

# SPECIAL ORDER



DISTRICT OF COLUMBIA

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|--|
| Title  |
| <b>Traffic Enforcement Involving Non-Traditional Motor Vehicles</b>                                      |
| Number   |
| <b>SO-13-07</b>  |
| Effective Date   |
| <b>August 29, 2013</b>   |
| Rescinds:  |
| SO-12-23 (Traffic Enforcement Involving Non-Traditional Motor Vehicles), Effective Date November 1, 2012 |
| Related to:  |
| GO 303.01 (Traffic Enforcement) Effective Date April 30, 1992  |

|      |  |        |
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## I. BACKGROUND

The purpose of this Special Order is to advise members of the different types of non-traditional motor vehicles currently in use within the District of Columbia and of the enforcement actions required by the provisions of the D.C. Official Code and District of Columbia Municipal Regulations (DCMR). This order reflects amendments to the D.C. Official Code as a result of the Motorized Bicycle Amendment Act of 2012 (See Attachment A).

Additionally, this order serves to remind members of the pedestrian traffic regulations related to use of personal mobility devices such as Segways™. For information regarding Police Segways™, members shall refer to GO-OPS-301.11 (Operation and Use of the Police Segway™).

## II. DEFINITIONS

When used in this directive, the following terms shall have the meaning designated:

1. All Terrain Vehicle (ATV) – Any motor vehicle with not less than three (3) low pressure tires, but not more than six (6) low pressure tires, designed primarily for off-road use and which has a seat or saddle designed to be straddled by the operator.

NOTE: “Low Pressure Tire” – Air pressure for ATV tires varies between manufactures but is usually between 2.7 and 10 pounds per square inch.

2. Dirt Bike – Any motorcycle designed primarily for off-road use.
3. Low Speed Vehicle – Any four (4) wheeled motor vehicle whose top speed is greater than twenty (20) miles per hour (mph), but not greater than twenty-five (25) mph.
4. Motor-Driven Cycle – Any motor vehicle that has:
  - a. A seat or saddle for the use of the operator;
  - b. Two (2) or three (3) wheels in contact with the ground;
  - c. A gas, electric, or hybrid motor with a maximum piston or rotor displacement of fifty cubic centimeters (50 cc), or its equivalent, which will propel the device unassisted at a maximum speed no greater than thirty miles per hour (30 mph); and
  - d. A direct or automatic power drive system which requires no clutch or gear shift operation by the operator after the drive system is engaged with the power unit.

NOTE: A motor-driven cycle shall be classified as a motorcycle when operated at speeds in excess of thirty miles per hour (30 mph) and the operator shall be required to have on his or her possession a valid motorcycle endorsement.

5. Motorcycle – Any motor vehicle that has a seat or saddle for the use of the operator and has two (2) or three (3) wheels in contact with the ground. The term “motorcycle” does not include a tractor, a motor-driven cycle or motorized bicycle unless operated at speeds in excess of thirty miles per hour (30 mph), or a three (3)-wheeled motor vehicle with a cab and windshield.
6. Motorized Bicycle – Any two (2) or three (3) wheeled vehicle that has all of the following characteristics:
  - a. A post mounted seat or saddle for each person that the device is designed and equipped to carry
  - b. A vehicle with two (2) or three (3) wheels in contact with the ground, which are at least sixteen inches (16 in.) in diameter;
  - c. Fully operative pedals for human propulsion; and
  - d. A motor incapable of propelling the device at a speed of more than twenty miles per hour (20 mph) on level ground.

7. Personal Mobility Device (PMD) – Any motorized propulsion device designed to transport one (1) person; or a self balancing, two (2) non-tandem wheeled device, designed to transport only one (1) person with an electric propulsion system.

NOTE: Segways™ are considered PMDs.

8. Restricted Lanes – Traffic lanes where use is restricted according to class of vehicle occupancy or type of vehicle, for example: buses; carpools; taxicabs; motorcycles; bicycles; motorized bicycles; high occupancy vehicles (HOV); and vehicles transporting handicapped persons. (Title 18 DCMR § 9901)

### III. REGULATIONS

- A. Members shall enforce traffic regulations regarding non-traditional motor vehicles in accordance with the related D.C. Official Code, DCMR regulations, and GO-OPS-301.01 (Traffic Enforcement).

NOTE: Attachment B (Synopsis of Non-Traditional Motor Vehicles, Other Vehicles and DC Law) summarizes, for each of the vehicles listed in Part II above, the related D.C. Official Code provisions and Title 18 DCMR sections regarding the inspection, licensing, insurance, registration, helmet, sidewalk, bike lane, and parking requirements applicable to the different types of non-traditional motor vehicles.

- B. Members shall treat motorized bicycles as motor-driven cycles when operated by motor at speeds in excess of twenty miles per hour (20 mph), and the operators must wear helmets and have in their possession a valid driver license.
- C. Members shall treat motorized bicycles as motorcycles when operated by motor at speeds in excess of thirty miles per hour (30 mph), and the operators must wear helmets and have in their possession a valid license with a motorcycle endorsement.
- D. Members shall be aware that:
  1. ATVs and Dirt Bikes are not permitted to be registered in the District of Columbia. It is a criminal offense to operate an ATV or Dirt Bike on public property [D.C. Official Code § 50-2201.04b].
  2. In accordance with Federal Code of Regulations, 49 CFR § 571.500 (Low-speed Vehicles), each low-speed vehicle shall be equipped with:

- a. Headlamps;
  - b. Front and rear turn signal lamps;
  - c. Taillamps;
  - d. Stop lamps;
  - e. Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear;
  - f. An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror;
  - g. A parking brake;
  - h. A windshield that conforms to the Federal motor vehicle safety standard on glazing materials (49 CFR § 571.205);
  - i. A VIN that conforms to the requirements of part 565 Vehicle Identification Number of Federal Code of Regulations, 49 CFR § 571.500 (Low-speed Vehicles); and
  - j. A Type 1 (e.g., lap belt) or Type 2 (e.g., lap belt and upper torso restraint) seat belt assembly conforming to Federal Motor Vehicle Safety Standard 49 CFR § 571.209, Seat belt assemblies, installed at each designated seating position.
3. The traffic lane closest to the right hand curb on the streets designated as a Restricted Lane is reserved for the use of buses, carpools, taxicabs, bicycles, motorized bikes, motorcycles, personal mobility devices, or other designated vehicles during the hours and on the days indicated (Title 18 DCMR § 4005.1).
  4. Many vehicles that resemble a traditional scooter are considered to be motorcycles.

#### **IV. PROCEDURES**

##### **A. Non-Traditional Vehicles**

When conducting traffic stops for non-traditional vehicles, members shall ensure that they:

1. Determine whether the non-traditional vehicle is permitted:

- a. On the sidewalk; or
  - b. In a bike lane (only bicycles and motorized bicycles).
2. Ascertain whether the following legal requirements have been met (See Attachment B for specific vehicle requirements):
- a. Inspection;
- NOTE: The inspection sticker can be found on the motorcycle fork (the bar or bars connected to the handlebar). However, in some cases that may not be feasible, so it will be placed wherever there is a flat enough surface on the vehicle.
- b. Operator's license;
  - c. Insurance;
  - d. Registration; and
  - e. When appropriate, helmet use.

B. Personal Mobility Devices and Bicycles

Members are reminded that:

1. A PMD shall **not** be operated within the District of Columbia:
  - a. By a person under sixteen (16) years of age;
  - b. Above the maximum speed limit of ten (10) mph;
  - c. Upon a sidewalk within the Central Business District (CBD) (Attachment C);
  - d. By a person carrying any package, bundle, or other article that hinders the person from keeping both hands on the handlebars; or
  - e. On any roadway or sidewalk while the person is wearing a headset, headphone, or earphone, unless the device is used to improve the hearing of a person with a hearing impairment or covers or is inserted in one ear only [D.C. Official Code § 50-2201.04a].
2. There shall be no prohibition against any person riding a bicycle or personal mobility device upon a sidewalk within the District, so long

as the rider does not create a hazard; provided, that no person shall ride a bicycle or operate a personal mobility device upon a sidewalk within the Central Business District except on those sidewalks expressly designated by Order of the Mayor, nor shall any person ride a bicycle upon a sidewalk in any area outside of the Central Business District if it is expressly prohibited by Order of the Mayor and appropriate signs to such effect are posted (Title 18 DCMR § 1201.09).

3. Any person riding a bicycle upon a sidewalk shall yield the right-of-way to pedestrians, and shall travel at a speed no greater than the posted speed limit of the adjacent roadway; provided that the speed is safe for the conditions then existing on the sidewalk (Title 18 DCMR § 1201.10).

NOTE: Although 18 DCMR § 1201.10 provides that a person riding a PMD shall travel at a speed no greater than the posted speed limit of the adjacent roadway; provided that the speed is safe for the conditions then existing on the sidewalk; members are reminded that both D.C. Official Code § 50-2201.04a and 18 DCMR § 1200.11 provide that a person riding a PMD shall in no case travel above the maximum speed of ten (10) miles per hour.

4. Any person propelling a bicycle or operating a PMD upon and along a sidewalk, or while crossing a roadway in a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same circumstances, except that the bicyclist or PMD operator must yield to pedestrians on the sidewalk or crosswalk (Title 18 DCMR § 1201.11).
5. The operator of a bicycle or PMD emerging from, or entering, an alley, driveway, or building, shall upon approaching a sidewalk, or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on the sidewalk, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway, to the extent necessary to safely enter the flow of traffic. (Title 18 DCMR § 1201.12).
6. No vehicles shall travel on bus streets except buses proceeding on designated bus routes, bicycles, personal mobility devices, or authorized emergency vehicles, except as otherwise provided in this section (Title 18 DCMR § 4006.1).

## V. CROSS REFERENCES

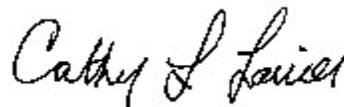
### A. General Orders

1. GO-OPS-301.01 (Traffic Enforcement)

2. GO-OPS-301.11 (Operation and Use of the Police Segway)
- B. D.C. Official Code
1. D.C. Official Code § 50-2201.04a (Operation of personal mobility devices)
  2. D.C. Official Code § 50-2201.04b (Operation of all-terrain vehicles and dirt bikes)
- C. DCMR
1. Title 18 DCMR § 1201.09, § 1201.10, § 1201.11, and § 1201.12 (Safe Operations of Bicycles, and Motorized Bicycles)
  2. Title 18 DCMR § 4005.1 (Restricted Lanes)
  3. Title 18 DCMR § 4006.1 (Bus Streets)
  4. Title 18 DCMR § 9901 (Definitions)
- D. Code of Federal Regulations
1. 49 CFR § 571.500 (Low-speed vehicles);
  2. 49 CFR § 571.205 (Glazing materials); and
  3. 49 CFR § 571.209 (Seat belt assemblies).

## VI. ATTACHMENTS

1. Attachment A: A19-0658 "Motorized Bicycle Amendment Act of 2012"
2. Attachment B: Synopsis of Non-Traditional Motor Vehicles, Other Vehicles and DC Law
3. Attachment C: Map of the DC Central Business District



Cathy L. Lanier  
Chief of Police

## A19-0658 "Motorized Bicycle Amendment Act of 2012"

### Summary of Changes

|   | Motorized Bicycle  |                  | Motor Driven Cycles  |                  | Motorcycle*                        |                  |
|---|--|------------------|--|------------------|------------------------------------|------------------|
|   | Overview of Bill<br>- Pedals<br>- No greater than 20 MPH via engine<br>- Post mounted seat |                  | Overview of Bill<br>-Less than 50 CC or equivalent<br>-No greater than 30 MPH<br>-Automatic Transmission |                  | Overview of Bill<br>-2 or 3 Wheels |                  |
|   |  |                  |  |                  |                                    |                  |
| Licensing/Registration/<br>Other Requirements | Old Requirements   | New Requirements | Old Requirements   | New Requirements | Old Requirements                   | New Requirements |
| License                                       | Yes  | *****            | Yes  | Yes              | Yes                                | Yes              |
| Motorcycle Endorsement                        | No   | No               | ***  | No               | Yes                                | Yes              |
| Inspection                                    | Yes  | No               | Yes  | Yes              | Yes                                | Yes              |
| Titling                                       | Yes  | No               | Yes  | Yes              | Yes                                | Yes              |
| Insurance                                     | Yes  | No               | Yes  | Yes              | Yes                                | Yes              |
| Registration                                  | Yes  | No               | Yes  | Yes              | Yes                                | Yes              |
| Helmet  | No   | No               | ***  | Yes              | Yes                                | Yes              |
| Park on Sidewalks**                           | Yes  | Yes              | No   | ****             | No                                 | No               |

\* Motorcycle, if it does not fit within motor driven cycle or motorized bicycle category

\*\* Under jurisdiction of DDOT

\*\*\* Depends on whether it is in motorcycle or motorized bicycle category

\*\*\*\* May park on sidewalk outside of Central Business District, so long as not attached to any tree, tree box, or planting area, does not block path of pedestrians and maintains an ADA compliant clearance from any other obstructions.

\*\*\*\*\* Must be at least 16 years of age, but does not require license

# Synopsis of Non-Traditional Motor Vehicles, Other Vehicles and DC Law

## Legal requirements to Register and Operate a Non-Traditional Motor Vehicle and Other Vehicles

In the D.C. Code, motor vehicles are defined as vehicles propelled by an internal-combustion engine, electricity, or steam. [1]. All traffic laws apply to motor vehicles, motorized bicycles, except as discussed below or as more fully set forth in the applicable statute or regulation.

### Safety Requirements

All motor vehicles in the District of Columbia must have a certification label that identifies the manufacturer, the date of manufacture, and the statement: "This vehicle conforms to all applicable Federal motor vehicle safety standards (FMVSS) in effect on the date of manufacture shown above." [2]

## Motorcycles, Motor Driven Cycles and Motorized Bicycles

| Vehicle Type       | Definition  | Inspection Required   | License Required   | Insurance Required   | Registration By DMV Required   | Helmet Required | Permitted on Sidewalk  | Permitted on Bike Lanes | Parking   |
|--------------------|---|---|--|--|--|-----------------|--|-------------------------|---|
| Motorcycle         | Motorcycle is any motor vehicle that has a seat or saddle for the use of the operator and has two (2) or three (3) wheels in contact with the ground. The term "motorcycle" does not include a tractor, a motor driven cycle or motorized bicycle unless operated at speeds in excess of thirty miles per hour (30 mph), or a three (3)-wheeled motor vehicle with a cab and windshield. [3], | Yes, must be inspected for emissions every two (2) years. [4] | Yes, operator must pass a motorcycle demonstration test in DC or motorcycle demonstration course in VA or MD, and have an "M" endorsement on operator's license. [5] | Yes, must meet the Compulsory No-Fault Motor Vehicle Insurance Act limits. [6] | Yes; \$52. [7] Non-DC vehicles must meet their state's registration requirements.    | Yes. [8]        | No [10]  | No                      | Motor vehicle rules apply, except that some areas are reserved for motorcycles only |
|                    |   |   |  |  |  |                 |  |                         |   |
| Motor-Driven Cycle | Motor-driven cycle is a motor vehicle that has: (a) A seat or saddle for the use of the operator and has: (b) Two (2) or three (3) wheels in contact with the ground; (c) A gas, electric, or hybrid motor with   | Yes, must be inspected for emissions every two (2) years. [4] | Yes. [9]   | Yes.[6].   | Yes. \$30. [7] Non-DC vehicles must meet their state's registration requirements.    | Yes. [8]        | No, except may park on sidewalk outside of Central Business District, so | No                      | May park on sidewalk outside of Central Business District, so long as not           |

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Attachment B

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# Synopsis of Non-Traditional Motor Vehicles, Other Vehicles and DC Law

## Motorcycles, Motor Driven Cycles and Motorized Bicycles

| <i>Vehicle Type</i> | <i>Definition</i>   | <i>Inspection Required</i> | <i>License Required</i>   | <i>Insurance Required</i> | <i>Registration By DMV Required</i> | <i>Helmet Required</i> | <i>Permitted on Sidewalk</i>  | <i>Permitted on Bike Lanes</i> | <i>Parking</i>  |
|---------------------|---|----------------------------|---|---------------------------|-------------------------------------|------------------------|---|--------------------------------|---|
|                     | a maximum piston or rotor displacement of fifty cubic centimeters (50 cc), or its equivalent, which will propel the device unassisted at a maximum speed no greater than thirty miles per hour (30 mph). <b>A motor-driven cycle shall be a motorcycle when operated at speeds in excess of thirty miles per hour (30 mph) and the operator shall be required to have on his or her possession a valid motorcycle endorsement</b> and “(d) A direct or automatic power drive system which requires no clutch or gear shift operation by the operator after the drive system is engaged with the power unit.”. [3] |                            |   |                           |                                     |                        | long as not attached to any tree, tree box, or planting area, does not block path of pedestrians and maintains an ADA compliant clearance from other obstructions. [10] |                                | attached to a tree, tree box or planting area, does not block path of pedestrians and maintains an ADA compliant clearance from any other obstruction |
| Motorized Bicycle   | A motorized bicycle is a two or three wheeled vehicle with <b>all of the following characteristics:</b><br>(a) A post mounted seat or saddle for each person that the device is designed and equipped to carry;<br>“(b) A vehicle with two (2) or three (3) wheels in contact with the ground, which are at least sixteen inches (16 in.) in diameter;<br>“(c) Fully operative pedals for human propulsion; and<br>“(d) A motor incapable of propelling the device at a speed   | No [4]                     | No, unless driven in excess of twenty miles per hour (20 mph). See definition. [3]. Operator must be at least 16 years of age. [11] | No [6]                    | No [7]                              | No                     | No, except to park.[12]   | No. [13]                       | May be parked in a bike rack or on a curb so as not to impede pedestrian traffic. [14]  |

# Synopsis of Non-Traditional Motor Vehicles, Other Vehicles and DC Law

## Motorcycles, Motor Driven Cycles and Motorized Bicycles

| <i>Vehicle Type</i> | <i>Definition</i>   | <i>Inspection Required</i> | <i>License Required</i> | <i>Insurance Required</i> | <i>Registration By DMV Required</i> | <i>Helmet Required</i> | <i>Permitted on Sidewalk</i> | <i>Permitted on Bike Lanes</i> | <i>Parking</i> |
|---------------------|---|----------------------------|-------------------------|---------------------------|-------------------------------------|------------------------|------------------------------|--------------------------------|----------------|
|                     | <p>of more than twenty miles per hour (20 mph) on level ground.</p> <p><b>A motorized bicycle shall be a motorcycle when operated by motor at speeds in excess of thirty miles per hour (30 mph) and the operator shall be required to have on his or her possession a valid motorcycle endorsement. A motorized bicycle shall be a motor-driven cycle when operated by motor at speeds in excess of twenty miles per hour (20 mph) and the operator shall be required to have on his or her possession a valid driver license. [3]</b></p> |                            |                         |                           |                                     |                        |                              |                                |                |

## Additional Vehicles

| <i>Vehicle Type</i>                 | <i>Definition</i>  | <i>Inspection Required</i>  | <i>License Required</i> | <i>Insurance Required</i> | <i>Registration By DMV Required</i> | <i>Helmet Required</i> | <i>Permitted on Sidewalk</i> | <i>Permitted on Bike Lanes</i> | <i>Parking</i> |
|-------------------------------------|--|---|-------------------------|---------------------------|-------------------------------------|------------------------|------------------------------|--------------------------------|----------------|
| All-Terrain Vehicles and Dirt Bikes | An all-terrain vehicle ("ATV") is defined as any motor vehicle with not less than three low pressure | N/A. It is a criminal offense to operate an ATV or a dirt bike on any public property in the District. ATVs and dirt bikes are not permitted to be registered in the District. [16] |                         |                           |                                     |                        |                              |                                |                |

# Synopsis of Non-Traditional Motor Vehicles, Other Vehicles and DC Law

| Additional Vehicles |  |  |                  |  |   |                 |                       |                         |                            |
|---------------------|--|--|------------------|--|---|-----------------|-----------------------|-------------------------|----------------------------|
| Vehicle Type        | Definition   | Inspection Required  | License Required | Insurance Required   | Registration By DMV Required  | Helmet Required | Permitted on Sidewalk | Permitted on Bike Lanes | Parking                    |
|                     | tires, but not more than six low pressure tires, designed primarily for off-road use and which has a seat or saddle designed to be straddled by the operator. A dirt bike is defined as any motorcycle designed primarily for off-road use. [15] |  |                  |    |   |                 |                       |                         |                            |
| Low Speed Vehicles  | Low speed vehicle means any four wheeled motor vehicle with a top speed that is greater than 20 miles per hour, but not greater than 25 miles per hour. [15]   | Yes [4]  | Yes [5]]         | Yes [6]  | Yes; \$72 [7]<br>Non-DC vehicles must meet their state's registration requirements. | No              | No                    | No                      | Motor vehicle rules apply. |
|                     |  |  |                  |  |   |                 |                       |                         |                            |
| Personal Mobility   | Personal Mobility Device ("PMD") means a motorized propulsion  | No. By definition, PMDs are not considered motor vehicles. [1]<br>Cannot be driven by anyone under the age of 16. [18] |                  |  |   | No              | Yes, except PMDs are  | Yes                     |                            |

# Synopsis of Non-Traditional Motor Vehicles, Other Vehicles and DC Law

| Additional Vehicles |  |                     |                  |                    |                              |                 |  |                         |         |
|---------------------|--|---------------------|------------------|--------------------|------------------------------|-----------------|--|-------------------------|---------|
| Vehicle Type        | Definition   | Inspection Required | License Required | Insurance Required | Registration By DMV Required | Helmet Required | Permitted on Sidewalk  | Permitted on Bike Lanes | Parking |
| Devices (PMD)       | device designed to transport one person or a self-balancing, two non-tandem wheeled device, designed to transport only one person with an electric propulsion system. [17] |                     |                  |                    |                              |                 | generally not permitted on sidewalk space in the Central Business District. [19] |                         |         |



| Notes  |
|--|
| <p>[1] D.C. Official Code § 50-1501.01; Specifically excluded from the definition of a motor vehicle for purposes of registration are , road rollers, farm tractors, vehicles propelled only upon rails or tracks, electric personal mobility devices (e.g. Segway), motorized bicycle and battery-operated wheelchairs when operated by a person with a disability.</p> <p>[2] 18 DMCR § 700.9.</p> <p>[3] 18 DMCR § 9901.</p> <p>[4] D.C. Official Code §1101, et seq. and 18 DCMR § 601 et seq.</p> <p>[5] D.C. Official Code §1401.01, 18 DCMR §§100.2 and 107.13</p> <p>[6] See D.C. Official Code 31-2401 et seq.</p> <p>[7] D.C. Official Code § 50-1501.01, et seq. and 18 DCMR §411.</p> <p>[8] 18 DCMR § 2215.</p> |

# Synopsis of Non-Traditional Motor Vehicles, Other Vehicles and DC Law

## Notes

[9] D.C. Official Code §1401.01 and 18 DCMR §§100.2.

[10] 18 DCMR § 2405.1(h).

[11] 18 DCMR §1200.10.

[12] 18 DCMR §§ 1201.18, 1209.6 and 1209.7.

[13] 18 DCMR §§ 1201.18.

[14] 18 DCMR §§ 1209.6 and 1209.7.

[15] D.C. Official Code § 50-2201.02(13) and (14).

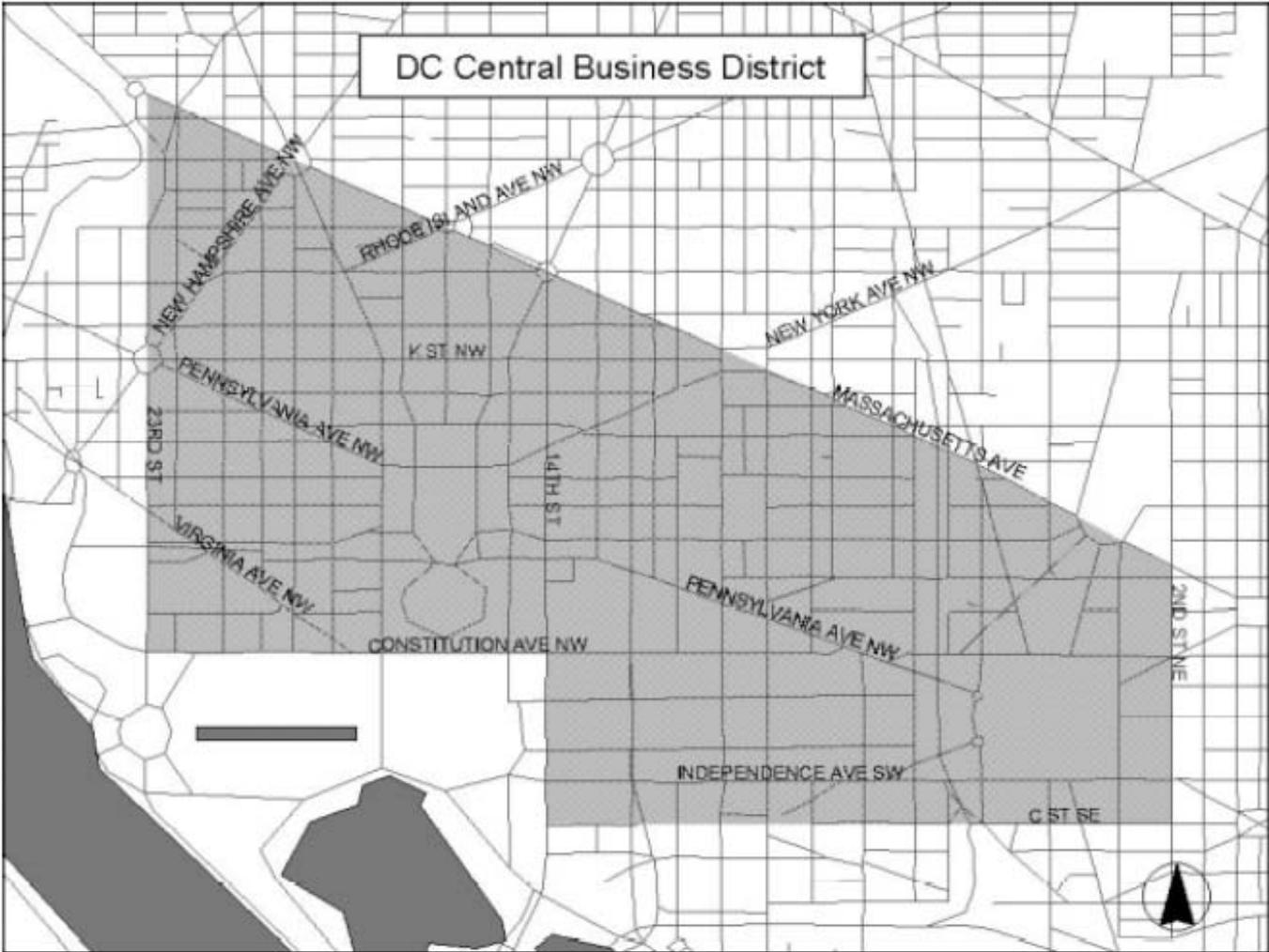
[16] D.C. Official Code § 50-2201.04b.

[17] D.C. Official Code § 50-2201.02 (12).

[18] D.C. Official Code § 50-2201.04a(2).

[19] 18 DCMR § 1201.9

Pictures of motorcycles courtesy of American Honda Motor Company, Inc. and Yamaha Motor Corporation; ; picture of dirt bike courtesy of American Honda Motor Company, Inc.; picture of off-road vehicle courtesy of Yamaha Motor Corporation; picture of Gem Car courtesy of Global Electric Motorcars; Picture of Segway courtesy of Segway Inc.



SO-13-07 (Traffic Enforcement Involving Non-Traditional Motor Vehicles)  
Attachment C  
Map of the DC Central Business District  
August 29, 2013