

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1446

S.P. 529

In Senate, May 2, 1995

An Act Promoting Bicycle Safety for Children and Adolescents.

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator PENDEXTER of Cumberland. (BY REQUEST).
Cosponsored by Senator: FAIRCLOTH of Penobscot.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 29-A §2063**, as enacted by PL 1993, c. 683, Pt. A, §2
and affected by Pt. B, §5, is repealed.

6 **Sec. 2. 29-A §2084**, as enacted by PL 1993, c. 683, Pt. A, §2
and affected by Pt. B, §5, is repealed.

8 **Sec. 3. 29-A MRSA c. 20** is enacted to read:

10 **CHAPTER 20**

12 **BICYCLE SAFETY ACT**

14 **§2321. Short title**

16 This chapter is known and may be cited as the "Bicycle
18 Safety Act."

20 **§2322. Definitions**

22 As used in this chapter, unless the context otherwise
24 indicates, the following terms have the following meanings.

26 **1. Bicycle.** "Bicycle" has the same meaning as defined in
section 101, subsection 9 and includes a motorized bicycle or
28 motorized tricycle.

30 **2. Operator.** "Operator" means an individual who is in
control of a bicycle.

32 **3. Passenger.** "Passenger" means a person who travels on a
34 bicycle in any manner except as an operator.

36 **4. Protective bicycle helmet.** "Protective bicycle helmet"
means a helmet that meets or exceeds the standards for protective
bicycle helmets as established by the Children's Bicycle Helmet
38 Safety Act of 1994, 15 United States Code, Section 6004.

40 **5. Restraining seat.** "Restraining seat" means a seat
separate from the seat of the operator of a bicycle that is
42 fastened securely to the frame of the bicycle and is equipped to
restrain a passenger and protect the passenger from the moving
44 parts of the bicycle. A restraining seat may be used only by a
passenger who weighs less than 40 pounds or is less than 40
46 inches in height.

48 **6. Toy vehicle.** "Toy vehicle" means a vehicle used for
travel and includes, but is not limited to, skateboards,
50 rollerskates, wagons, sleds and coasters.

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§2323. Bicycles

1. Riding to the right. An operator of a bicycle shall ride it as far as practicable to the right side of the way, except when making a left turn. This subsection does not apply in a municipality that, by ordinance and with the approval of the department and the Department of Public Safety, makes other provisions for the location of bicycle traffic.

2. Operator's seat and restraining seat. An operator of a bicycle may not ride in any other manner than astride a regular and permanently attached seat. A bicycle may not be used to carry more persons than the number for which it is designed, unless it is equipped with a restraining seat.

3. Hitching rides. An operator of a bicycle or a person using a toy vehicle may not attach the bicycle or toy vehicle to a motor vehicle on a way.

4. Operator rights and duties. An operator of a bicycle on a way has the rights and is subject to the duties applicable to the operator of a vehicle, except as to:

- A. Special regulations; and**
- B. Provisions in this Title that by their nature can have no application to bicycles.**

5. Speed. A motorized bicycle or motorized tricycle may not be operated in excess of 20 miles per hour.

6. Protective bicycle helmet. A person under 18 years of age may not operate a bicycle or ride as a passenger on a bicycle unless that person wears a properly fitting protective bicycle helmet.

7. Night equipment. A bicycle, motorized bicycle or motorized tricycle, when in use in the nighttime or at other times when motor vehicles are required to display headlights, must have:

- A. A lit front light that emits a white light visible from a distance of at least 200 feet to the front;**
- B. A red reflector on the rear of the bicycle that is visible at least 200 feet to the rear; and**
- C. Reflector strips on the pedals and handlebars.**

