

## **ARTICLE XIII BICYCLE REGULATIONS**

### **Section 13-1 Authority**

The Traffic Commission, pursuant to the provisions of the General Laws, c. 85 § 11B and c. 90E § 1, hereby adopts this section regulating the operation of bicycles and other non-motorized transportation (not including pedestrians).

### **Section 13-2 Definitions**

The following definitions of common terms apply to this Article.

**Non-Motorized Transportation Conveyances** – All non-motorized modes of transportation, which are human powered conveyances according to c. 90 § 18A of the general laws. Such modes shall include bicycles, scooters, and all other wheeled conveyances meeting the definition of a human powered conveyance.

**Traffic Controls** – For the purposes of this article, traffic controls shall include all electrically displayed signals, signs, and pavement markings lawfully installed under the authority of this article.

**Bike Path** – A route for the exclusive use of bicycles separated by grade or other physical barrier from motor traffic.

**Bike Lane** – A lane on a street restricted to bicycles and so designated by appropriate traffic controls.

**Bike Route** – A roadway shared by both bicycles and other forms of transportation designated by the means of traffic controls.

**Bikeway** – Bike lanes, bike paths, and bike routes.

**Bicycle Parking Facility** – Any facility for the temporary storage of bicycles which allows the frame and both wheels of the bicycle to be locked so as to minimize the risk of theft and vandalism. Specifically, bicycle-parking facilities include designated bicycle racks and rings.

### **Section 13-3 Traffic Controls For Bikeways**

Traffic controls shall meet all of the requirements of Part 9 of the Manual on Uniform Traffic Controls (MUTCD), *Traffic Controls For Bicycle Facilities*, unless otherwise proscribed herein.

### **Section 13-4 Authority to Operate on City Streets and Ways**

Non-motorized transportation conveyances may be operated in accordance with applicable state law on all streets and ways under the control of the Traffic Commission. Bicycles may be operated in general traffic or on sidewalks except as hereinafter proscribed. All other human powered conveyances must be operated on sidewalks except as hereinafter

proscribed. Pedestrians shall have the right-of-way over bicycles on all sidewalks and in all crosswalks. The operator of a bicycle shall yield to pedestrians in all traffic situations.

**Section 13-5 Operation Prohibited on Certain Sidewalks**

Non-motorized transportation conveyances are prohibited from operating on sidewalks and in parks in certain districts as hereinafter defined. Persons operating non-motorized transportation conveyances must dismount said conveyances and walk within these districts.

- (a) Davis Square – On Holland Street, from Irving Street to College Avenue; On Elm Street, from College Avenue to Windom Street; on Highland Avenue, from Cutter Avenue to College Avenue; and on College Avenue from Highland Avenue to Morrison Avenue; and on all intersecting ways within those limits a distance of fifty feet from the above named streets.
- (b) Union Square – On Washington Street, from Columbus Avenue to Hawkins Street; on Somerville Avenue, from Milk Place to Church Street; on Prospect Street, from Webster Avenue to Washington Street; on Webster Avenue from Washington Street to Prospect Street; on Bow Street from Washington Street to Somerville Avenue; and on all intersecting ways within those limits a distance of fifty feet from the above named streets.
- (c) Porter Square – On Elm Street, from Banks Street to Cherry Street.
- (d) Broadway – from Central Street to Marshal Street; from Cross Street to Mount Vernon Street.
- (e) Ball Square – On Broadway, from Lowden Avenue to Boston Avenue; and on all intersecting ways within those limits a distance of fifty feet from the above named streets.
- (f) Teele Square – On Broadway, from Farragut Avenue to Packard Avenue; on Holland Street, from Broadway to Moore Street; and on all intersecting ways within those limits a distance of fifty feet from the above named streets.
- (g) Magoun Square – On Broadway, from Hinckley Street to Medford Street; on Medford Street, from Trull Street to Broadway; and on all intersecting ways within those limits a distance of fifty feet from the above named streets.

**Section 13-6 Exclusive Operation in Designated Lanes and Paths**

Non-motorized modes of transportation conveyances shall have exclusive use and right-of-way in designated bicycle lanes on ways controlled by the Traffic Commission. Non-motorized transportation conveyances shall have the right-of-way on designated bicycle paths under the control of the Traffic Commission. Motor vehicles are prohibited from operating in bicycle lanes and on bicycle paths. Pedestrians are prohibited from walking in bicycle lanes (except as necessary to cross said lanes in a properly marked crosswalk), but are permitted to use bicycle paths. (General Laws c. 90E).

**Section 13-7 Lane Use in Designated Bicycle Lanes**

Notwithstanding the provisions of Section 13-6, bicyclists shall yield the right-of-way to motorists making a right turn maneuver in a bicycle lane. Except when overtaking a slower bicyclist or to make a left turn maneuver, or to avoid a hazard, bicyclists shall stay within marked bicycle lanes. When making a left turn maneuver, bicyclists shall move to the center of the roadway and execute their maneuver in accordance with the rules of the road. Bicycles shall be operated consistent with the provisions of c. 85 of the General Laws.

**Section 13-8 Bicycle Parking**

Bicycles may only be parked on a public way as hereinafter provided. Bicycles may be secured to existing public appurtenances, such as light poles, street signs, and parking meters. Where available, bicycles should be secured at bicycle parking facilities. Bicycles may not be secured to public shade trees or to other street furniture, such as benches or trash receptacles. Bicycles not secured properly are subject to impoundment at the discretion of the Chief of Police. Bicycles properly secured which have not been moved in fifteen days may also be impounded. Bicycles secured in violation of this provision shall be subject to a penalty of fifteen dollars and/or impoundment.

**Section 13-9 Enforcement; Citations and Penalties**

Moving violations and parking violations arising under this Article shall be enforced by officers of the Police Department. Parking Control Officers shall also enforce violations of the parking provisions of this Article. For any bicycle found upon any street or highway in violation of any provisions of these rules and regulations, if the identity of the operator cannot be determined, the owner shall be held prima facie responsible for such violations. Violations of traffic laws are subject to a penalty of twenty dollars or impoundment of the conveyance if the operator is under the age of eighteen. An offender who refuses to state his or her name and address, or who states a false name and address, is subject to a penalty of fifty dollars. The provisions of the General Laws, c. 85 § 11C, shall govern penalties for moving violations.

### **Section 7-6 Overtaking other vehicles**

A driver of a vehicle shall not overtake and pass any other vehicle proceeding in the same direction at any intersection of streets, except that this provision shall not apply at intersections where traffic is controlled by official traffic control signals or by police officers.

### **Section 7-7 Following Too Closely**

The driver of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicle and the traffic upon and condition of the street or highway.

### **Section 7-8 Clinging to Moving Vehicles**

It shall be unlawful for any person traveling upon a bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle to cling to, or attach himself or his vehicle to any moving vehicle or streetcar upon any roadway.

### **Section 7-9 Care in starting, stopping, turning, or backing**

The driver of any vehicle before starting, stopping, turning from a direct line or backing shall first see that such movement can be made with safety. If such movement cannot be made in safety or if it interferes unduly with the normal movement of other traffic, said driver shall wait for a more favorable opportunity to make such movement.

If the operation of another vehicle should be affected by a stopping or turning movement, the driver of such other vehicle shall be given a plainly visible signal as required by state law.

### **Section 7-10 Prohibited Turning Movements**

Drivers shall not make turns on the streets listed in Schedule M, hereto appended to which reference is made and which Schedule M is specifically incorporated in this section.

### **Section 7-11 Mandatory Turning Movements**

Drivers shall proceed only by making a turn at the locations listed in Schedule N, hereto appended to which reference is made and which Schedule N is specifically incorporated in this section.

### **Section 7-12 U-Turns Prohibited**

No operator shall back or turn a vehicle so as to proceed in the direction opposite to that in which said vehicle is headed or traveling on the streets listed in Schedule L, hereto appended to which reference is made and which Schedule L is specifically incorporated in this section.

### **Section 7-13 Backing around corners or into intersections prohibited**

No driver of any vehicle shall back such vehicle around a corner at an intersection, or into an intersection of streets.

### **Section 7-14 Dangerous Vehicles**

No person shall operate any vehicle in such condition or so constructed or so loaded as to be likely to cause delay in traffic, or accident or injury to persons or property.

**Section 7-15 Persons propelling pushcarts or riding bicycles or animals to obey traffic regulations**

Every person propelling any pushcart or riding a bicycle or an animal on a public street shall be subject to the provisions of these regulations applicable to the driver of any vehicle.

**Section 7-16 Emerging from a private driveway**

The operator of a vehicle emerging from an alley, driveway or a garage shall stop such vehicle immediately prior to driving on to a sidewalk or on to the sidewalk area extending across any alleyway or driveway before proceeding.

**Section 7-17 Unlawful Riding**

It shall be unlawful for any reason to ride on any portion of a vehicle not designated or intended for the use of passengers when the vehicle is in motion. This provision shall not apply to any employee engaged in the necessary discharge of a duty or within truck bodies in space intended for merchandise.

It shall be unlawful for any person to stand in the roadway for the purpose of soliciting a ride from the operator of any motor vehicle.

**Section 7-18 Obedience to traffic control signals**

Colors and arrow indications in traffic control signals shall have the commands ascribed to them in this section, and no other meanings, and every driver of a vehicle, railway car or other conveyance shall comply therewith except when otherwise directed by an officer or by a lawful traffic regulating sign other than a "stop" sign, signal, or device or except as provided in (the section dealing with funerals in Section 7).

In no case shall a driver enter or proceed through an intersection without due regard for the safety of other persons within the intersection, regardless of what indications may be given by traffic control signals.

- (a) Green indications shall have the following meanings:
  - 1. Drivers facing a CIRCULAR GREEN signal may proceed through or turn right or left unless a sign at such place prohibits either such turn. But drivers turning right or left shall yield the right of way other vehicles, and to pedestrians lawfully within the intersection or an adjacent crosswalk, at the time such signal was exhibited.
  - 2. Drivers facing a GREEN ARROW, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movements as is permitted by other indications shown at the same time. Such drivers shall yield the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.
  
- (b) Steady yellow indications shall have the following meanings:
  - 1. Drivers facing a steady CIRCULAR YELLOW or YELLOW ARROW signal are thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when drivers shall not enter the intersection.

**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE XIV** PUBLIC WAYS AND WORKS**CHAPTER 85** REGULATIONS AND BY-LAWS RELATIVE TO WAYS AND BRIDGES**Section 11B1/2** Mandatory helmet use for persons 16 years of age or younger

Section 11B1/2. Any person 16 years of age or younger operating in line skates, a skate board, a scooter or other manually-propelled wheeled vehicle or riding as a passenger on any such manually-propelled vehicle on a public way, bicycle path or on any other public right-of-way shall wear a helmet. Such helmet shall fit the person's head and be secured by straps at all times while operating in line skates, scooters, skate board or other manually-propelled wheeled vehicle and shall meet the standards for helmets established by the American National Standards Institute (ANSI Z 90.4) or subsequent standards or the Snell Memorial Foundation's 1984 standard for use in bicycling or subsequent standards. A violation of this section shall not be used as evidence of contributory negligence in a civil action.

A city or town shall not adopt any by-laws or ordinances to change the standards required by this section.

**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE XIV** PUBLIC WAYS AND WORKS**CHAPTER 85** REGULATIONS AND BY-LAWS RELATIVE TO WAYS AND BRIDGES**Section 11D** Bicycle helmets; display of sign requiring use

Section 11D. Every person engaged in the retail business of selling or renting bicycles, in line skates, scooters, skate boards or other manually-propelled wheeled vehicles shall display in an area conspicuous to customers of the business a sign containing the following statement: Massachusetts law requires that a bicycle helmet be worn by a person 16 years of age or under who is riding as an operator or passenger on a bicycle, in line skates, a scooter, or a skate board.

By posting such a sign, such retail business shall be deemed to be in full compliance with this act, and no liability shall be incurred in the event that said helmet is not worn. A person, firm or corporation engaged in the business of renting bicycles shall make available a bicycle helmet conforming to the specifications for bicycle helmets of the United States Consumer Product Safety Commission to each person renting a bicycle.

**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE XIV** PUBLIC WAYS AND WORKS**CHAPTER 85** REGULATIONS AND BY-LAWS RELATIVE TO WAYS AND BRIDGES**Section 11E** Traffic law violations by bicyclist

Section 11E. A police officer who observes a traffic law violation committed by a bicyclist may request the offender to state his true name and address. Whoever, upon such request, refuses to state his name and address or whoever states a false name and address or a name and address which is not his name and address in ordinary use, shall be punished by a fine of not less than \$20 nor more than \$50. An offender who refuses to state his true name and address may be arrested without a warrant for such refusal but no person shall be arrested without a warrant for any other traffic law violation committed while operating a bicycle. A police officer shall use the ticketing procedure described in chapter 90C to cite a bicyclist for a traffic law violation but the violation shall not affect the status of the bicyclist's license to operate a motor vehicle nor shall it affect the bicyclist's status in the safe driver insurance plan. When a citation is issued to a bicyclist, it shall be clearly indicated on the ticket that the violator is a bicyclist, and failure to do so shall be a defense to the violation.

The parent or guardian of a person under 18 years of age shall not authorize or knowingly permit that person to violate this section. A violation of this section by a person under 18 years of age shall not affect any civil right or liability nor shall the violation be a criminal offense. If the offender is under 16 years of age, the officer may give the notice to the parent or guardian of the offender.

All fines collected by a city or town pursuant to this section shall be used by the city or town for the development and implementation of bicycle safety programs.



**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE XIV** PUBLIC WAYS AND WORKS**CHAPTER 85** REGULATIONS AND BY-LAWS RELATIVE TO WAYS AND BRIDGES**Section 11B** Bicycles; operation and equipment; regulations; federal product safety standards, effect; races; violations; penalties

Section 11B. Every person operating a bicycle upon a way, as defined in section one of chapter ninety, shall have the right to use all public ways in the commonwealth except limited access or express state highways where signs specifically prohibiting bicycles have been posted, and shall be subject to the traffic laws and regulations of the commonwealth and the special regulations contained in this section, except that: (1) the bicycle operator may keep to the right when passing a motor vehicle which is moving in the travel lane of the way, (2) the bicycle operator shall signal by either hand his intention to stop or turn; provided, however, that signals need not be made continuously and shall not be made when the use of both hands is necessary for the safe operation of the bicycle, and (3) bicycles may be ridden on sidewalks outside business districts when necessary in the interest of safety, unless otherwise directed by local ordinance. A person operating a bicycle on the sidewalk shall yield the right of way to pedestrians and give an audible signal before overtaking and passing any pedestrian.

Operators of bicycles shall be subject to the following regulations:

(1) Bicyclists riding together shall not ride more than 2 abreast but, on a roadway with more than 1 lane in the direction of travel, bicyclists shall ride within a single lane. Nothing in this clause shall relieve a bicyclist of the duty to facilitate overtaking as required by section 2 of chapter 89.

(2)(i) The operator shall ride only upon or astride a permanent and regular seat attached to the bicycle; a passenger shall ride only upon or astride a permanent and regular seat attached to the bicycle or to a trailer towed by the bicycle.

(ii) The operator shall not transport another person between the ages of one to four years, or weighing forty pounds or less, on a bicycle, except in a "baby seat", so-called, attached to the bicycle, in which such other person shall be able to sit upright; provided, however, that such seat is equipped with a harness to hold such other person securely in the seat and that protection is provided against the feet or hands of such person hitting the spokes of the wheel of the bicycle; or upon or astride a seat of a tandem bicycle equipped so that the other person can comfortably reach the handlebars and pedals. The operator shall not transport any person under the age of one year on said bicycle.

(iii) Any person 16 years of age or younger operating a bicycle or being carried as a passenger

on a bicycle on a public way, bicycle path or on any other public right-of-way shall wear a helmet. Said helmet shall fit the person's head, shall be secured to the person's head by straps while the bicycle is being operated, and shall meet the standards for helmets established by the United States Consumer Product Safety Commission. These requirements shall not apply to a passenger if the passenger is in an enclosed trailer or other device which adequately holds the passenger in place and protects the passenger's head from impact in an accident.

(iv) A violation of clause (ii) or (iii) shall not be used as evidence of contributory negligence in any civil action.

(3) The operator shall give an audible warning whenever necessary to insure safe operation of the bicycle; provided, however, the use of a siren or whistle is prohibited.

(4) The operator shall park his bicycle upon a way or a sidewalk in such a manner as not to obstruct vehicular or pedestrian traffic.

(5) The operator shall not permit the bicycle to be drawn by any other moving vehicle. The operator shall not tow any other vehicle or person, except that bicycle trailers properly attached to the bicycle which allow for firm control and braking may be used.

(6) The operator shall not carry any package, bundle or article except in or on a basket, rack, trailer or other device designed for such purposes. The operator shall keep at least one hand upon the handlebars at all times.

(7) Every bicycle operated upon a way shall be equipped with a braking system to enable the operator to bring the bicycle traveling at a speed of fifteen miles per hour to a smooth, safe stop within thirty feet on a dry, clean, hard, level surface.

(8) During the period from one-half hour after sunset to one-half hour before sunrise, the operator shall display to the front of his bicycle a lamp emitting a white light visible from a distance of at least five hundred feet, and to the rear of said bicycle either a lamp emitting a red light, or a red reflector visible for not less than six hundred feet when directly in front of lawful lower beams of headlamps on a motor vehicle. A generator powered lamp which emits light only when the bicycle is moving shall meet the requirements of this clause.

(9) During the period from one-half hour after sunset to one-half hour before sunrise, the operator shall display on each pedal of his bicycle a reflector, or around each of his ankles reflective material visible from the front and rear for a distance of six hundred feet, and reflectors or reflective material, either on said bicycle or on the person of the operator, visible on each side for a distance of six hundred feet, when directly in front of lawful lower beams of headlamps of a motor vehicle. This clause shall not prohibit a bicycle or its operator to be equipped with lights or reflectors in addition to those required by clauses (8) and (9).

(10) No bicycle shall be operated upon a way with handlebars so raised that the operator's hands are above his shoulders while gripping them. Any alteration to extend the fork of a bicycle from the original design and construction of the bicycle manufacturer is prohibited.

(11) The operator of a bicycle shall report any accident involving either personal injury or property damage in excess of one hundred dollars, or both, to the police department in the city or town in which the accident occurred.

Any federal product safety standards relating to bicycles which are more stringent than the requirements of clauses (7) through (10), inclusive, shall supersede said requirements.

Competitive bicycle races may be held on public ways, provided that such races are sponsored by or in cooperation with recognized bicycle organizations and, provided further, that the sponsoring organization shall have obtained the approval of the appropriate police department or departments. Special regulations regarding the movement of bicycles during such races, or in training for races, including, but not limited to, permission to ride abreast, may be established by agreement between the police department and the sponsoring organization

Violations of any provision of this section except violations of subclause (iii) of clause (2) shall be punished by a fine of not more than twenty dollars. The parent or guardian of any person under age eighteen shall not authorize or knowingly permit any such person to violate any of the provisions of this section. A bicycle operated by a person under the age of eighteen in violation of this section may be impounded by the police department, or in a town which has no police department, by the selectmen, for a period not to exceed fifteen days. A violation of any provision of this section by a minor under the age of eighteen shall not affect any civil right or liability nor shall such violation be considered a criminal offense.