

Chapter 806.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Seventy-three

AN ACT RELATIVE TO THE OPERATION AND EQUIPMENT OF BICYCLES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 21 of chapter 40 of the General Laws is hereby amended by inserting after clause (16A), inserted by chapter 83 of the acts of 1971, the following clause:-

(16B) For designating areas upon public streets to be used as bicycle lanes.

SECTION 2. Chapter 85 of the General Laws is hereby amended by striking out section 11B, as most recently amended by chapter 484 of the acts of 1971, and inserting in place thereof the following section:-

Section 11B. Every person operating a bicycle upon a way, as defined in section one of chapter ninety, shall have the right to use all public ways in the commonwealth except limited access or express state highways where signs specifically prohibiting bicycles have been posted, and shall be subject to the traffic laws and regulations of the commonwealth and the special regulations contained in this section, except that: (1) the bicycle operator may keep to the right when passing a motor vehicle which is moving in the travel lane of the way, (2) the bicycle operator shall signal by either hand his intention to stop or turn, and (3) bicycles may be ridden on sidewalks outside business districts when necessary in the interest of safety, unless otherwise directed by local ordinance. A person operating a bicycle on the sidewalk shall yield the right of way to pedestrians and give an audible signal before overtaking and passing any pedestrian.

Operators of bicycles shall be subject to the following regulations:

- (1) The operator shall ride single file on any way except when passing.
- (2) The operator shall not ride other than upon or astride a permanent and regular seat attached to the bicycle. The operator shall not carry another person on said bicycle, except on a baby seat attached to the bicycle, provided that such seat is equipped with a harness to hold the person securely in the

to the police department in the city or town in which the accident occurred.

Any federal product safety standards relating to bicycles which are more stringent than the requirements of clauses (7) through (10), inclusive, shall supersede said requirements.

Competitive bicycle races may be held on public ways, provided that such races are sponsored by or in cooperation with recognized bicycle organizations and, provided further, that the sponsoring organization shall have obtained the approval of the appropriate police department or departments. Special regulations regarding the movement of bicycles during such races, or in training for races, including, but not limited to, permission to ride abreast, may be established by agreement between the police department and the sponsoring organization.

Violations of any provision of this section shall be punished by a fine of not more than twenty dollars. The parent or guardian of any person under age eighteen shall not authorize or knowingly permit any such person to violate any of the provisions of this section. A bicycle operated by a person under the age of eighteen in violation of this section may be impounded by the police department; or in a town which has no police department, by the selectmen, for a period not to exceed fifteen days. A violation of any provision of this section by a minor under the age of eighteen shall not affect any civil right or liability nor shall such violation be considered a criminal offense.

SECTION 3. Section 14 of chapter 90 of the General Laws is hereby amended by striking out the second sentence, as amended by section 1 of chapter 518 of the acts of 1961, and inserting in place thereof the following sentence:- In approaching or passing a person on a bicycle the operator of a motor vehicle shall slow down and pass at a safe distance and at a reasonable and proper speed.

SECTION 4. The definition of "Personal injury protection" in section 34A of said chapter 90 is hereby amended by adding the following paragraph:-

The term "pedestrian" shall include persons operating bicycles, tricycles and similar vehicles and persons upon horseback or in vehicles drawn by horses or other draft animals.

SECTION 5. The second sentence of section 1 of chapter 90A of the General Laws, as appearing in section 1 of chapter 674 of the acts of 1963, is hereby amended by striking out, in lines 14 and 15, the words "and one of whom shall be a representative of an automobile club" and inserting in place thereof the words:- , one of whom shall be a representative of an automobile club, and one of whom shall be a representative of a recognized bicycle club.

seat and that protection is provided against the feet of said person hitting the spokes of the wheel of the bicycle.

(3) The operator shall give an audible warning whenever necessary to insure safe operation of the bicycle; provided, however, the use of a siren or whistle is prohibited.

(4) The operator shall park his bicycle upon a way or a sidewalk in such a manner as not to obstruct vehicular or pedestrian traffic.

(5) The operator shall not permit the bicycle to be drawn by any other moving vehicle. The operator shall not tow any other vehicle or person, except that bicycle trailers properly attached to the bicycle which allow for firm control and braking may be used.

(6) The operator shall not carry any package, bundle or article except in or on a basket, rack, trailer or other device designed for such purposes. The operator shall keep at least one hand upon the handlebars at all times.

(7) Every bicycle operated upon a way shall be equipped with a braking system to enable the operator to bring the bicycle traveling at a speed of fifteen miles per hour to a smooth, safe stop within thirty feet on a dry, clean, hard, level surface.

(8) During the period from one half hour after sunset and one half hour before sunrise the operator shall display toward the front a white light which shall be visible for not less than one hundred feet in the direction in which the bicycle is proceeding or facing or a front-facing colorless reflector, and toward the rear a red light or red reflex reflector visible for not less than one hundred feet to the rear when in the lower beams of the headlamps of a motor vehicle.

(9) During the period from one half hour after sunset and one half hour before sunrise the operator shall display a reflex reflector or reflective material on the pedals visible from the front and rear from a distance of two hundred feet when in the lower beams of the headlamps of a motor vehicle and additional reflective material visible from each side of the bicycle, either on said bicycle or on the person of the operator, for a distance of two hundred feet.

(10) No bicycle shall be operated upon a way with handlebars so raised that the operator's hands are above his shoulders while gripping them. Any alteration to extend the fork of a bicycle from the original design and construction of the bicycle manufacturer is prohibited.

(11) The operator of a bicycle shall report any accident involving either personal injury or property damage in excess of one hundred dollars, or both,

SECTION 6. No bicycle shall be offered for sale or rent unless it meets the requirements of clause (7) of section eleven B of chapter eighty-five of the General Laws, inserted by section two of this act, and no new bicycles shall be offered for sale or rent after January first, nineteen hundred and seventy-four, unless it meets the requirements of clauses (8) and (9) of said section eleven B of said chapter eighty-five, with the exception of the front white light requirement.

House of Representatives, September 10, 1973.

Passed to be enacted, *Paul M. Bartley*, Speaker.

In Senate, September 10, 1973.

Passed to be enacted, *Kevin B. White*, President.

September 21, 1973.

Approved,

Frank Pappas
Governor.