



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Text

File #: 07-0742, **Version:** 0

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

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmember Conaway

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

§ 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 {bicycles} on sidewalk \$ 50

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] 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 30th day after the date it is enacted.

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