

## Chapter 10.32 - SNOWMOBILES, MOTOR-DRIVEN CYCLES, OR MINI-CYCLES

*Footnotes:**--- (2) ---*

**Editor's note**— *An ordinance dated April 18, 2022, changed the title of Ch. 10.32 from "The Operation or Use of Dirt Bikes, All-Terrain Vehicles, Snowmobiles, Motor-driven Cycles, or Mini-cycles" to read as herein set out.*

## 10.32.010 - Definitions.

The following words, terms and phrases, when used in this ordinance, shall have the meanings attributed to them in this section:

1. "Dirt bike" means a two-wheeled motorized recreational vehicle designed to travel over unimproved terrain and not designed for travel on a highway, as defined in Section 14-1 of the Connecticut General Statutes. "Dirt bike" does not include an all-terrain vehicle, as defined in Section 14-379 of the General Statutes, or a motor-driven cycle, as defined in Section 14-1 of the General Statutes.
2. "Snowmobile" means any self-propelled vehicle designed for travel on snow or ice, except vehicles propelled by sail.
3. "All-terrain vehicle" means a self-propelled vehicle designed to travel over unimproved terrain that has been determined by the commissioner of motor vehicles to be unsuitable for operation on the public highways and is not eligible for registration under Chapter 246 of the Connecticut General Statutes.
4. "Operate" means (1) to control the course of or otherwise use a dirt bike, snowmobile, all-terrain vehicle, motor-driven cycle, mini-cycle, or similar vehicle; or (2) being in possession of a dirt bike, snowmobile, all-terrain vehicle, motor-driven vehicle, mini-cycle or similar vehicle on any street or sidewalk in the city of Bridgeport or on any public property, including but not limited to school property, playgrounds and parks, within the city of Bridgeport, or on any private property, within the city of Bridgeport, without first obtaining the written permission of the property owner if the property is not owned by the operator, passenger, and/or owner of the motorized recreational vehicle, if such dirt bike, snowmobile, all-terrain vehicle, motor-driven vehicle, mini-cycle or similar vehicle is capable of being set in motion by the motive power of the vehicle.
5. "Motor-driven cycle" means any motorcycle, motor scooter, or bicycle with an attached motor, with a seat height of not less than twenty-six (26) inches, and a motor having a capacity of less than fifty (50) cubic centimeters piston displacement.
- 6.

"Mini cycle" means pocketbikes, miniature (hereafter "mini") bikes, mini cycles, mini sport bikes, mini motorcycles, chopper scooters, and any other similar wheeled vehicle designed to transport one or more persons that is powered by any type of motor.

7. "Shared Mobility Device" means a traditional bicycle, electric/pedal-assist bicycle, or electric scooter that is part of a dockless shared mobility rental system ("Shared Mobility System") operating with a valid City-approved application, for purpose of this Chapter, a Shared Mobility Device is not a motorized recreational vehicle.
8. The terms "dirt bike," "snowmobile," "all-terrain vehicle," "motor-driven cycle," and "mini-cycle" shall not be deemed to include any of the following:
  - a. Any registered "motorcycle" as defined in the C.G.S. § 14-1(46); any registered "motor vehicle" as defined in C.G.S. § 14-1(47);
  - b. Any moped that meets Federal Department of Transportation guidelines for use on streets and is approved by the state of Connecticut Department of Motor Vehicles for use on streets, provided, however, the moped is operated pursuant to all applicable state laws, rules, and regulations and all other city of Bridgeport ordinances;
  - c. Any wheelchair or similar mobility assisting device utilized by a person with a physical disability or whose ambulatory mobility has been impaired due to age or physical ailment;
  - d. Any self-propelled snow plow, snow blower or lawn mower or all-terrain vehicle with attached snowplow from November 15<sup>th</sup> through April 15<sup>th</sup>, when used for the purpose for which it was designed and operated at a speed not to exceed four miles per hour;
  - e. Any vehicle owned or leased by the city of Bridgeport;
  - f. Any vehicle that is used solely for amusement, or as a novelty display item, and is operated during a parade or any other special event that is properly permitted and approved by the city of Bridgeport shall be excluded from this article;
  - g. Any electric personal assistive mobility device (hereinafter "EPAMD") that is self-balancing, has two non-tandem wheeled devices, is designed to transport only one person, and has an electric propulsion system that limits the maximum speed of the device to twelve and one-half miles per hour or less; and
  - h. Any Shared Mobility Device.

For the purposes of Sections 10.32.020 and 10.32.030 of this ordinance, the terms "dirt bike," "snowmobile," "all-terrain vehicle," "motor-driven cycle," and "mini cycle" as defined in this section, shall be collectively referred to as "motorized recreational vehicle(s);" a Shared Mobility Device is not a "motorized recreational vehicle."

(Ord. dated 4-18-22; Ord. dated 12/7/20, Exh. A; Ord. dated 9/16/19; Ord. dated 5/18/15)

10.32.020 - Operations prohibited.

- A. It shall be unlawful for any person to operate a motorized recreational vehicle and/or for any owner of a motorized recreational vehicle to knowingly permit the operation of his or her motorized recreational vehicle on any street or sidewalk in the city of Bridgeport or on any public property, including but not limited to school property, playgrounds and parks, within the city of Bridgeport.
- B. It shall be unlawful for any person to ride as a passenger on a motorized recreational vehicle and/or for any owner of a motorized recreational vehicle to knowingly permit any person to ride as a passenger on his/her motorized recreational vehicle operated in violation of subsection A. above.
- C. It shall be unlawful for any person to operate a motorized recreational vehicle, ride as a passenger on a motorized recreational vehicle, and/or for any owner of a motorized recreational vehicle to knowingly permit its operation on any private property, within the city of Bridgeport, without first obtaining the written permission of the property owner if the property is not owned by the operator, passenger, and/or owner of the motorized recreational vehicle.
  - 1. It shall be unlawful to operate a motorized recreational vehicle, to ride as a passenger on a motorized recreational vehicle, and/or for any owner of a motorized recreational vehicle to knowingly permit its operation on private property before 8:00 a.m. or after 7:00 p.m. on weekdays, or before 9:00 a.m. or after 8:00 p.m. on weekends.
- D. It shall be unlawful for any person to operate an EPAMD and/or for any owner of an EPAMD to knowingly permit the operation of his/her EPAMD on any street in the city of Bridgeport, provided, however, an EPAMD may be operated on any public sidewalk and/or crosswalk in the city of Bridgeport. An operator of an EPAMD shall yield to pedestrians and any wheelchair or similar mobility-assisting device as defined within this ordinance and shall comply with any applicable state of Connecticut laws or regulations.
- E. No owner, operator or employee of any gas station or other retail dealer of gasoline (collectively "gas station") shall sell, offer for sale, or attempt to sell any article or product represented as gasoline for use in any motorized recreational vehicle, or permit any such vehicle's gas tank to be filled, (1) if operated in violation of subsection A. and (2) unless such motorized recreational vehicle is conveyed to and from the gas station by a registered motor vehicle as defined in Connecticut General Statutes Sec. 14-1 as may be amended from time to time, and securely mounted on a legally authorized hitch, trailer or carrier.

(Ord. dated 4-18-22; Ord. dated 12/7/20, Exh. A; Ord. dated 5/18/15)

#### 10.32.030 - Penalties.

- A. Any person who operates a motorized recreational vehicle in violation of Section 10.32.020 A. of this ordinance, or is the owner of a motorized recreational vehicle who knowingly permits its operation in violation of Section 10.32.020 A. of this ordinance, may be fined a sum not to exceed one thousand dollars (\$1,000.00), but not less than five hundred dollars (\$500.00) for a first offense, may be fined a sum not to exceed one thousand five hundred dollars (\$1,500.00), but not less than one thousand dollars (\$1,000.00) for a second offense, or may be fined a sum not to exceed two thousand dollars (\$2,000.00), but not less than one thousand dollars (\$1,000.00) for any third or subsequent offense.
- B. Any person who rides as a passenger on a motorized recreational vehicle in violation of Section 10.32.020 B. of this ordinance, or is the owner of a motorized recreational vehicle who knowingly permits a passenger to ride on his/her recreational motor vehicle in violation of Section 10.32.020 B. of this ordinance, may be fined a sum not to exceed one thousand dollars (\$1,000.00), but not less than five hundred dollars (\$500.00) for a first offense, may be fined a sum not to exceed one thousand five hundred dollars (\$1,500.00), but not less than one thousand dollars (\$1,000.00) for a second offense, or may be fined a sum not to exceed two thousand dollars (\$2,000.00), but not less than one thousand dollars (\$1,000.00) for any third or subsequent offense.
- C. Any person who operates a motorized recreational vehicle in violation of Section 10.32.020 C. of this ordinance, rides as a passenger on a recreational motor vehicle in violation of Section 10.32.020 C. of this ordinance, or is the owner of a motorized recreational vehicle who knowingly permits its operation in violation of Section 10.32.020 C. of this ordinance may be fined a sum not to exceed one thousand dollars (\$1,000.00), but not less than five hundred dollars (\$500.00) for a first offense, may be fined a sum not to exceed one thousand five hundred dollars (\$1,500.00), but not less than one thousand dollars (\$1,000.00) for a second offense, or may be fined a sum not to exceed two thousand dollars (\$2,000.00), but not less than one thousand dollars (\$1,000.00) for any third or subsequent offense.
- D. Any person who operates a motorized recreational vehicle in violation of Section 10.32.020 C.1. of this ordinance, rides as a passenger on a recreational motor vehicle in violation of Section 10.32.020 C.1. of this ordinance or is the owner of a recreational motorized vehicle who knowingly permits its operation in violation of Section 10.32.020 C.1. of this ordinance may be fined a sum not to exceed one thousand dollars (\$1,000.00), but not less than five hundred dollars (\$500.00) for a first offense, may be fined a sum not to exceed one thousand five hundred dollars (\$1,500.00), but not less than one thousand dollars (\$1,000.00) for a second offense, or may be fined a sum not to exceed two thousand dollars (\$2,000.00), but not less than one thousand dollars (\$1,000.00) for any third or subsequent offense.
- E.

Any person who operates an EPAMD in violation of Section 10.32.020 D. of this ordinance, or is the owner of an EPAMD who knowingly permits its operation in violation of Section 10.32.020 D. of this ordinance, may be fined a sum not to exceed one-hundred dollars (\$100.00), but not less than fifty dollars (\$50.00) for a first offense, may be fined a sum not to exceed two hundred dollars (\$200.00), but not less than one hundred dollars (\$100.00) for a second offense, or may be fined a sum not to exceed three hundred dollars (\$300.00), but not less than two hundred dollars (\$200.00) for any third or subsequent offense.

F. A police officer who observes any person in violation of any subsection of Section 10.32.020 of this ordinance may detain such person for purposes of enforcing the provisions of this ordinance and may remove or tow the motorized recreational vehicle in question into the custody of the Bridgeport police department, at the owner's expense, pending a disposition of such property by court order or otherwise by law and proof of ownership of such property (i.e., bill of sale). Before the owner or person in charge of any impounded motorized recreational vehicle shall be permitted to remove the vehicle from a vehicle pound, he shall furnish to the operator of such pound, or such other person as the chief of police shall designate, evidence of his registration and ownership, shall sign a receipt for such vehicle, and shall pay the cost of impoundment and administration, plus the cost of storage for each day or portion of a day that such vehicle is stored in the vehicle pound in excess of the first twenty-four (24) hours. The operator of such pound shall refuse the release of any motorized recreational vehicle lawfully seized that the chief of police has authorized to hold as evidence in a criminal investigation or proceeding. Such operator shall obtain written permission from the chief of police on any form or document prescribed by the chief of police prior to the release of such impounded motorized recreational vehicle.

G. A police officer who observes any gas station owner(s), operator(s) and/or their employees allowing a motorized recreational vehicle to be filled with gas in violation of subsection 10.32.030 ( c ) of this chapter may fine the gas station owner(s) a sum not to exceed two-hundred and fifty dollars (\$250) for each offense.

(Ord. dated 4-18-22; Ord. dated 12/7/20, Exh. A; Ord. dated 5/18/15)

#### 10.32.040 - Posting by motorized recreational vehicle dealer.

Each motorized recreational vehicle dealer offering for sale, lease or rental any motorized recreational vehicle shall post this ordinance in a prominent location at said dealer's place of business.

Any motorized recreational vehicle dealer who violates any provision of this section shall have committed an infraction. For a first violation, the chief of police or his authorized agent shall issue a written warning providing notice of the specific violation and the time period within which it shall be corrected. If the motorized recreational vehicle dealer receiving the written warning fails to correct the violation within the time period specified in the warning, the chief of police or his authorized agent shall issue a fine of ninety-

nine dollars (\$99.00). Any continuing violation that is discovered during any subsequent re-inspection shall result in a fine of ninety-nine dollars (\$99.00). Each re-inspection at which a violation is discovered shall constitute a separate violation.

(Ord. dated 4-18-22; Ord. dated 12/7/20, Exh. A; Ord. dated 5/18/15)

#### 10.32.050 - Posting by gas station owner(s).

Each gas station shall post a sign(s) provided by the City noticing Section 10.32.020 (E) and 10.32.030 (G) of this ordinance in a prominent location at said gas station.

Any gas station owner(s) that violates any provision of this section shall have committed an infraction. For a first violation, the chief of police or his authorized agent shall issue a written warning providing notice of the specific violation and the time period within which it shall be corrected. If the gas station owner(s) receiving the written warning fails to correct the violation within the time period specified in the warning, the chief of police or his authorized agent shall issue a fine of ninety-nine dollars (\$99.00). Any continuing violation that is discovered during any subsequent re-inspection shall result in a fine of ninety-nine dollars (\$99.00). Each re-inspection at which a violation is discovered shall constitute a separate violation.

(Ord. dated 4-18-22)