



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR
MARTIN J. WALSH

August 10, 2015

TO THE CITY COUNCIL

Dear Councilors:

I transmit herewith for your approval an Ordinance regarding recreational vehicles within the City of Boston. The purpose of this Ordinance is to empower the City to police owners and operators of recreational vehicles that have become a public nuisance by exhibiting a notorious atmosphere of criminal and other disturbing activity so elevated as to endanger the common good and general welfare of the City.

Section 25 of G.L. c. 90B prohibits "recreation vehicles," including dirt bikes and other off-highway motorcycles, from operating on public ways in the Commonwealth. This Ordinance further prohibits the hazardous operation of all motorized conveyances, including recreational vehicles, on any public space within the City and allows for enforcement by the Boston Police Department to reduce the threat to the safety of pedestrians and motorists alike, created by such operation.

Additionally, Section 22 of G.L. c. 90B requires that all recreational vehicles be registered with the Boat, Recreation Vehicle & Snowmobile Registration Bureau and that a valid registration number must be displayed on the vehicle. This ordinance also prohibits the storage of more than one (1) unregistered recreational vehicle, unless such vehicles are stored within a fully-enclosed building or stored, parked, or displayed on property duly licensed in accordance with G.L. c. 140 §§ 57 through 69.

I urge your Honorable Body to act favorably on the proposed Ordinance.

Sincerely,

Martin J. Walsh
Mayor of Boston

1. An operator of any motorized conveyance, including a recreational vehicle, shall not cause such vehicle to ride with its front wheel or wheels raise from the surface of the road or ground while operated in any public space.
2. An operator of any motorized conveyance, including a recreational vehicle, shall not cause such vehicle to ride with its rear wheels raised from the surface of the road or ground while operated in any public space.
3. An operator of any motorized conveyance, including a recreational vehicle, shall not cause any side wheels of such vehicle to raise from the surface of the road or ground while operated in any public space.
4. An operator of any motorized conveyance, including a recreational vehicle, shall not ride such vehicles with his or her feet or knees planted on the seat while operating in any public space.
5. An operator of any motorized conveyance, including a recreational vehicle, shall not operate such vehicle in a manner commonly associated with trick or stunt riding.
6. An operator of any motorized conveyance, including a recreational vehicle, shall not operate such vehicle with a passenger if designed for a single rider.
7. No passenger shall ride upon any motorized conveyance, including a recreational vehicle, that is designed for a single rider.
8. An operator of any motorized conveyance, including a recreational vehicle, shall not operate such vehicle with a passenger sitting or riding upon the handle bars or forward of the operator.

f. *Penalties.* A violation of CBC 16-59 shall be subject to a fine of \$250 for the first violation, and for a second or subsequent offense, by a fine of \$300.

g. *Enforcement and regulatory authority.* The Commissioner of the Boston Police Department, shall have the authority to enforce these sections and to promulgate rules and regulations necessary to implement and enforce these sections. Additionally, the Commissioners of the Inspectional Services Department, the Public Works Department and the Boston Transportation Department shall also have authority to enforce section c (Unregistered Vehicles) and d (Property of Another) herein. The provisions of M.G.L. c. 40, s. 21D may be used to enforce this section. The Boston Police Department shall have the authority to impound any vehicle in violation of these sections. The Boston Police Department shall have the authority to enter upon and pass through or over private lands and property whether or not covered by water, to enforce this CBC.

h. *Applicability.* If any provision of these sections imposes greater restrictions or obligations than those imposed by any other general law, special law, regulation, rule, ordinance, order, or policy, then the provisions of these sections shall control.

Mayor Walsh Files Ordinance Addressing Disruptive Use of Recreational Vehicles

    More

For Immediate Release
August 11, 2015
Released By:
Mayor's Office

For More Information Contact:
Mayor's Press Office
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BOSTON - Tuesday, August 11, 2015 - Mayor Martin J. Walsh has filed an ordinance to address the hazardous operation and storage of recreational vehicles and motorized conveyances.

"We are committed to creating safer streets for our officers and for our residents and visitors," said Mayor Walsh. "I look forward to working with the City Council to pass this ordinance, and end the inappropriate and dangerous use of recreational vehicles to better protect our communities."

If approved by the Boston City Council, these regulations would take effect immediately. The ordinance prohibits a person from engaging in hazardous operation of a motorized conveyance, including recreational vehicles, upon any public space in the City of Boston. Prohibited stunt or truck riding includes, but is not limited to, riding with the front, side or rear wheels raised from the surface of the road or ground, riding with a passenger's feet or knees planted on the seat, and operating a vehicle with a passenger riding on the handle bars. According to this ordinance, officers are allowed to issue immediate fines for a violation and to impound the vehicle pending compliance.


"Recreational vehicles have become both a nuisance on our neighborhoods disrupting the quality of life and genuine public safety hazard," said Boston City Councilor Stephen Murphy. "This ordinance, filed by Mayor Walsh, will go a long way to giving the Boston Police Department the necessary tools to keep the public safe and streets peaceful in the City of Boston."

The ordinance also addresses instances when groups of riders congregate on a property without the property owner's knowledge or approval or cause a disruption to nearby tenants, by requiring written permission to operate, maintain or possess a recreational vehicle on someone else's property. Additionally, the ordinance bans a person from placing or storing more than one unregistered recreational vehicle upon public or private land.

A recreational vehicle includes, but is not limited to, all-terrain vehicles, off-highway motorcycles, dirt bikes and recreation utility vehicles. Any person found in violation would be fined \$250 for the first offense and \$300 for a second or subsequent offense.

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Recreational Vehicle Filed Ordinance

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