

Policy 3-232: Operating Regulations for Bicycles, Skateboards, Rollerskates and Scooters (Non-motorized Riding Devices)

I. Purpose

- A. The purpose of this policy is to govern the operation and use of non-motorized riding devices, including bicycles, skateboards, rollerskates and scooters on the campus of, or on other premises owned, operated or controlled by, the University of Utah.
- B. The University's wishes to encourage and facilitate the use of non-motorized forms of transportation by members of the University community while also ensuring a safe environment for pedestrians, reducing risks of personal injury for pedestrians or device riders, and avoiding damage to University facilities caused by inappropriate use of devices on University premises. This policy is intended to balance these interests.
- C. This Policy governs the use of non-motorized riding devices by all members of the University community, which includes current University students and faculty, University employees, and other persons who are formally affiliated with the University. The use of such devices on University premises by other persons who are not formally affiliated with the University and who enter University premises as visitors (including patients and other visitors at University healthcare facilities) is not within the scope of this Policy, and is governed by a separate regulation (Utah Administrative Rule 805-1).

II. Definitions

These definitions apply for the limited purposes of this Policy and any Rules or other University Regulations associated with this Policy.

- A. "Bicycle" means a device propelled by human power upon which a person may ride having two tandem wheels either of which is more than 12 inches in diameter. It also includes any device generally recognized as a bicycle, although equipped with more than one front or rear wheel.
- B. "Skateboard" means a non-motorized device consisting of two or more wheels affixed to a platform or footboard upon which a rider stands and which does not have steering capability similar to that of a bicycle or brakes which operate on or upon the wheels of the skateboard. It also includes every device generally recognized as a skateboard.
- C. "Scooter" means a non-motorized device consisting of two or more wheels affixed to a platform or footboard upon which a rider stands and which has a handle or other mechanism for holding or guiding the device. It also includes every device generally recognized as a scooter. It does not include mopeds, whether operated with or without motor power. For the purpose of this policy mopeds and motorcycles are considered motor vehicles and are not within the scope of this Policy.
- D. "Rollerskates" means a device consisting of a shoe with a set of wheels attached for skating or a metal frame with wheels attached that can be fitted to the sole of a shoe worn by a person. It includes in-line skates, rollerblades and every device generally recognized as rollerskates.
- E. "University premises" means the University campus and any other real property or structure located on real property owned, operated or controlled by the University of Utah.
- F. "Non-motorized riding device" means any non-motorized device designed or used for riding by one or more persons including any bicycle, skateboard, scooters, or rollerskates, as defined above. "Non-motorized riding device" does not include a wheelchair or similar device when being used for transportation by

any person with disabilities or a baby stroller or similar device when being used for transporting any child.

III. Policy

A. Permissible and Impermissible Uses of Non-Motorized Riding Devices.

1. In areas where designated bicycle paths are provided, bicycles may only be ridden in such designated bicycle paths. Where bicycle paths are not available for reaching a particular location, bicycles may be ridden upon roadways and pedestrian sidewalks to reach such areas. However, the University may identify and by appropriate signage designate some locations in which bicycle riding is prohibited either permanently or during certain time periods (e.g., restricting bicycle riding on certain highly congested pedestrian walkways during designated periods). Bicycle riders shall comply with all official traffic control devices and signs including posted signs prohibiting riding in a particular designated location. Bicyclists may dismount and walk their bicycles across any pedestrian accessible area in which bicycling riding is prohibited.

2. Skateboards, scooters and rollerskates (or other non-motorized riding devices other than bicycles) may only be ridden upon designated bicycle paths and pedestrian pathways. Riding such devices on roadways or in parking lots is strictly prohibited at all times—because the University has determined that such uses would present unacceptable risks of injury to riders and other users, and unacceptable impeding of motor vehicle traffic in such areas . Also, the University may identify and by appropriate signage designate certain areas in which riding of any particular type of non-motorized device is prohibited (e.g., it may designate certain pedestrian pathways as off-limits for skateboard riding because risks of personal injury are heightened due to steep grades or congestion). Persons riding such non-motorized riding devices shall comply with all official traffic control devices and signs including posted signs prohibiting riding in a particular designated location. Device

- users may dismount and carry their devices across any pedestrian accessible area in which riding of such devices is prohibited.
3. Non-motorized riding devices, of any type, shall not be ridden upon any stairway, wall, bench, fountain, or other structure or facility or on or over landscaping, shrubbery, grass or flower beds. Such devices shall not be ridden within any building or parking structure.
 4. Every person riding a non-motorized riding device in any pedestrian accessible area shall yield the right of way to pedestrians at all times.
 5. Every person riding a non-motorized riding device shall ride their device in a controlled manner and shall exercise due care and reasonable caution to prevent injury to others, to self, or to property.
 6. No person riding a non-motorized riding device shall exceed a reasonable and proper speed under the circumstances then and there existing (including the limited braking or steering capabilities of the device). In no instance shall any person operate a non-motorized riding device at a speed greater than 10 miles per hour upon any bicycle path, sidewalk or other pedestrian pathway.
 7. Non-motorized riding devices shall not be ridden two or more abreast on any bicycle path or other pedestrian pathway, except as part of a university approved competition or function.
 8. No non-motorized riding device shall be used to carry more persons at one time than the number for which it is designed and equipped, except that an adult bicycle rider may carry a child securely attached to his/her person in a backpack or sling or in a child carrier securely attached to the bicycle.
 9. No person riding a non-motorized riding device shall attach the same in any manner to any moving motor vehicle, except that this shall not prohibit the attaching to a bicycle of a bicycle trailer or semitrailer specifically designed for such attachment.

10. Every bicycle ridden on University premises shall be equipped with such brakes, reflectors and other safety devices as is required by Utah state law for operating a bicycle on streets or highways.
11. No non-motorized riding devices of any shall be left unattended or parked on or at ramps, entrances or other facilities designated for persons with physical disabilities or in such a manner as to impede the free and clear use of such facilities.
12. No non-motorized riding devices shall be left unattended or parked in the public areas of any building, including but not limited to hallways, stairwells, and classrooms. Such devices shall not be left unattended or parked at or near any building entrance or exit in such manner as to impede the free and clear use of such areas.
13. No non-motorized devices shall be parked at or attached to any fire hydrant, standpipe, building service equipment or other safety device.

B. Sanctions for impermissible Uses

1. Any member of the University community who violates sections III(A)(1) through III(A)(10), above may be subject to the following sanctions:
 - a. For a first offense, the University will record the individual's name and provide a written warning against further non-motorized riding device use in violation of this Policy. If, at the time of violation, an individual does not produce satisfactory identification, his/her non-motorized riding device will be impounded. The non-motorized riding device will be released when the individual presents appropriate proof of the individual's identification to the University's Department of Public Safety. There is no impoundment fee (or any fine) for the first offense. (However, note that per section III-E below, any violation which results in serious injury to another person or major damage to property could result in criminal prosecution or civil liability

under applicable Utah state law. In such serious cases, a Public Safety officer may take the device into custody as evidence).

- b. For a second offense which takes place within twenty-four months of an individual's first offense or warning, the non-motorized riding device will be impounded for not less than forty-eight hours and the individual shall be required to pay a fine of not less than \$100 dollars plus the applicable impoundment fee.
 - c. For offenses after an individual's second offense, which are within twenty-four months of the individual's immediately preceding offense, the non-motorized riding device will be impounded for not less than thirty calendar days and the offender shall be subject to an escalating schedule of fines for each offense beyond the second offense, plus the applicable impoundment fee.
 - d. Member of the University community who commit two or more offenses under this section, and/or who fail to pay fines levied under this section, may also be subject to discipline under the appropriate other University Policies (including for student violators the Code of Student Rights and Responsibilities—Policy 6-400).
 - e. In appropriate cases, including but not limited to chronic or flagrant violations of this Policy, members of the University community may be prohibited from riding or using non-motorized devices on University premises, permanently or for a designated period.
2. Any member of the University community who violates sections III(A)(1) through III(A)(14), above may be subject to the following sanctions.
 - a. Receipt of a violation notice which will be processed and settled through the office of Commuter Services. Violation notice fees shall be paid within seven working days of receipt of the notice. After the seven day period,

additional fees or penalties will be invoked. It is the responsibility of the recipient of a violation notice to promptly settle it.

- b. Non-motorized devices parked or placed in prohibited areas will be impounded, or otherwise secured by the Department of Public Safety. Non-motorized devices parked or placed in areas where they may constitute a hazard to others will be removed and impounded.
3. The sanctions set forth under section III(B)(2) will not be applied in an instance in which an individual receives sanctions under section III(B)(1) for the same offense.
4. Unsettled fines, impoundment fees and violation notice fees may be withheld from the paychecks of a University employee. Registration holds may be placed against delinquent student violators; student registration for courses may be canceled in any instance when a student circumvents the system and registers without clearing delinquent violation notices; transcripts of credits may be withheld for students leaving the University with delinquent violation notices. Chronic or flagrant student violators may be referred to the Student Behavior Committee for appropriate disciplinary action.

C. Impoundment

Impounded non-motorized riding devices will be held by the University's Department of Public Safety or office of Commuter Services and released only during regular business hours to individuals with satisfactory identification. Payment of an impoundment fee (not to exceed \$25) will also be required for release, except as provided in (III)(B)(1)(a) above.

Devices impounded under this section will be held for a maximum of sixty days following the applicable impoundment period. Devices not retrieved during this period are presumed to have been abandoned and will be subject to disposal by University Surplus and Salvage. The device owner who has abandoned his/her

device shall not be entitled to repurchase the device at University Surplus and Salvage

The University and its officers, agents, and employees shall not be liable for loss or damage of any kind resulting from impounding, storage, or sale of any item under this section.

Impoundment or sale of any non-motorized riding device under this section shall neither substitute for, nor release any person from, liability for damage to persons or property caused by use of a non-motorized device on University premises (under applicable Utah law per Part III-E); nor does it remove the obligation for any fines or fees associated with the violation or other outstanding citations. Any proceeds resulting from the sale of a non-motorized riding device will be credited toward the outstanding fee associated with the impoundment of that device.

D. Appeals

1. Impoundments and fines or fees assessed pursuant to Section III(B)(1) above may be appealed to the Office of the Vice President for Administrative Services. The decision of the Vice President for Administrative Services, or his designee, shall be final.
2. Violation notices provided pursuant to Section III(B)(2) above may be appealed to University's office of Commuter Services under the same rules, including time limitations, as parking violation notices. See Policy 5-206 Vehicle Parking Policy. An adverse ruling of an Appeals Officer may be appealed to the Parking Appeals Committee under the same rules, including time limitations, as parking violation notices. The decision of the Parking Appeals Committee shall be final.

E. Other Applicable Regulations and Laws

1. The University may adopt and enforce additional regulations specifically concerning the riding of non-motorized devices in designated University student housing areas.
2. All Utah state laws pertaining to non-motorized riding devices are in full force and effect on University premises. In particular, improper usage of such devices resulting in injury to other persons or property damage may subject the user to criminal prosecution or civil liability under applicable state law, in addition to any sanctions provided for under this Policy.

IV. Rules, Procedures, Guidelines, Forms and other Related Resources

- A. Rules [reserved]
- B. Procedures [reserved]
- C. Guidelines [reserved]
- D. Forms [reserved]
- E. Other related resource materials [reserved]

V. References

- A. Federal, State and Local Laws

Utah Administrative Rule R805-1, Operating Regulations for Bicycles, Skateboards and Scooters

- B. Relevant University Regulations

Policy 3-233: Operation of Motorized Vehicles on Pedestrian Walks

VI. Contacts

Policy Officer (primary contact person for questions and advice): Chief of Police

Policy Owner: Vice President Administrative Services

These officials are designated by the University President or delegee, with assistance of the Institutional Policy Committee, to have the following roles and authority, as provided in University Rule 1-001:

"A "Policy Officer" will be assigned by the President for each University Policy, and will typically be someone at the executive level of the University (i.e., the President and his/her Cabinet Officers). The assigned Policy Officer is authorized to allow exceptions to the Policy in appropriate cases.... "

"The Policy Officer will identify an "Owner" for each Policy. The Policy Owner is an expert on the Policy topic who may respond to questions about, and provide interpretation of the Policy; and will typically be someone reporting to an executive level position (as defined above), but may be any other person to whom the President or a Vice President has delegated such authority for a specified area of University operations. The Owner has primary responsibility for maintaining the relevant portions of the Regulations Library... .[and] bears the responsibility for determining which reference materials are helpful in understanding the meaning and requirements of particular Policies... ." University Rule 1-001-III-B & E

VII. History

Renumbering: Renumbered as Policy 3-232 effective 9/15/2008, formerly known as PPM 5-14.

Revision History

A. Current Version: Revision 2

Approved by Academics Senate Executive Committee June 17, 2013 acting on behalf of the Academic Senate

Approved by Board of Trustees August 13, 2013

Effective Date: August 13, 2013

B. Earlier Versions

1. Revision 1

Effective Date: July 10, 1995 to August 13, 2013