

ORDINANCE NO. 3417

AN ORDINANCE to amend and reordain Section 10-3-13 (RIDING UPON MOTORCYCLES AND PLACE OF OPERATION OF MOTORCYCLES OR MOPEDS), of Article B (RECKLESS DRIVING, SPEEDING, ETC.), Chapter 3 (OPERATION OF VEHICLES), Title 10 (MOTOR VEHICLES AND TRAFFIC) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 10-3-13 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 10-3-13 Riding upon motorcycles and place of operation of motorcycles or mopeds.

(a) A person operating a motorcycle as defined in section 10-1-1 herein, but excluding four-wheeled and three-wheeled vehicles for the purpose of this subsection, shall ride only upon the permanent and regular seat attached to the motorcycle, and such operator shall not carry any other person, and no other person shall ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the rear or side of the seat for the operator. If such motorcycle is designed to carry more than one person, it shall also be equipped with a footrest for the use of such passenger. A person operating a motorcycle shall wear a face shield, safety glasses or goggles or have his motorcycle equipped with safety glass or a windshield at all times while operating said vehicle; and operators and passengers thereon, if any, shall wear protective helmets. Operators and passengers riding on motorcycles with wheels of eight inches or less in diameter or in three-wheeled motorcycles which have a nonremovable roof, windshield and enclosed body shall not be required to wear protective helmets.

(b) Every person operating a moped on a public street or highway shall wear a face shield, safety glasses or goggles of a type approved by the superintendent of state police, or have his moped equipped with safety glass or a windshield, at all times while operating such vehicle, and operators and all passengers thereon shall wear protective helmets of a type approved by the superintendent.

(c) No person shall operate any motorcycle or moped upon any public property in the city, except that this provision shall not apply to the operation of such vehicles upon the streets in compliance with applicable sections of this code and of the Code of Virginia (1950), as amended, nor shall this provision apply to

the operation of publicly owned motorcycles, of emergency vehicles, or of implements including self-propelled mowers designed and used for mowing lawns. This provision shall be applicable only where there has been posted upon the property in question a sign or signs indicating that such operation is prohibited by the use of the words "motorcycle or moped riding prohibited" or words of similar import.

(d) Any person who violates subsection (a) or (c) shall be guilty of a class 3 misdemeanor and shall be punished as provided in section 1-1-8 of this code. Any person who knowingly violates subsection (b) shall be guilty of a traffic infraction and shall be subject to fine of not more than \$50.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

JAMES P. MORAN, JR.
Mayor

Final Passage: December 16, 1989