

**CITY OF BALTIMORE
COUNCIL BILL 08-0063R
(Resolution)**

Introduced by: Councilmembers Middleton, Young, Henry, Clarke, Curran, Kraft, Holton,
D’Adamo, Conaway, Branch, Cole, Welch, Reisinger, Spector
Introduced and read first time: September 15, 2008
Assigned to: Public Safety and Health Committee

Committee Report: Favorable
Adopted: October 27, 2008

A COUNCIL RESOLUTION CONCERNING

Public Information Campaign – “Dirt Bikes” - Unregistered Motorcycles and Similar Vehicles

FOR the purpose of requesting the Baltimore Police Commissioner and the Director of Transportation to develop a public information campaign to inform Baltimore City residents which two-wheeled motorized vehicles are permitted on City streets and the penalties for violating Baltimore City Code pertaining to the operation, sale, transfer, or storage of prohibited vehicles.

Recitals

The Baltimore Police Department reports facing many issues surrounding the illegal riding of dirt bikes on the streets and sidewalks of Baltimore City. Citizen safety is threatened by operators of these vehicles who fail to follow any rules of the road, drive at excessive speed, and zoom dangerously in and out of traffic. The illegal operation of these vehicles poses a very serious public and personal safety risk to all citizens, including the riders.

According to the Baltimore City Towing Section, 232 dirt bikes, 65 all-terrain vehicles, and 88 scooters were seized and towed to the impound lot from January 1, 2008 - May 30, 2008 – a situation that may have been exacerbated by the recent spike in gas prices and an increased emphasis on lessening the harmful effects of vehicle emissions. In August, the media reported that scooters sales were up 66% nationwide. One particularly popular scooter brand had sales increase by 174%.

Baltimore City’s law regarding “dirt bikes” and similar vehicles differs from surrounding jurisdictions. It is so unique that the Maryland Motor Vehicle Administration provides a special statement in the literature on motor scooters: “Operators of motor scooters should check their local jurisdictions for any laws that may affect the operation of a motor scooter. For example, motor scooters are specifically prohibited in Baltimore City under Article 19, Subtitle 40, which allows the police to seize a motor scooter, and it is not recoverable.”

Unfortunately, the Motor Vehicle Administration statement to clarify laws regarding the use “dirt bikes” and similar vehicles instead confuses the issue. Provisions of Subtitle 40 of the Baltimore City Code prohibiting the use of “dirt bikes” specifically exclude a moped or a motor scooter as defined in the State Transportation Article. Added to this contradiction, the array of kick, three wheel, electric, and gas scooters, pocket bikes, mopeds, go karts, pedal cars, battery

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter stricken by amendment.

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1 operated ride-ons, mini-bikes, and motorcycles available may confuse members of the general
2 public seeking to purchase legal modes of alternative transportation.

3 Baltimore City Council recently amended laws governing these vehicles to require that
4 anyone who possesses such a vehicle keep it locked or immobilized in such a way as to prevent
5 the vehicle from being freely moved, by using a device that cannot be removed or deactivated
6 without the assistance of the vehicle's owner. Many citizens who own vehicles intended for
7 recreational use in jurisdictions where they are allowed are in danger of losing those vehicles if
8 not made aware of this change in existing law.

9 To allow City residents the ability to save money, facilitate the use of permissible alternative
10 forms of transportation and prevent the loss of expensive personal property, it is imperative that
11 City residents have a full knowledge of Baltimore City's laws governing the use of, or
12 prohibition against, dirt bikes, scooters, and unregistered motorcycles. When good citizens are
13 given the proper information to be able to comply with the law, both citizens and government
14 profit.

15 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the
16 Baltimore Police Commissioner and the Director of Transportation are requested to develop a
17 public information campaign to inform Baltimore City residents about which two-wheeled
18 motorized vehicles are permitted on City streets and the penalties for violating Baltimore City
19 Code pertaining to the operation, sale, transfer, or storage of prohibited vehicles.

20 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the
21 Baltimore Police Commissioner, the Director of Transportation, and the Mayor's Legislative
22 Liaison to the City Council.