

(NEW DRAFT)

SENATE No. 1418

The Commonwealth of Massachusetts

SENATE, May 23, 1972.

The committee on Bills in the Third Reading, to whom was referred the bill clarifying the laws regulating the operation of bicycles (Senate No. 1295), reports recommending that the same be amended by substituting therefor a new draft entitled "An Act further regulating the operation of bicycles on certain ways of the commonwealth." (Senate No. 1418), and that, when so amended, the same will be correctly drawn.

For the committee,

JAMES P. RURAK.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Two.

AN ACT FURTHER REGULATING THE OPERATION OF BICYCLES ON CERTAIN WAYS OF THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 85 of the General Laws, is hereby amended by
2 striking out section 11B, as most recently amended by chapter
3 484 of the acts of 1971, and inserting in place thereof the fol-
4 lowing section: —

5 *Section 11B.* (1) Every person operating a bicycle upon
6 any way, the definition of which is, for the purpose of this
7 section, as defined in section one of chapter ninety, shall have
8 all the rights and shall be subject to all the duties imposed
9 by law upon an operator of a motor vehicle, excepting those
10 provisions of laws and ordinances which by their nature could
11 not apply to operators of bicycles.

12 (2) Any person operating a bicycle upon a way shall
13 obey the traffic control signals, signs, and other control de-
14 vices applicable to motor vehicles, unless otherwise directed
15 by a police officer.

16 (3) Any person operating a bicycle upon a way shall obey
17 any authorized signs indicating that no right, left, or "U"
18 turn is permitted, except that such person may dismount from
19 his bicycle to make such a turn, in which case such person
20 shall then obey the regulations applicable to pedestrians.

21 (4) No person shall operate a bicycle on any way at a speed
22 greater than is reasonable and proper under the conditions
23 then existing, and in no case shall the speed of a bicycle exceed
24 the speed limit posted for motor vehicles.

25 (5) Every person operating a bicycle on any way shall
26 drive as near to the right-hand side of the roadway as prac-
27 ticable, exercising due care when passing a standing vehicle
28 or overtaking a moving vehicle proceeding in the same direc-
29 tion.

30 (6) Persons operating bicycles on any way shall ride single
31 file except on paths or parts of roadways set aside for the ex-

32 clusive use of bicycles.

33 (7) Whenever a usable path for bicycles has been provided
34 adjacent to any way, operators of bicycles shall use such path
35 and shall not use the way.

36 (8) Any operator of a bicycle emerging from an alley,
37 driveway, or building onto a way shall, upon approaching
38 the sidewalk or sidewalk area extending across or in front of
39 such alley, driveway or building, yield the right of way to all
40 pedestrians approaching on said sidewalk or sidewalk area,
41 and, upon entering the way, shall yield the right of way to
42 all vehicles approaching on the said way before entering.

43 (9) No person shall park his bicycle upon a way other
44 than against the curb or upon a sidewalk in a rack against a
45 building or at the curb, nor shall he park a bicycle in such
46 a manner as to obstruct the free movement of pedestrians or
47 motor vehicles.

48 (10) Whenever any person is operating a bicycle on a
49 sidewalk of a way, such person shall yield the right of way
50 to any pedestrian and shall give an audible signal before over-
51 taking and passing such pedestrian.

52 (11) Any city or town may prohibit bicycle traffic from
53 any sidewalk of a way and may erect signs stating the same.

54 (12) Any person operating a bicycle upon a way shall
55 not ride other than upon or astride a permanent and regular
56 seat attached thereto. Any person so operating a bicycle shall
57 not carry another person on said bicycle unless such person or
58 passenger is seated upon an individual seat or carrier separate
59 from that used by the operator. Any person riding upon a bi-
60 cycle upon a way as a passenger shall be seated in an individual
61 seat or carrier separate from that being used by the operator.

62 (13) Any person operating a bicycle upon any way shall not
63 permit the bicycle he is operating to be drawn by any other
64 moving vehicle. Any person operating a bicycle shall not tow
65 any other vehicle or person, except that bicycle trailers prop-
66 erly attached to the bicycle may be used.

67 (14) Any person operating a bicycle upon any way shall
68 not carry any package, bundle or article except in a basket,
69 trailer or other device designed for carrying purposes. Any
70 person operating a bicycle upon any way shall not carry
71 any article which prevents him from keeping both hands on

72 the handlebars at all times except for signalling.

73 (15) Any bicycle operated upon a way during the period one
74 half an hour after sunset and one half an hour before sunrise
75 shall display on the front a white light which shall be visible for
76 not less than three hundred feet in the direction toward which
77 the bicycle is proceeding or facing, and on the rear a red light
78 or reflector visible for not less than three hundred feet to the
79 rear when in the beams of the headlamps of a motor vehicle.

80 (16) Any bicycle operated upon a way during the period from
81 one half an hour after sunset to one half an hour before sunrise
82 shall display a reflector or reflective material on the pedals
83 visible from the front and rear, on the upper portion of both
84 sides of the front fork, and on the lower portion of the rear
85 fender, except when there is no rear fender the bicycle shall
86 display a reflector or reflective material visible from the rear.

87 (17) Every bicycle operated upon a way shall be equipped
88 with an adequate brake to enable the operator to stop the bi-
89 cycle quickly and evenly.

90 (18) Every bicycle operated upon a way shall be equip-
91 ped with a suitable bell or horn or other device capable of
92 giving a signal audible for at least one hundred feet, except
93 that use of a siren or whistle is prohibited.

94 (19) Every operator of a bicycle upon a way shall so ad-
95 just the operator's seat on said bicycle so that the operator,
96 when seated, shall be able to touch the ground with both feet.
97 Any alteration of the fork of a bicycle from the original de-
98 sign and construction of the manufacturer is prohibited.

99 (20) Any bicycle operated by a person under the age of
100 eighteen in violation of this section may, with the consent of
101 the parent or guardian of such minor, be impounded for a
102 period not to exceed fifteen days by the police department or,
103 in a town which has no organized police department, the
104 selectmen.

105 (21) This section shall apply only to a bicycle at least one
106 wheel of which exceeds sixteen inches in diameter.

107 (22) Violation of any provision of this section by any
108 person over eighteen years of age, shall be punished by a fine
109 of five dollars. Minors under eighteen years of age shall be
110 liable civilly only for any damages arising from such viola-
111 tion.