

Chapter 516-13 WAC

BICYCLES, MOPEDS, AND OTHER POWERED DEVICES

WAC

516-13-005	Definitions.
516-13-010	Purpose and application.
516-13-015	Licensable motorized devices.
516-13-020	Parking regulations.
516-13-030	Impounding of bicycles, mopeds, and other powered devices.
516-13-070	Registration.
516-13-080	Operation.
516-13-090	Enforcement.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

516-13-040	Unauthorized use. [Order 3085, § 516-13-040, filed 8/9/71.] Repealed by Order 75-4, filed 8/11/75.
516-13-050	Areas—Horns. [Order 3085, § 516-13-050, filed 8/9/71.] Repealed by Order 75-4, filed 8/11/75.
516-13-060	Motorized bicycles. [Order 75-4, § 516-13-060, filed 8/11/75; Order 3085, § 516-13-060, filed 8/9/71.] Repealed by 09-12-092, filed 6/1/09, effective 7/2/09. Statutory Authority: RCW 28B.35.120(12) and 28B.10.560.

WAC 516-13-005 Definitions. As used in this chapter, the following words mean:

(1) "Bicycle." A vehicle with two wheels in tandem usually propelled by pedals connected to the rear wheel by a chain and having handlebars for steering. The term bicycle is intended to include other pedal-powered cycles.

(2) "Electric personal assistive mobility device (EPAMD)." A self-balancing device with two wheels not in tandem, designed to transport only one person by an electric propulsion system with an average power of seven hundred fifty watts (one horsepower) having a maximum speed on a paved level surface, when powered solely by such a propulsion system while ridden by an operator weighing one hundred seventy pounds, of less than twenty miles per hour. This term is intended to include other similar devices as defined in RCW 46.04.304 as now or hereafter amended.

(3) "Moped." A motorized device designed to travel with not more than three sixteen-inch or larger diameter wheels in contact with the ground, having fully operative pedals for propulsion by human power, and an electric or a liquid fuel motor with a cylinder displacement not exceeding fifty cubic centimeters that produces no more than two gross brake horsepower as defined in RCW 46.04.304 as now or hereafter amended.

(4) "Motorized foot scooter." A device with no more than two ten-inch or smaller diameter wheels that has handlebars, is designed to be stood or sat upon by the operator, and is powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion, as defined in RCW 46.04.336 as now or hereafter amended.

(5) "Other powered devices." A device that transports people powered by electric and/or combustion motors except for those licensed under state law for highway use.

(6) "Pedestrian." Any person who is afoot or who is using a wheelchair, a powered wheelchair or a powered scooter for persons with disabilities.

(7) "Walk zone." Any area designated by signs or symbols as a place where bicycles, skateboards, and other regulated devices cannot be ridden during specified periods.

[Statutory Authority: RCW 28B.35.120(12) and 28B.10.560. 09-12-092, § 516-13-005, filed 6/1/09, effective 7/2/09.]

WAC 516-13-010 Purpose and application. Western Washington University acknowledges that bicycles are an essential component of a sustainable transportation system, providing safe and equitable access to and around campus by all users. This chapter does not apply to electric or manual wheelchairs or powered scooters for use by persons with disabilities. This chapter applies only to bicycles, mopeds, and other powered devices and does not apply to skateboards, foot scooters, skates and other similar devices regulated under chapter 516-15 WAC.

[Statutory Authority: RCW 28B.35.120(12) and 28B.10.560. 09-12-092, § 516-13-010, filed 6/1/09, effective 7/2/09. Statutory Authority: RCW 28B.35.120(11), 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-13-010, filed 6/28/83, effective 9/19/83; Order 75-4, § 516-13-010, filed 8/11/75; Order 3085, § 516-13-010, filed 8/9/71.]

WAC 516-13-015 Licensable motorized devices. Motorized bicycles and mini-motorcycles are, for the purpose of this regulation, considered to be motorcycles and are subject to all traffic rules and regulations controlling motorcycles. See chapter 516-12 WAC, Parking and traffic regulations.

[Statutory Authority: RCW 28B.35.120(12) and 28B.10.560. 09-12-092, § 516-13-015, filed 6/1/09, effective 7/2/09.]

WAC 516-13-020 Parking regulations. (1) Parking a bicycle, moped, or other powered devices in public areas of buildings, on a path, sidewalk, walkway, or in such a manner as to block a building exit or entrance creates a safety hazard and impedes pedestrians.

(2) Bicycles, mopeds, and other powered devices are not to be chained to trees, light posts, or designated works of art.

(3) Bicycles, mopeds, and other powered devices are to be parked only in bicycle racks or in specifically designated bicycle parking areas.

(4) Vehicles containing combustible fuel may not be parked inside any university building, except in a garage, research facility, or automotive shop designated for parking such vehicles by the vice-president for business and financial affairs.

(5) Improperly parked bicycles, mopeds, and other powered devices are subject to impoundment.

[Statutory Authority: RCW 28B.35.120(12) and 28B.10.560. 09-12-092, § 516-13-020, filed 6/1/09, effective 7/2/09. Statutory Authority: RCW 28B.35.120(12), 96-24-016, § 516-13-020, filed 11/22/96, effective 1/1/97.]

Statutory Authority: RCW 28B.35.120(12), 34.05.220 (1)(b), 34.05.250, 28B.15.600, 42.17.310, 42.30.070 - 42.30.075, chapters 69.41 and 43.21C RCW. 90-10-042, § 516-13-020, filed 4/27/90, effective 5/1/90. Statutory Authority: RCW 28B.35.120(11), 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-13-020, filed 6/28/83, effective 9/19/83; Order 75-4, § 516-13-020, filed 8/11/75; Order 3085, § 516-13-020, filed 8/9/71.]

WAC 516-13-030 Impounding of bicycles, mopeds, and other powered devices. (1) Bicycles, mopeds, and other powered devices may be impounded for illegal parking.

(2) They will be released upon presentation of proof of ownership and payment of a fee if claimed within seven days. If unclaimed after seven days, they will be subject to disposal as abandoned property. If the owner of an impounded bicycle, mopeds, or other powered device can be identified, the owner will be notified immediately after impound.

[Statutory Authority: RCW 28B.35.120(12) and 28B.10.560. 09-12-092, § 516-13-030, filed 6/1/09, effective 7/2/09. Statutory Authority: RCW 28B.35.120(12). 02-07-045, § 516-13-030, filed 3/14/02, effective 4/14/02; 96-24-016, § 516-13-030, filed 11/22/96, effective 1/1/97. Statutory Authority: RCW 28B.35.120(11), 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-13-030, filed 6/28/83, effective 9/19/83; Order 75-4, § 516-13-030, filed 8/11/75; Order 3085, § 516-13-030, filed 8/9/71.]

WAC 516-13-070 Registration. Owners of bicycles operated on the Western Washington University campus are encouraged to register their bicycles with the university public safety department. Registration is free and will facilitate identification of stolen or impounded bicycles.

[Statutory Authority: RCW 28B.35.120(11), 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-13-070, filed 6/28/83, effective 9/19/83.]

WAC 516-13-080 Operation. (1) All state of Washington bicycle regulations are applicable on the campus.

(2) All city of Bellingham bicycle regulations are applicable on the campus.

(3) Riders must yield the right of way to pedestrians on campus. Riders will use due caution when riding on campus and are encouraged to wear helmets, use lights, and avoid distractions such as cell phones, ear buds, and other devices that inhibit hearing.

(4) Riders are prohibited from riding in areas specifically designated as permanent and/or temporary walk zones. Riders must dismount and walk their bicycles, mopeds, and other powered devices in designated walk zones from 9 a.m. to 4 p.m. during regular class days, including finals week, during the regular academic year. Designated walk zones are as follows:

- (a) In Red Square;
- (b) In the congested, narrow walk area from the north side of Engineering Technology to the north side of Carver Gym;
- (c) At Viking Union Vendor's Row; and
- (d) Such other areas as may be designated by the vice-president of business and financial affairs.

(5) Riders are permitted to ride in the east-west intertie between Carver Gym, the Art Annex, Bond Hall, and Miller Hall but must yield right of way to pedestrians.

(6) Bicyclists are responsible for following the Bicycle Responsibility Code adopted May 21, 1996, by the student bicycle advisory coalition as amended by the central health and safety committee on June 3, 1996, and February 10, 2009:

- (a) Pedestrians have right of way, always.
- (b) Stay in control.
- (c) Avoid congested areas and use back roads when possible.
- (d) Obey the walk zone signs, bicycle speed limits, and obey all traffic laws.
- (e) Walk your bike in walk zones and ride slowly in crowded areas.
- (f) Minimize impact—Stay off the lawns.
- (g) Park and lock bikes only at bike racks.
- (h) Know the code!
- (7) Riders have speed limits as follows:
 - (a) Share pedestrian spaces and walkways only at pedestrian walking speeds of three miles per hour, within ten feet of any pedestrian or areas congested with pedestrians.
 - (b) Otherwise, speeds are limited to pedestrian jogging speeds of seven miles per hour maximum.

[Statutory Authority: RCW 28B.35.120(12) and 28B.10.560. 09-12-092, § 516-13-080, filed 6/1/09, effective 7/2/09. Statutory Authority: RCW 28B.35.120(12). 02-07-045, § 516-13-080, filed 3/14/02, effective 4/14/02; 96-24-016, § 516-13-080, filed 11/22/96, effective 1/1/97. Statutory Authority: RCW 28B.35.120(11), 92-06-068 (Order 92-01), § 516-13-080, filed 3/3/92, effective 3/31/92; 83-14-014 (Order 6-02-83, Motion No. 6-02-83), § 516-13-080, filed 6/28/83, effective 9/19/83.]

WAC 516-13-090 Enforcement. (1) A rider who refuses to abide by these regulations set forth under chapter 516-13 WAC may be issued a university notice of infraction (NOI).

(2) **Penalties.** The penalties for violating any part of this chapter shall be progressive. The penalty schedule will be published in the university *Fees and Rates Listings* and is available at parking services.

Any rider who violates any portion of this section and as a result is involved in a collision with a pedestrian or an object shall have the monetary penalty for the offense(s) doubled.

Any rider who attempts to elude a uniformed police officer attempting to enforce these regulations shall have the monetary penalty for the offense(s) doubled.

Chapter 516-13 WAC notwithstanding, riders remain subject to enforcement of applicable city and state traffic laws while riding upon public roadways or sidewalks.

A rider who refuses to cooperate with a police officer will be subject to arrest for obstructing a law enforcement officer under the provisions of chapter 9A.76 RCW and/or criminal trespass under the provisions of chapter 9A.52 RCW.

(3) **Appeal procedure.** A university notice of infraction (NOI) may be appealed by filing a completed appeal form at parking services or appeal on-line at www.ps.wvu.edu within seven days of receipt of the notice of infraction; otherwise, the right to a hearing is forfeited.

[Statutory Authority: RCW 28B.35.120(12) and 28B.10.560. 09-12-092, § 516-13-090, filed 6/1/09, effective 7/2/09. Statutory Authority: RCW 28B.35.120(12). 02-07-045, § 516-13-090, filed 3/14/02, effective 4/14/02; 99-07-089, § 516-13-090, filed 3/19/99, effective 4/19/99; 96-24-016, § 516-13-090, filed 11/22/96, effective 1/1/97. Statutory Authority: RCW 28B.35.120(11), 92-06-068 (Order 92-01), § 516-13-090, filed 3/3/92, effective 3/31/92.]