

Montana State University

Personal Mobility Device Policy

100.00 Introduction

1. Purpose

The Purpose of the Montana State University (MSU) Personal Mobility Device (PMD) program is to promote an environment in which people walking, using bicycles, e-scooters, skateboards and other PMDs, and motor vehicles, can safely co-exist. The University encourages the safe and courteous use of PMDs, which are an efficient, enjoyable and sustainable alternative transportation mode in and around campus. The policy was developed to set forth the regulations that govern the use of PMDs and promote their safe operation on campus.

2. Scope

MSU PMD regulations are issued supplemental to all applicable state, local and other laws and ordinances. MSU students, faculty, staff, and visitors to campus are advised that City of Bozeman ordinances regulating traffic and vehicles will be enforced in conjunction with these regulations. The PMD regulations are in effect at all times, including holidays, weekends and other times the University is not in session. The regulations also apply to all persons operating a PMD while on the campus. The only exception is for people who require ADA assisted mobility devices (e.g. motorized wheelchairs) for transportation. Montana State University Police Department, or their designated appointees, are required to enforce the PMD regulations.

200.00 Definitions

1. ADA Assisted Mobility Device: Any assistive technology, motorized or non-motorized, that aids the movement of people with physical impairments.
2. Bicycle Lane: A portion of the roadway that has been designated by striping, signage and pavement markings for the preferential use by bicyclists.
3. Impoundment: The towing, storage and/or locking of a PMD with a university lock.
4. Centennial Mall: The pedestrian corridor defined from South 6th Avenue to South 11th Avenue between Montana Hall and Renne Library, Roberts Hall and American Indian Hall, Lewis and Anna Pearl Sherrick Hall; includes the area between Barnard Hall and the SUB extending north.
5. Motorized Personal Mobility Device: A personal mobility device that has a motor or battery that powers movement. Includes but is not limited to the following types of devices: e-bikes, hover boards, motorized bicycles, e-scooters, motorized skateboards, motorcycles, and segways.
6. Non-Motorized Personal Mobility Device: A personal mobility device that is propelled by human power. Includes but is not limited to the following devices: bicycles, inline skates, kick scooters, and skateboards.
7. Pedestrian: A person who is afoot or operating a self-propelled wheelchair or motorized or non-motorized ADA mobility devices.
8. Pedestrian Walkway: A route that prioritizes pedestrian travel.

9. Registration Decal: A Montana State University issued decal that is a uniquely numbered adhesive sticker supplied as evidence of PMD registration and designed for attachment to the registered PMD as indication of registration. Applies only to privately owned or operated PMD's.
10. Regulatory Sign: all traffic control devices, signs, signals and markings, placed or erected for the purpose of regulation, warning or guiding traffic and parking.
11. Separated Bike Lane: a horizontally and/or vertically separated space within the roadway that is designed for bicycle travel.
12. Shared Lanes: Shared lanes are a section of the motor vehicle roadway that is to be used in common with bicycle traffic. Shared lanes are often indicated by "sharrow" markings on the pavement surface to increase awareness of the presence of bicyclists. They are typically employed on lower volume streets.
13. Shared Use Path: A multi-use pathway, either paved or not, that is physically separated from motorized vehicular traffic by a horizontal and/or vertical buffer. Shared use paths may be used by pedestrians, bicyclists and other non-motorized users. Pedestrians have the right-of-way on shared use paths.

300.00 Regulations

1. General
 - a. MSU assumes no responsibility for the care and protection of any PMD, attached accessories or content at any time. Theft prevention information is available through the University Police.
 - b. Counterfeiting, altering, defacing, or transferring the registration sticker to another person or PMD and/or giving false information in any application or hearing are in violation of these regulations and will be investigated as a criminal matter by the MSU University Police.
 - c. PMD operators are not considered pedestrians unless they are walking their PMD device.
 - d. PMD operators shall yield to pedestrians at all times.
 - e. PMD devices shall not be operated in or into any university buildings, except for parking in the areas specifically designated for PMD devices.
 - f. Administrative closures of campus areas shall be observed by PMD operators.
 - e.g. Administrative closures may be short term for special events or longer term to provide enhanced safety for pedestrians.
2. Non-Motorized PMDs
 - a. Operation
 - All non-motorized PMDs shall be operated as intended by the equipment manufacturer or according to state, local or other laws or ordinances.
 - Non-motorized PMDs may use pedestrian walkways, unless otherwise defined in this policy, but must use caution and yield to pedestrians.
 - b. Parking
 - Non-motorized PMDs shall be parked in designated areas. They shall not be parked in pedestrian walkways, doorways, handicap ramps, or other areas where they will be an obstruction to mobility for other users. Bicycles shall be parked only in bicycle racks provided.

- Parking a non-motorized PMD in any manner that creates a hazard or impedes access will be subject to immediate ticketing and impoundment.
- Parking a non-motorized PMD in any manner that causes damage to University property or facilities will be subject to ticketing and impoundment. Damages to University property may become the responsibility of the PMD owner.

3. Motorized PMDs

a. Operation

- All motorized PMDs shall be operated as intended by the equipment manufacturer or according to state, local or other laws or ordinances.
- Motorized PMDs, excluding ADA assisted mobility devices, are only permitted to be used in the vehicular right-of-way or on bicycle facilities, such as bicycle lanes and shared lanes. Motorized PMDs are not permitted on pedestrian walkways or pedestrian areas.
- Motorized PMDs are not permitted to be ridden in the zones described as “Core Campus” and the “West 11th Campus” (Figure 1). Core Campus is defined as the area from Harrison Street south to Grant Street and South 6th Avenue west to South 11th Avenue. The West 11th Campus is defined as the area from the Greenhouse parking lot south to Grant Street and South 11th Avenue west to South 12th Avenue. These areas do not include the right of way. Motorized PMDs can be ridden in the vehicular right-of-way or bicycle facilities in those corridors.

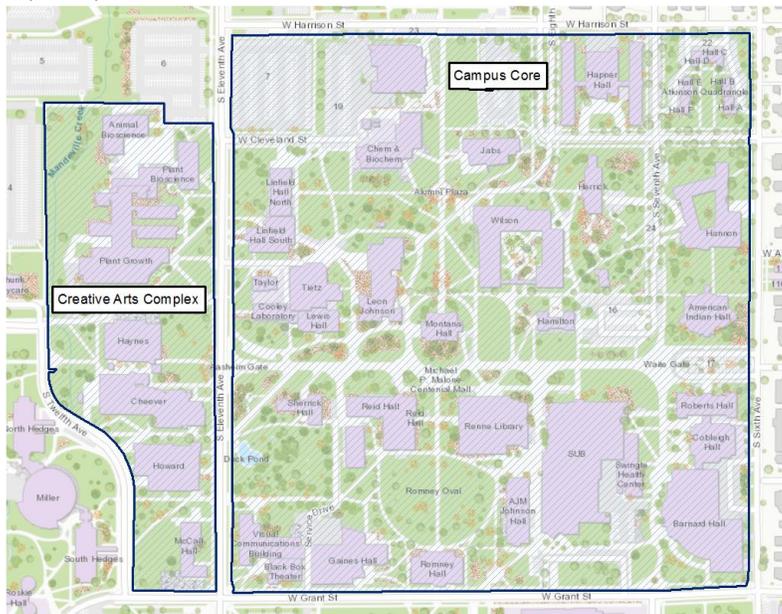


Figure 1

- b. Parking
 - Motorized PMDs shall be parked in designated areas only. They shall not be parked in bicycle racks, pedestrian walkways, doorways, handicap ramps, or other areas where they will be an obstruction to mobility for other users.
 - Parking a Motorized PMD in any manner which impedes access will be subject to immediate ticketing and impoundment.
 - Parking a Motorized PMD in any manner that causes damage to university property or facilities will be subject to ticketing and impoundment. Damages to university property may become the responsibility of the PMD owner.

400.00 PMD Registration

1. Registration Procedure
 - a. Registration of PMDs is not mandatory but is advised and can assist with recovery in the event of theft or impoundment.
 - b. MSU recommends that operators register their PMDs with MSU Police Department. Registration stickers should be displayed on the device in plain sight.
 - c. The person to whom the MSU registration sticker is registered to is responsible for any non-moving violations of these regulations and the associated fines in which the PMD is involved.
 - d. Registration of a PMD is not transferable to another PMD.
 - e. Montana State University registration decals are available through the MSU Police Department.
 - f. The registration card must be completed and the serial number (when available) must be provided to the MSU Police Department.
 - a.g. Registration procedures are subject to change by the MSU Police Department. Current information can be found on their website.
2. Display of Decals
 - a. Registration decals shall be attached with the supplied adhesive and shall be easily visible.
 - i. Bicycles: on the main frame, center post below the seat post insert, and be entirely visible.
 - ii. Scooters or Segways: on the handlebar stem, below the handlebar, and be entirely visible.
 - iii. Hoverboards or skateboards: on the underside of the footboard/deck and be entirely visible.

500.00 Violations

1. Traffic Violations
 - a. Operating a PMD in excess of posted speed limits.
 - b. Operating a motorized PMD on pedestrian walkways or within walk-only zones. Walking PMDs is permitted on University property posted for no operating of PMDs, walkways or within walk-only zones.

- c. Operating a PMD in a careless manner on bicycle paths, shared-use areas, and/or roadways, without regard to safety, visibility, local traffic, weather, and surface conditions, or in a way that endangers the safety of any person or property.
 - d. Failure to yield the right-of-way to a pedestrian.
 - e. Failure to obey parking and traffic control devices, signs and/or equipment.
 - f. Failing to heed lawful directions of a MSU Police Officer. Violators may also be subject to criminal penalty.
2. Parking Violations
- a. Leaning or locking to trees, or other living objects, railings, fences, posts, signs, fire hydrants, trash receptacles and other objects or facilities not designed or intended for PMD parking.
 - b. Parking in or on any service drive, building entrance, driveway, bicycle way, ramp, or any other passageway to which emergency equipment, wheelchairs, pedestrians, or service equipment may need access. PMDs parking in violation of this section are subject to being impounded and charged an additional impound fee.
 - c. Parking inside a building not designated for PMD parking.
 - d. Parking in a posted reserved or restricted area.

600.00 Impoundment

1. General

MSU reserves the right to remove and impound a PMD which impedes performance, maintenance or construction of or to University property. Any MSU Police Officer, or other person authorized specifically by the Chief of Police including University Services staff may move, relocate or impound any PMD by removal of securing devices as necessary which is:

- a. Blocking or otherwise impeding traffic in any street, roadway, path, sidewalk, stairway, handicap access rail or ramp, or creates any safety hazard. If PMDs are not parked in the appropriate locations, they are subject to impoundment.
- b. Blocking or impeding normal entrance to or exit from any building on campus.
- c. Abandoned or apparently abandoned PMDs, measured for a period of seven consecutive calendar days.
- d. Reported stolen to a law enforcement agency.

2. Retrieving an Impounded PMD

- a. The University or UPD officials authorized to remove and impound a PMD shall not be liable to the owner of the PMD for damage or the cost of repair or replacement of any securing device.
- b. Any PMD impounded pursuant to any section of this chapter shall be stored in a secure facility designed for such purpose by the Chief of Police. A fine shall be charged to the owner prior to the release of any impounded PMD. The impound fee is in addition to fines for other violations pending.

- a.c. Release of an impounded PMD requires an appeal or payment of outstanding citations. It is advised that unregistered PMDs be registered prior to release.

700.00 Payment of Fines and Appeals

1. Collection and Payment of Fines
 - a. Fines for PMD violations are payable in person or by mail to MSU Police Department, Bozeman, Montana, 59717, unless an appeal has been filed.
 - b. Any fine shall constitute a debt owed the University and be subject to collection. This could include, but is not limited to, payroll deduction, withholding of transcripts, and denial of registration privileges.
 - c. Failure to pay the fine by the date specified on the citation will constitute a second offense subject to a fine.
2. Appeal of Fines
 - a. Appeal forms are located at the University Police Department. The forms must be typed or neatly written with the citation attached and return to the University Police seven days from the date of the violation so it can be submitted to the Parking Appeals Committee. Requests for personal appearances are only granted at the discretion of the committee.
 - b. The committee shall either grant, deny or table each appeal within seven days of the date it is filed and shall send written notification of such action to the person concerned.
 - c. Fines for appeals which have been denied must be paid within seven days of the date of the letter informing the applicant of the action of the Parking Appeals Committee.

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800.00 Indebtedness

1. In addition to any other provisions of these regulations, any violator who incurs any monetary indebtedness to MSU will have that indebtedness treated as any other bill due and owing to the University.
2. Students will be billed for delinquent fines and must clear their accounts before they are permitted to register for the next semester, or in the case of graduation students before they receive their diploma or copies of their transcripts.
3. Faculty/staff members will be billed for delinquent fines and can expect to have any unpaid amounts withheld from their paychecks.

900.00 Use of Revenue

1. All revenue derived as a result of these regulations shall be paid into the X Fund of MSU to be used in meeting the costs of the PMD parking and safety program.

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