

**CITY OF BALTIMORE  
COUNCIL BILL 07-0742  
(First Reader)**

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Introduced by: Councilmembers Conaway, Middleton, Clarke, Young

Introduced and read first time: July 16, 2007

Assigned to: Land Use and Transportation Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Transportation,  
Environmental Control Board, Police Department, Department of Finance

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A BILL ENTITLED

AN ORDINANCE concerning

**Motorcycles and Similar Vehicles – Helmets and Goggles Required**

FOR the purpose of expanding the types of vehicles for which helmets and goggles are required and for which certain speed capability applies; prohibiting a parent or guardian from knowingly permitting a minor to violate these requirements; defining certain terms; authorizing enforcement by citation; increasing penalties for violations; correcting, clarifying, and conforming certain language; and generally relating to the operation of motorcycles and similar vehicles.

By repealing and reordaining, with amendments

Article 1 - Mayor, City Council, and Municipal Agencies

Section(s) 40-14(e)(5) and 41-14(4)

Baltimore City Code

(Edition 2000)

By repealing and reordaining, with amendments

Article 31 - Transit and Traffic

Section(s) 16-25 to 16-30, to be under the new designation,

“Part 4. Motorcycles and Similar Vehicles”

Baltimore City Code

(Edition 2000)

**SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the Laws of Baltimore City read as follows:

**Baltimore City Code**

**Article 1. Mayor, City Council, and Municipal Agencies**

**Subtitle 40. Environmental Control Board**

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

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**§ 40-14. Violations to which subtitle applies.**

*(e) Provisions and penalties enumerated.*

**(5) Article 31. Transit and Traffic**

|   |       |
|---|-------|
| § 16-12. Vehicles on sidewalks                                | \$ 50 |
| § 16-26. HELMETS AND GOGGLES REQUIRED – GENERAL               | \$200 |
| § 16-27. HELMETS AND GOGGLES REQUIRED – PARENTS AND GUARDIANS | \$200 |
| § 16-28. VEHICLE TO ACHIEVE TOP LEGAL SPEED                   | \$100 |

**Subtitle 41. Civil Citations**

**§ 41-14. Offenses to which subtitle applies – Listing.**

**(4) Article 31. Transit and Traffic**

**Subtitle 10. Residential Permit Parking Program**

|   |       |
|---|-------|
| § 10-40. Falsifying or concealing information | \$500 |
| § 10-41. Fraudulent obtaining, etc., permit   | \$500 |
| § 10-42. Counterfeiting or altering permits   | \$500 |
| § 10-43. Using invalid permits                | \$500 |
| § 10-44. Misusing visitor's permit            | \$500 |
| § 10-45. Landlord abuse                       | \$500 |
| § 10-46. Aiding another in violation          | \$500 |

**Subtitle 16. Use-of-the-Road Regulations**

|   |       |
|---|-------|
| § 16-12. Vehicles on sidewalks                                | \$ 50 |
| § 16-26. HELMETS AND GOGGLES REQUIRED – GENERAL               | \$200 |
| § 16-27. HELMETS AND GOGGLES REQUIRED – PARENTS AND GUARDIANS | \$200 |
| § 16-28. VEHICLE TO ACHIEVE TOP LEGAL SPEED                   | \$100 |

**Subtitle 18. Bicycles**

|  |       |
|--|-------|
| § 18-8. Riding <i>{bicycles}</i> on sidewalk | \$ 50 |
|--|-------|

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**Article 31. Transit and Traffic**

**Subtitle 16. Use-of-the-Road Regulations**

***Part 4. Motorcycles AND SIMILAR VEHICLES***

**§ 16-25. “MOTORCYCLE OR SIMILAR VEHICLE” DEFINED.**

**(A) *IN GENERAL.***

IN THIS PART 4, “MOTORCYCLE OR SIMILAR VEHICLE” MEANS ANY MOTOR VEHICLE THAT IS DESIGNED TO TRAVEL WITH 2 OR 3 WHEELS IN CONTACT WITH THE GROUND.

**(B) *INCLUSIONS.***

“MOTORCYCLE OR SIMILAR VEHICLE” INCLUDES:

(1) A “DIRT BIKE” OR OTHER ALL-TERRAIN VEHICLE OF THE 3- OR 4-WHEEL VARIETY;

(2) A MINIBIKE, AS DEFINED IN CITY CODE ARTICLE 19, § 40-1;

(3) A MOPED, AS DEFINED IN STATE TRANSPORTATION ARTICLE § 11-134.1; AND

(4) A MOTOR SCOOTER, AS DEFINED IN STATE TRANSPORTATION ARTICLE § 11-134.4

**§ 16-26. Helmets AND GOGGLES required – GENERAL.**

[Every] No person [who is driving, or riding on as a passenger,] MAY DRIVE OR RIDE a [moving motor-driven 2- or 3-wheel vehicle known generally as a] motorcycle or [motor bike] SIMILAR VEHICLE UNLESS THE PERSON:

(1) [shall at such time be] IS wearing a firm and durable protective helmet or headgear[.];  
AND

**[§ 16-27. Safety goggles required.]**

(2) [Every person who is driving, or riding on as a passenger, a moving motor-driven 2- or 3-wheel vehicle known generally as a motorcycle or motor bike shall at all times be] IS wearing safety goggles or a face shield approved by the [Director of Public Works] DEPARTMENT OF TRANSPORTATION.

**§ 16-27. HELMETS AND GOGGLES REQUIRED – PARENTS AND GUARDIANS.**

NO PARENT OR GUARDIAN OF A MINOR MAY KNOWINGLY PERMIT THE MINOR TO VIOLATE ANY PROVISION OF § 16-26 OF THIS SUBTITLE.

**§ 16-28. [Must be able] VEHICLE to achieve top legal speed.**

No person [shall] MAY operate a [motor-driven 2- or 3-wheel vehicle known generally as a] motorcycle or [motor bike] SIMILAR VEHICLE on [the streets] A STREET or [highways]

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HIGHWAY of Baltimore City unless [its] THE VEHICLE’S speed capability is at least equal to the posted speed limit [on said] FOR THAT STREET OR highway.

**§ 16-29. ENFORCEMENT BY CITATION.**

*(A) IN GENERAL.*

IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT PROCEDURE, THIS PART 4 MAY BE ENFORCED BY ISSUANCE OF:

(1) AN ENVIRONMENTAL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 40 {“ENVIRONMENTAL CONTROL BOARD”}; OR

(2) A CIVIL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 41 {“CIVIL CITATIONS”}.

*(B) PROCESS NOT EXCLUSIVE.*

THE ISSUANCE OF A CITATION TO ENFORCE THIS SUBTITLE DOES NOT PRECLUDE PURSUING ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION AUTHORIZED BY LAW.

**§ 16-30. [§ 16-29.] Penalties.**

A [violation of] PERSON WHO VIOLATES any provision of this Part 4 is GUILTY OF a misdemeanor[, punishable upon] AND, ON conviction, IS SUBJECT [by] TO a fine of not [less than \$10 or] more than [\$100] \$500 for each [such violation] OFFENSE.

**SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

**SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day after the date it is enacted.