

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 2009-50

No. 380 **AN ORDINANCE** IN AMENDMENT OF THE PROVIDENCE CODE OF ORDINANCES, CHAPTER 15 "MOTOR VEHICLES AND TRAFFIC", ARTICLE XI, "MOTORIZED VEHICLES", SECTION 131, "MOTORIZED DEVICES"

Approved **AUGUST 6, 2009**

Be it ordained by the City of Providence:

The Code of Ordinances of the City of Providence, Chapter 15, "Motor Vehicles and Traffic," Article XI, "Motorized Vehicles," is hereby amended as follows:

SECTION 1.

Sec. 15-131. Motorized devices.

It shall be unlawful for any person to operate a motorized device on any public sidewalk or street, or on any property owned and/or operated by the Providence Parks Department or the City of Providence. For the purposes of this section, a "motorized device" means a device which may be propelled by human power or helper power or by both, with a motor rated not more than one and one-half (1.5) brake horsepower or two (2) (S.A.E.) horsepower, which is capable of a maximum speed of not more than thirty (30) miles per hour, except vehicles moved exclusively by human power, electric personal assistive mobility devices, including Segways, motorized wheelchairs and motorized scooters designed for individuals with disabilities, or any other vehicle utilized by a disabled person as his or her only practicable means of transportation.

For the purposes of this section, a "motorized device" shall not include any such device being operated by members of the Providence Police Department, or any employee of the Parks Department, or their designees, or any employee of the City of Providence operating the vehicle in an official capacity, or any authorized agent of the city.

For the purpose of this section, the terms "disabled" and "disabilities" refer to an impairment which prevents or impedes walking, which shall include but not be limited to:

- (1) An impairment which prevents walking and requires use of a wheelchair;
- (2) An impairment which involuntarily causes difficulty or insecurity in walking or climbing stairs with or without the need to use braces, crutches, canes or artificial support;
- (3) An impairment caused by amputation, arthritis, or an orthopedic condition;
- (4) An impairment in respiratory, circulatory, or neurological health which limits the person's walking capability; or
- (5) An impairment caused by the taking of medication that prohibits a person from holding a driver's license.

When a minor operates a motorized device, the minor's legal guardian is liable and legally responsible for all injuries and damages caused by the minor's operation of the motorized device, and for the minor's violation of this section.

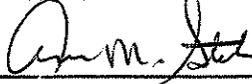
Any motorized device being operated in violation of this section shall be confiscated by the Providence Police Department, and removed by towing or other means. Such devices shall be recovered only upon payment of applicable fines or completion of community service, if any.

Any person convicted of willfully violating this section shall be guilty of an infraction punishable by a fine not to exceed one hundred dollars (\$100.00) and/or a requirement to perform community service for a total time not to exceed twenty (20) hours over a period not to exceed thirty (30) days, during times other than his or her hours of school attendance and employment. Each violation of this section mentioned section shall be a separate infraction.

A second violation of this section shall be punishable by a fine not to exceed two hundred fifty dollars (\$250.00) and/or a requirement to perform community service for a total time not to exceed twenty (20) hours over a period not to exceed thirty (30) days, during times other than his or her hours of school attendance and employment. Any third-time violator shall forfeit the motorized device, in addition to payment of a fine not to exceed three hundred dollars (\$300.00) and community service as provided for a second-time offender.

SECTION 2. This act shall become effective upon passage.

IN CITY COUNCIL
JUL 27 2009
FIRST READING
READ AND PASSED


CLERK

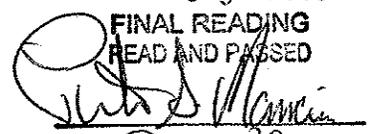
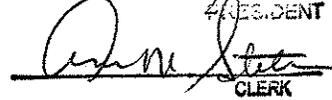
APPROVED


MAYOR 8/6/09

**IN CITY
COUNCIL**

JUL 30 2009

FINAL READING
READ AND PASSED


PRESIDENT

CLERK