearly indicates a different meaning.

PART B - OPERATION OF MOTORIZED BICYCLES

Section 12.201 - GENERAL.

(a) No motorized bicycle shall be operated upon any public space in the District of Columbia by any person who is less than sixteen years old.

(b) All provisions of Section 11.203 of this Title concerning the operation and riding of bicycles shall be equally applicable to the operation and riding of motorized bicycles except as provided otherwise in this chapter.

(c) Except as otherwise permitted for a motor vehicle, no person shall operate a motorized bicycle on any sidewalk

or any off-street bikepath or bicycle route within the District of Columbia. This prohibition shall apply even though such a vehicle is being operated solely by human power.

(d) A motorized bicycle may be operated on any part of a roadway designated for the use of bicycles.

(e) All provisions of Section 11.503 of this Title shall be equally applicable to the parking or securing of motorized bicycles.

Sec. 3. Section 1 of the Act of February 18, 1938 (52 Stat. 79), as amended (D.C. Code, sec. 40-201), is amended by striking out "§2." and inserting in lieu thereof "§3, if an inspection is required for the ensuing registration year for such vehicle."

Sec. 4. Section 7(a)(1) of the District of Columbia Traffic Act, 1925 (43 Stat. 1121), as amended (D.C. Code, sec. 40-301(a)(1)), is amended by:

(a) adding immediately after the second sentence therein the following new sentence: "No practical demonstration shall be required for a motorized bicycle permit."; and

(b) striking out "motor bicycle" and inserting in lieu thereof "motorized bicycle".

Sec. 5. Section 3 of the District of Columbia Revenue Act of 1937 (50 stat. 681), as amended (D.C. Code, sec. 40-103), is amended by:

(a) striking out the words "Class E", "Class F", and "Class G" in subsection (b) and inserting in lieu thereof the following new words, respectively: "Class F", "Class G", and "Class E";

(b) amending the paragraph describing "Class D" in subsection (b) to read as follows:

"Class D. For each motorcycle, \$12.00.";

(c) adding immediately after the paragraph describing "Class D" in subsection (b) the following new paragraph:

"Class E. For each motorized bicycle, \$6.00."; and

(d) striking out "G" in subsection (e) and inserting in lieu thereof "H".

Sec. 6. Part I of the Highways and Traffic Regulations of the District of Columbia is hereby amended as follows:

(a) Section 2 of Article I of the Highways and Traffic Regulations is amended by:

(1) striking out the definition of "Bicycle." therein and inserting in lieu thereof the following:

"Bicycle. - Every device which is propelled solely by human power, which is designed to be

ridden by one or more persons, which has a saddle or seat for each person that the device is designed and equipped to carry, which has a tandem arrangement of two wheels, and which either has at least one wheel twenty or more inches in diameter or is designed to be ridden on a roadway. This definition shall not include any device equipped with a motor or engine capable of propelling such device either exclusively or in combination with human power, whether or not such motor or engine is in actual operation.

(2) striking out the definition of "Motorbicycle." and inserting in lieu thereof the following:

"Motorcycle. - Every motor vehicle other than a motorized bicycle having a tandem arrangement of two wheels or a tricyclic arrangement of three wheels and having a seat or saddle for the use of the operator.";

(3) striking out the definition of "Motorcycle." and inserting in lieu thereof the following:

"Motor-driven Cycle. - Every motorcycle having a motor or engine which produces 5.0 brake horsepower (S.A.E. rating) or less."; and

(4) striking out the definition of "Motor-driven cycle." and inserting in lieu thereof the following:

"Motorized Bicycle. - Every motor vehicle having either a tandem arrangement of two wheels equipped with tires which are sixteen or more inches in diameter or a tricyclic arrangement of three wheels equipped with tires which are sixteen or more inches in diameter, having a seat or saddle for the use of the operator, weighing not more than 120 pounds, having an automatic transmission, and having a motor or engine which produces not more than 1.5 brake horsepower (S.A.E. rating), has a piston displacement of not more than 50 cubic centimeters, and is capable of moving the vehicle at a maximum speed of not more than 25 miles per hour on level ground when propelled exclusively by such motor or engine.";

(b) Section 40(b) of Article VIII of the Highways and Traffic Regulations is amended to read as follows:

"(b) Any motor vehicle in use on a highway shall be equipped with such signal lamp or lamps or mechanical signal devices as may be required by Chapter VI of Title 32 of the District of Columbia Rules and Regulations. If any motor vehicle is required to be equipped with a

signal lamp or lamps or mechanical signal devices, the required signal shall be given by means of such lamps or devices.";

(c) Section 79(b)(10) of Article XII of the Highways and Traffic Regulations is amended by inserting immediately after the word "bicycles" the following new words: "and motorized bicycles";

(d) Section 108 of Article XIV of the Highways and Traffic Regulations is amended by striking out "70" and inserting in lieu thereof the following: "11.203 of Title 32 of the District of Columbia Rules and Regulations";

(e) Section 116.1(c) of Article XIV of the Highways and Traffic Regulations is amended by inserting immediately after the word "bicycles," the following new words: "motorized bicycles,"; and

(f) Section 151.2 of the Highways and Traffic Regulations is amended by striking out "motor-driven cycles" each place such words appear therein and inserting in lieu thereof "motorized bicycles".

Sec. 7. This act shall take effect as provided for acts of the Council of the District of Columbia in section 602(c) of the District of Columbia Self-Government and Government Reorganization Act."

Considered in Council November 23, 1976

First Vote November 23, 1976

RECORD OF COUNCIL VOTE														
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
TUCKER	X				DIXON	X				SPAULDING	X			
MOORE, D.	X				HARDY	X				WILSON	X			
BARRY				X	HOBSON	X				WINTER	X			
CLARKE	X				MOORE, J.	X								
COATES				X	SHACKLETON	X								

X—Indicates Vote A. B.—Absent N. V.—Not Voting

Robert A. Williams
(Secretary of the Council)

Final Vote in Council December 7, 1976

RECORD OF COUNCIL VOTE														
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
TUCKER	X				DIXON	X				SPAULDING	X			
MOORE, D.	X				HARDY	X				WILSON	X			
BARRY	X				HOBSON	X				WINTER	X			
CLARKE	X				MOORE, J.	X								
COATES				X	SHACKLETON	X								

X—Indicates Vote A. B.—Absent N. V.—Not Voting

Robert A. Williams
(Secretary of the Council)

Presented to the Mayor DEC 20 1976

Robert A. Williams
(Secretary of the Council)

Mayor's Action: Approved: 5 JAN 1977
Disapproved: _____

Robert A. Williams
(Secretary of the Council)

Robert A. Williams 5 JAN 1977
(Mayor's Signature)

Enacted without Mayor's Signature _____

(Secretary of the Council)