

POLICY CONCEPT FORM

Name and UO Title/Affiliation:	Kassy Fisher, Chief of Staff to the VPFA, and David Reesor, Director of Transportation Services
Policy Title/# (if applicable):	Bicycles and Other Personal Transportation Devices (proposed policy #: IV.08.01)
Submitted on Behalf Of:	Jamie Moffitt, VP for Finance and Administration (VPFA)
Responsible Executive Officer:	Jamie Moffitt, VP for Finance and Administration (VPFA)

SELECT ONE: **New Policy** **Revision** **Repeal**

Two actions are proposed via this concept: (1) Create a new policy inclusive of all personal transportation devices and (2) repeal three existing policies

HAS THE OFFICE OF GENERAL COUNSEL REVIEWED THIS CONCEPT: **Yes** **No**

If yes, which attorney(s): Bryan Dearing

GENERAL SUBJECT MATTER

Include the policy name and number of any existing policies associated with this concept.

All policies related to personal (non-vehicular) transportation devices:

1. Bicycle licensing, use and parking, <https://policies.uoregon.edu/bicycle-licensing-use-and-parking> (former OAR 571.10.0070-0095; not yet assigned a new UO policy number)
2. Roller skates and skateboards, <https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-8-parking-vehicles/roller-skates-and-skateboards> (IV.08.01- proposed policy number for the new combined policy)
3. E-scooters, <https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-8-parking-vehicles/electronic-scooters> (IV.08.10)

RELATED STATUTES, REGULATIONS, POLICIES, ETC.

List known statutes, regulations, policies (including unit level policies), or similar related to or impacted by the concept. Include hyperlinks where possible, excerpts when practical (e.g. a short statute), or attachments if necessary. Examples: statute that negates the need for or requires updates to an existing policy; unit level policy(ies) proposed for University-wide enactment; or existing policies used in a new, merged and updated policy.

Bicycles, <https://policies.uoregon.edu/bicycle-licensing-use-and-parking> (former OAR 571.10.0070-0095)

Roller skates and skateboards, <https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-8-parking-vehicles/roller-skates-and-skateboards> (IV.08.01)

Electronic Scooters, <https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-8-parking-vehicles/electronic-scooters> (IV.08.10)

Vehicles, <https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-8-parking-vehicles/vehicle-policy> (IV.08.03)

Parking, <https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-8-parking-vehicles/parking> (IV.08.02)

Non-UO related sources:

Oregon Vehicle Types,

https://www.oregon.gov/ODOT/DMV/Pages/Vehicle/vehicletypes.aspx#accordion-collapse-ctl00_ctl00_ctl23_g_5cc679df_a50a_49ee_a413_22a6a80c4d78_ctl03

Oregon Moped, Motorized Scooter and Pocket Bike Guide,

<https://www.oregon.gov/ODOT/Forms/DMV/6619.pdf>

STATEMENT OF NEED

What does this concept accomplish and why is it necessary?

With this proposal, we seek to consolidate and update policies related to all personal transportation devices, which includes motorized and non-motorized bikes, scooters, skate boards, roller skates, etc. Updates are focused on ensuring that the policy comports with the accepted definition of a university-wide policy (e.g., does not include procedures) and with current practices and that the policy adequately address contemporary modes of travel.

Two actions are proposed here: (1) Create a new policy inclusive of all personal transportation devices, and (2) repeal three existing policies: Bicycle Licensing, Use and Parking; Roller Skates and Skateboards; and Electronic Scooters.

AFFECTED PARTIES

Who is impacted by this change, and how?

All employees, students and visitors, and any individual who wishes to operate a third party-owned personal transportation device on university owned or controlled property.

CONSULTED STAKEHOLDERS

Which offices/departments have reviewed your concept and are they confirmed as supportive? (Please do not provide a list of every individual consulted. Remain focused on stakeholders (e.g. ASUO, Office of the Provost, Registrar, Title IX Coordinator, etc.).)

Name(s)	Office	Date
Paula Ellison, Josh Kashinsky, James McGladrey	Transportation Services	January 2019
Kathie Stanley	Student Life	March 2019
Steve Robinson	Student Services and Enrollment Management	March 2019
Matt Carmichael, Jason Wade	Police Department	March 2019
Emily Eng, Aaron Olsen, Jeff Butler, Kevin Farthing	Campus Planning and Facilities Management	March 2019
Hilary Gerdes	Accessible Education Center	February 2019
Flo Hoskinson, Andre Le Duc, Steve Stuckmeyer	Safety and Risk Services	March 2019
Martin Stanberry, Missy Matella	Human Resources	February 2019
Kelsey Moore	ASUO Bike Program	March 2019
Greg Shabram	Purchasing and Contracting Services	March 2019
Kelly Wolf	Business Affairs	March 2019
Bryan Dearing	General Counsel	March 2019

POLICY TEXT

1. NEW POLICY- See Attached
2. PROPOSED FOR REPEAL – For each, please see the current policy attached with certain sections highlighted. The highlighted text represents concepts which are incorporated into the new policy (#1, above).
 - a. Bicycle Licensing, Use and Parking (571.010.0070-0095)
 - b. Roller-skates and Skateboards (IV.08.01)
 - c. Electronic Scooters (Temporary Policy Expiring Mid-May) (IV.08.10)

Reason for Policy

This policy establishes responsibilities and procedures to ensure safety, proper operation and storage, and enforcement of personal transportation devices on campus.

Entities Affected by this Policy

All employees, students and visitors, and any individual who wishes to operate a third party-owned personal transportation device on university owned or controlled property.

This policy does not apply to licensed motorized vehicles, pocket bikes and mini motorcycles, and personal assistive mobility devices.

Web Site Address for this Policy

(To be completed once posted)

Responsible Office

For questions about this policy, please contact UO Transportation Services, 541-346-5444

Enactment & Revision History

(To be completed once posted)

Policy

The University of Oregon promotes the use of personal transportation devices as forms of transportation which enhances the university's goals for a more sustainable campus.

A. Definitions:

(1) "Personal transportation device": Any device upon which any person may ride and is propelled by motor and/or by human power, but which is not a licensed motor vehicle as defined by the State of Oregon. This includes bicycles; motorized bicycles; skateboards; electronic skateboards including hover boards, electronic scooters; self-balancing boards/scooters; roller/in-line skates; and other similar devices.

¹ This policy number is currently assigned to "Roller skates and skateboards" which is proposed for repeal; the number would be repurposed here.

(2) “Licensed motorized vehicle”: A motor vehicle that is required by the State of Oregon to have a vehicle registration or title and/or a license plate. This includes: cars, vans, motorcycles, mopeds, trucks, golf carts, utility vehicles, buses. This includes motor vehicles licensed by other states.

(3) “Pocket bike and mini motorcycle”: A two-wheeled vehicle having an engine with more than 35 cc and capable of a top speed in excess of 24 miles per hour on level ground.

(4) “Personal assistive mobility device”: A device being used or ridden by a person with a temporary or permanent medical condition that limits their mobility and necessitates the device’s use.

(5) “Third party-owned personal transportation device”: Any personal transportation device that is not personally-owned by an individual. An electric scooter that is part of a rental fleet is an example of a third party-owned personal transportation device.

(6) Impound: To take and store a personal transportation device in legal custody.

(7) Impound fee: Sum paid to release an impounded personal transportation device.

B. Operation

(1) All persons operating a personal transportation device on university owned or controlled property are to comply with all applicable State of Oregon statutes, university policies and procedures, and traffic control devices.

(2) Operators of personal transportation devices must obey all the laws of vehicular traffic when on the roadway; and shall not engage in acrobatic riding or other acts or maneuvers which may endanger the safety of the device operator or others or damage property.

(3) Operation of personal transportation devices is permitted in bike lanes, roadways, and campus shared paths designated as bicycle routes. Operators must yield to pedestrians.

(4) Operation of personal transportation devices is prohibited on sidewalks and paths not designated as bicycle routes; stairs, ramps and railings; vegetation, lawns, benches, tables, planters, and other surfaces not intended for vehicular travel; or inside and at the entrance to university owned or controlled facilities and parking structures, including but not limited to such facilities’ loading docks, driveways, and access ramps.

(5) During visibility-limiting conditions, such as between sunset and sunrise, personal transportation devices must be equipped with a front white light visible from 500 feet and a rear red light or reflector visible from 600 feet, consistent with Oregon state law.

C. Parking, Storage and Impound

(1) Personal transportation devices shall be parked only in areas specifically designated for storage of such devices and in accordance with facility-specific policies and procedures. Indoor storage of motorized or electronic personal transportation devices is prohibited in university owned or controlled property.

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(2) Personal transportation devices may not be left unattended on or at ramps, entrances, or other facilities designated for persons with physical disabilities or in such a manner as to impede the free and clear use of such facilities.

(3) Personal transportation devices are prohibited from remaining parked and unmoved in designated spaces for 30 days. Personal transportation devices parked or stored in an area not specifically designated are subject to immediate removal.

(4) Charging of electronic personal transportation devices is prohibited in university owned or controlled property except at designated charging stations.

(5) Transportation Services and the Police Department may move, assess fees, or impound any personal transportation device operated or stored in a manner that violates university policy.

(6) Transportation Services and the Police Department shall not be liable for any damage, repair, or replacement associated with moving or impounding of any personal transportation device operated or stored in a manner that violates university policy.

(7) Any impounded personal transportation device not claimed within 60 calendar days by the owner will be disposed of by the university in accordance with university procedures outlined by Transportation Services.

D. Third Party Owned Personal Transportation Devices

(1) Only third party-owned personal transportation devices belonging to a vendor that has been approved by Transportation Services are permitted on campus.

(2) Third party-owned personal transportation devices belonging to a vendor that has not been approved by Transportation Services are subject to immediate impound.

(3) Third party-owned personal transportation devices left unattended on campus or not parked in an area specifically designated for them may be considered abandoned and subject to immediate impound.

E. Responsibility and Corrective Action

(1) The owner and operator of a personal transportation device are responsible and liable for all damage or injury caused by device, whether to persons or property. The owner and operator assume the risk of personal injury and death and will be held responsible for any injuries to themselves or others as a result of any violation of this policy or the improper operation of any personal transportation device on university property.

(2) Any person who violates this policy may be subject to university fine or citation. Employees will be subject to corrective action pursuant to applicable UO policies and CBAs, and students will be subject to the Student Conduct Code proceedings and sanctions. Visitors (including but not limited to guests, volunteers, and other members of the public) who violate this policy may be trespassed from campus and may otherwise lose their right to use university property and/or to participate in university-sponsored programs and activities.

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Related Resources

[Insert or NA]

PROPOSED

¹ This policy number is currently assigned to “Roller skates and skateboards” which is proposed for repeal; the number would be repurposed here.

Policy Proposed for Repeal

Highlighted text incorporated into the new proposed personal transportation devices policy.

A. Bicycle Registration Required

All faculty, staff and students who operate, store or park bicycles on the University of Oregon campus shall register their bicycles with the University of Oregon Office of Public Safety and shall have attached to them a valid, University-issued license/registration tag:

- (1) University-issued bicycle registration tags shall be displayed below the bicycle seat on the bicycle frame facing forward.
- (2) Each bicycle shall be registered during the term its owner first is enrolled as a student and/or is employed at the University of Oregon. Bicycle licenses shall be renewed each two years thereafter. Lifelong permits and courtesy permits are also available.
- (3) Illegible or defaced bicycle registration tags shall be replaced within 30 days at 1/2 the regular registration fee.
- (4) Bicycle license/registration fees are published annually as a listing within UO Policy 570.060 under the subheading, Parking-Bicycle Fees.
- (5) Unregistered bicycles owned by faculty, staff, students or frequent campus visitors are subject to citation and fine. The first five citations issued any academic term to unregistered bicycles owned by campus visitors shall be eligible for waiver of the fine. After the fifth citation in any one term, visitors shall then be liable for the fine by reason of further citations that term.
- (6) Bicycles not registered with the Office of Public Safety are subject to impoundment.

B. Bicycle Use on Campus

Bicycle riders on the University of Oregon campus are subject to the applicable provisions of Oregon Revised Statutes, Oregon Vehicle Code, which include but are not limited to the following:

- (1) Bicycle riders shall proceed cautiously at all times, even on designated bicycle lanes and on designated bicycle routes.
- (2) Bicycle lanes and routes are marked on the University campus, and bicycle riders shall use such lanes when classes are in session, e.g., Monday through Friday from 7:30 a.m. until 5 p.m. during each academic term. Sidewalks are not bicycle lanes or routes unless so designated by

signage or markings when classes are in session. Bicycle riders who fail to use designated bicycle lanes or routes during these hours are subject to citation and fine.

(3) Bicycle riders shall yield the right-of-way to pedestrians and disabled persons at all times and in all places and shall give an audible warning when overtaking a pedestrian from behind. Bicycle riders who fail to observe this section of the rule are subject to citation and fine.

(4) All bicycles shall be equipped with brakes good enough to skid on clean, dry pavement. Riders on bicycles not equipped with such brakes are subject to citation and fine.

(5) Starting one-half hour after sunset and until 1/2 hour before sunrise, all bicycles (or their riders) while in motion shall be equipped with a white light operating and visible 500 feet ahead and a red reflector visible 600 feet to the rear while on University property. Failure to display the light and reflector makes the rider subject to citation and fine.

(6) In cases of bicycle collision involving pedestrian(s), other bicycles or other vehicles, the individuals involved shall render aid as appropriate and call the Office of Public Safety for assistance. Individuals involved in such collisions shall remain at the site of the accident until released by the attending Public Safety Officer. When collisions result in injury, the filing of a written accident report by the appropriate parties is required. Failure to render aid or to file an accident report when applicable may subject the person(s) involved to citation and fine.

(7) Bicycle riders who fail to obey signs instructing them to dismount and to walk their bicycles on posted walks, lanes, or in other posted areas are subject to citation and fine. For the purposes of this policy, dismount and walk shall mean that the bicycle rider shall completely get off of the bicycle and walk along side the bicycle.

C. Bicycle Parking

Bicycles shall be parked, stored or left outdoors on the University campus only in areas specifically designated by the presence of racks or other devices for the parking of bicycles or by the posting of signs designating the space or area as a "Bicycle Parking Area":

(1) Bicycles may be parked, stored or left inside University buildings only in areas specifically designed and posted for bicycle parking.

(2) Bicycles may be stored, parked or left in any area or room which has been assigned to the registered bicycle owner, e.g., office, residence hall room or student family living quarters.

(3) Parked, stored or left bicycles which create a safety hazard will be removed and impounded. All other bicycles parked, stored or left in unauthorized locations will be cited and/or secured by a chain or other restraining device. If so secured, the citation tag will describe procedure to be followed by owner to reclaim use of the bicycle. See also UO Policy 571.010.0070-95(E):

(a) University security officers or other personnel authorized to remove and impound bicycles shall not be liable to the owner of the securing device or the bicycle for the cost of repair or replacement of such securing device;

(b) Owners of securing devices which have been damaged during the impounding process may appeal the impound fee to the Traffic Petitions Office, c/o Office of Public Safety. See UO Policy 571.010.0005-65(D);

(c) Bicycles left abandoned for one month shall be subject to impoundment.

D. Authority to Remove or Impound Bicycles

The President of the University of Oregon designates the Director of Public Safety as the University administrator responsible for the operation of the University's bicycle policies:

(1) Any University security officer or other person specifically authorized by the Director of Public Safety may impound any parked, stored or left bicycle causing a safety hazard or cite any bicycle rider who violates University bicycle policies.

(2) Notices of impoundment shall be sent as soon as practical and whenever possible to their owners of all bicycles removed to the impoundment storage area.

(3) Individuals who wish to appeal any impound action or citation given by authorized members of the Office of Public Safety shall address their written appeals to the University's Traffic Petitions Office, c/o the Public Safety Office. See Policy 571.010.0005-65(D).

E. Bicycle Penalties, Citations, and Fines

(1) Any impounded bicycle shall be stored in a secure facility designated for such purpose by the Director of Public Safety.

(2) A fine (see section E(4) of this policy) shall be charged to the owner prior to the release of any impounded bicycle. Any bicycle being released must be properly registered prior to its release unless the owner or the owner's designee can show reasonable proof that the bicycle will not be operated on the University campus or, if the owner is neither a student nor University employee, that the bicycle will not be on campus more often than five times a term.

(3) Citations for violations by bicycle riders shall carry a fine:

(a) A schedule of fines shall be published annually as a part of UO Policy 570.060, under the subheading Parking-Bicycle Fines, of UO Policy 570.060(A), Special Fees, Fines, Penalties, Service Charges;

(b) As an alternative to a fine, cited bicycle riders/owners may be required to serve as a member of the Bicycle Safety Patrol at a rate of one hour of service for every dollar of the fine levied.

(4) Copies of Policy 571.060(A) listing current bicycle fees and fines are on file and available for public inspection in the Office of Business Affairs, Office of Public Safety, Office of the ASUO President, as well as the offices of all Vice-Presidents, deans, department heads and directors.

(5) Fees and fines collected pursuant to this bicycle policy shall be credited to the parking account and expended for the administration of the University's bicycle program.

(6) Bicycles which are unclaimed after having been found on the University campus or in its buildings and facilities shall be held for a minimum of three months at which time the owners shall be presumed to have relinquished their legal title. Bicycles which have been impounded shall be held for a minimum of three months at which time the owners shall be presumed to have relinquished their legal title. All such unclaimed bicycles shall be sold at scheduled public auction without reserve. The proceeds of such auction shall be credited to the parking account and expended for the administration of the University's bicycle program.

F. Changes in Bicycle Licensing, Use, and Parking Policy

Any faculty, staff, student or visitor may present in writing recommendations for changes in or amendments to University bicycle licensing, use and parking policy to the Office of Public Safety:

(1) Such recommendations, to be effective the following fall term, must be filed prior to May 1 of each school year.

(2) Recommendations will be presented to the Transportation Sub-Committee of the Campus Planning Committee for consideration. Recommendations receiving the endorsement of the Campus Planning Committee will be forwarded to the Vice-President for Administration for consideration for promulgation as proposed amendments to the policies in effect.

Policy Proposed for Repeal

Highlighted text incorporated into the new proposed personal transportation devices policy.

Policy Restricting the Use of Roller Skates, Skateboards and Electronic Skateboards including hoverboards, self-balancing boards/scooters and other similar equipment in University of Oregon Facilities

Roller Skates and Skateboards

(1) Use of roller skates, skateboards or electronic skateboards including hoverboards, self-balancing boards/scooters and other similar equipment inside University buildings, structures, or facilities is prohibited.

(2) Only the cautious use of roller skates and skateboards is permitted on University property. Acrobatics or other stunts performed on or using roller skates, skateboards or electronic skateboards including hoverboards, self-balancing boards/scooters and other similar equipment are prohibited.

(3) Users of roller skates and skateboards must yield the right-of-way to pedestrians.

(4) Use of roller skates, skateboards or electronic skateboards including hoverboards, self-balancing boards/scooters and other similar equipment is prohibited (unless otherwise permitted by signs) in areas of pedestrian traffic, including, but not limited to walkways, sidewalks, loading docks, driveways, and access ramps.

(5) Use of roller skates or skateboards is permitted on University paved roadways designed for vehicular or bicycle traffic provided users obey all traffic safety policies and this policy.

(6) Users of roller skates, skateboards or electronic skateboards including hoverboards, self-balancing boards/scooters and other similar equipment shall obey all campus stop, yield, and dismount signs.

(7) Electronic skateboards including hoverboards, self-balancing boards/scooters and other similar equipment cannot be stored and/or charged in any University of Oregon owned, operated or leased property due to their potential fire and fall injury hazards.

(8) Any person violating this policy is subject to:

- (a) A fine as listed in UO Policy 571.060(A);
- (b) University disciplinary proceedings, if a student or employee;
- (c) An order to leave the immediate premises or property owned or controlled by the University by an authorized University employee or agent.

(9) Building managers, deans, department heads, directors, and campus security officers are authorized to enforce administration of this policy and to direct individuals violating this policy either to remove the roller skates/to stop using the skateboard, or electronic skateboards including hoverboards, self-balancing boards/scooters and other similar equipment or to leave the premises.

(10) Exception to this policy may be made for University-sponsored and supervised programs.

Policy Proposed for Repeal

Highlighted text incorporated into the new proposed personal transportation devices policy.

Due to the need to address potential implementation, infrastructure and safety concerns, the University of Oregon prohibits individuals from operating, parking, or storing third party-owned electric scooters on university-owned and controlled property through April 30, 2019, or until such time that the university has implemented a policy that meets the university's needs.

Any third party-owned electric scooter found on university property will be impounded by the Department of Parking and Transportation, and an impound fee will be charged.

Any person violating this policy is subject to university disciplinary proceedings, if a student or employee; or an order to leave the immediate premises or property owned or controlled by the University by an authorized University employee or agent.

This policy does not apply to personally-owned electric scooters. This policy does not apply to electric scooters being used to accommodate persons with disabilities.

Definitions:

"Electric scooter" or "e-scooter": A device that is designed to be operated on the ground with no more than three wheels; has handlebars and a foot support or seat for the operator's use; can be propelled by motor or by human propulsion but does not have fully operative pedals for human propulsion.

"Third party-owned electric scooter": An electric scooter that is not personally-owned by an individual. An electric scooter that is part of a rental fleet is an example of a third party-owned electric scooter.

"Impound": The confiscation and storage of a vehicle, bicycle, scooter, etc., in a location designated by the University.

"Impound Fee": A charge for removal and storage of a vehicle, bicycle, scooter, etc., as outlined in the Special Fees, Fines, Penalties, and Service Charges fee book.