

CHAPTER 2015-19

**No. 344 AN ORDINANCE IN AMENDMENT OF CHAPTER 15 OF THE
ORDINANCES OF THE CITY OF PROVIDENCE, ENTITLED: "MOTOR
VEHICLES AND TRAFFIC"**

Approved June 29, 2015

Be it ordained by the City of Providence:

SECTION 1. Chapter 15-132 of the Code of Ordinances of the City of Providence shall be added as follows:

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 (1½) 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.

Sec. 15-132. Low Speed Vehicles

(a) For the purposes of this chapter, a low speed vehicle means a self-propelled, electrically or gas powered motor vehicle which: is designed to carry four (4) or fewer persons; is designed to be, and is, operated at speeds of twenty-five (25) miles per hour or less; and conforms to the maximum safety equipment requirements as adopted in the Federal Motor Vehicle Safety Standard No. 500, Low Speed vehicles (49 C.F.R. 571.500).

(b) Notwithstanding the provisions of Sec. 15-131, the following organizations are authorized to operate low speed vehicles upon public streets and incidentally upon sidewalks if those vehicles meet the requirements of this section: The Omni Group; Providence Downtown Improvement District; Rhode Island Convention Center Authority; Providence Neighborhood Planting Program; the Dunkin' Donuts Center, or any other organization approved by the chief of police.

(c) Each person operating a low speed vehicle on a public sidewalk or street shall possess a valid driver's license issued pursuant to § 31-10-1.

(d) Every operator of a low speed vehicle shall maintain financial responsibility on such low speed vehicle if the low speed vehicle is to be operated upon public streets.

(e) The operator of a low speed vehicle shall observe all traffic laws and local ordinances regarding the rules of the road. A low speed vehicle shall not be operated on a street or a highway with a posted speed limit greater than twenty-five (25) miles per hour. The provisions of this subsection shall not prohibit a low speed vehicle from crossing a street or highway with a posted speed limit greater than thirty-five (35) miles per hour.

(f) No person shall operate a low speed vehicle: (1) in any careless way as to endanger the person or property of another; or (2) while under the influence of alcohol or any controlled substance. Low speed vehicles shall be manufactured and comply with the standards of the National Traffic Safety Administration Standards for low speed vehicles as set out in 49 C.F.R. 571.500, as amended.

SECTION 2. This ordinance, as amended, shall take effect upon passage.

IN CITY COUNCIL

JUN 04 2015
FIRST READING
READ AND PASSED

Low L. Hayes CLERK

IN CITY
COUNCIL

JUN 18 2015
FINAL READING
READ AND PASSED

[Signature]
PRESIDENT
Low L. Hayes
CLERK

I HEREBY APPROVE.

[Signature]
Mayor

Date: 6/29/15