

Ordinance Amendment
Chapter 8 Licenses and Business Regulations
Article IV. Motorized Cycle Rental

2021-02

It is ordained by the Town Council that the Revised Ordinances of the Town of New Shoreham, Rhode Island, that New Shoreham General Ordinances Sections 8-78, 8-88, and 8-90 are hereby amended as follows:

Amendment to Sec 8-78-Same-Application para 5.

- a. The operating location shall be identified by submitting a site plan, drawn to an acceptable engineering scale and containing: parcel identification (Tax Assessor's Map and Lot); ownership; zoning classification; and identification of the exact location on the premises and a GIS map of the premises where vehicles are to be rented or leased. If applicant has entered into a lease for the property from which mopeds, tripedes, and scooters are to be rented, attach a copy of the lease agreement. (Note: If license is issued, it will be issued for this location only.)
- b. The vehicle proficiency area shall be identified by submitting a site plan, drawn to an acceptable engineering scale and containing: parcel identification (Tax Assessor's Map and Lot); ownership; zoning classification; and identification of the exact location on the premises and a GIS map of the premises where the applicant proposes to operate a vehicle proficiency area where renters practice using the vehicle before going onto state or Town roads.
- c. The applicant's plan for the off-season storage of vehicles that complies with state law and Town ordinances.

This amendment shall take effect upon passage.

Amendment to Sec 8-88-Hours of operation.

Motorized bicycles, motorized tricycles and motorized scooters may be rented or leased only between the hours of 10:00 a.m. and 6:00 p.m. and operation of these vehicles may only occur between the hours of 10:00 a.m. and 6:00 p.m.

This amendment shall take effect upon passage.

Amendment to Sec 8-90-Safety.

A. Each licensee shall make available to persons renting motorized bicycles, motorized tricycles, and motorized scooters eye protection and helmets of the type approved by the state as set forth in rules and regulations promulgated in accordance with G.L. 1956 § 31-10.1-4. Each licensee shall comply with section 18-24 of this ordinance, and all applicable laws and regulations of the State and its agencies including, without limitation, Rhode Island General Laws §31-10.1-6 Each licensee shall ensure that no person renting a motorized bicycle, motorized tricycle, or motorized scooter shall carry any passenger in front of the driver. Each licensee shall ensure that all passengers on motorcycles, motor scooters, or motor-driven cycles are provided with a separate rear seat, a separate foot-rest, and an appropriate handlebar or grip for his or her use, and that

all passengers wear a properly fitting helmet of a type approved by the division of motor vehicles. No person shall operate a motorcycle, motor scooter, or motor-driven cycle unless any passenger on it wears a helmet and is able to rest his or her feet upon a foot-rest. Each licensee shall insure that any passenger on a motorcycle, motor scooter, or motor-driven cycle under twelve (12) years of age has a properly secured back-rest or equivalent, shall have his or her feet placed upon the foot-rest, and shall be seated behind the operator unless a side car is provided. When, however, a side car is provided this age requirement shall not apply to any passenger(s) in the side car. Violations of this section are subject to fines as enumerated in § 31-41.1-4 and in applicable Town ordinances. In addition, violations of this ordinance as well as any other Town ordinance or state law or regulation, may result in suspension, revocation, and/or non-renewal of a licensee's license.

B. Each licensee shall be responsible for instructing each person renting a motorized bicycle, motorized tricycle or motor scooter in the proper operation of the vehicle, in the form of presenting a comprehensive training video, followed by a questionnaire on best operational practices and relevant Town ordinances. Each licensee shall administer a supervised test drive to each person renting a motorized bicycle, motorized tricycle or motor scooter on the licensee's premises, or on premises obtained for such purposes.

C. Pursuant to Rhode Island General Laws § 31--27-2, it is unlawful for any person to operate any vehicle in the state while under the influence of any intoxicating liquor or drugs. No licensee may allow a person who is visibly intoxicated to operate or to be a passenger upon a motorized bicycle, motorized tricycle or motor scooter.

This amendment shall take effect upon passage.

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