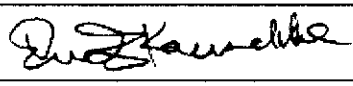




**SENATE LEGISLATION APPROVAL**

<b>Date:</b>	October 21, 2011
<b>To:</b>	Wallace D. Loh
<b>From:</b>	Eric Kasischke Chair, University Senate 
<b>Subject:</b>	Consideration of a Campus-Wide Helmet Policy at the University of Maryland
<b>Senate Document #:</b>	10-11-33

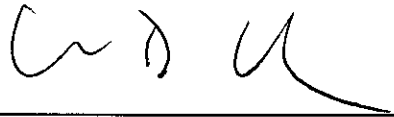
I am pleased to forward for your consideration the attached legislation entitled, "Consideration of a Campus-Wide Helmet Policy at the University of Maryland." Marcy Marinelli, Chair of the Campus Affairs Committee, presented the proposal. The University Senate approved the proposal at its October 20, 2011 meeting.

We request that you inform the Senate Office of your decision as well as any subsequent action related to your conclusion.

Enclosure: Consideration of a Campus-Wide Helmet Policy at the University of Maryland  
Senate Document # 10-11-33

EK/rm

- Cc: Ann Wylie, Senior Vice President for Academic Affairs & Provost  
Robert Specter, Vice President for Administrative Affairs  
Reka Montfort, Executive Secretary and Director, University Senate  
Juan Uriagereka, Associate Provost for Faculty Affairs  
Terry Roach, Executive Assistant to the President  
Janet Turnbull, President's Legal Office  
Elizabeth Beise, Associate Provost for Academic Planning & Programs  
Sylvia B. Andrews, Academic Affairs  
J. David Allen, Director, Department of Transportation Services  
Linda Clement, Vice President for Student Affairs

Approved:   
Wallace D. Loh  
President

Date: 11.2.11



## University Senate TRANSMITTAL FORM

<b>Senate Document #:</b>	10-11-13
<b>Title:</b>	Consideration of a Campus-Wide Helmet Policy at the University of Maryland
<b>Presenter:</b>	Marcy Marinelli, Chair, Campus Affairs Committee
<b>Date of SEC Review:</b>	September 26, 2011
<b>Date of Senate Review:</b>	October 20, 2011
<b>Voting (highlight one):</b>	<ol style="list-style-type: none"> <li>1. On resolutions or recommendations one by one, or</li> <li>2. In a single vote</li> <li>3. To endorse entire report</li> </ol>
<b>Statement of Issue:</b>	In recent years the University has seen a steady increase in the number of individuals on campus using motor scooters and mopeds as a mode of transportation. As the number of scooter and moped riders has increased, so has the need to make clear rules and regulations to help protect pedestrians, scooter riders, and other motorists.
<b>Relevant Policy # &amp; URL:</b>	N/A
<b>Recommendation:</b>	The Campus Affairs Committee recommends that protective headgear be required when operating or riding on a motor scooter or a moped on campus. The Director of the Department of Transportation Services, in consultation with the Campus Transportation Advisory Committee (CTAC), should establish and implement regulations and fines regarding the required use of helmets while operating or riding a motor scooter or moped on campus.
<b>Committee Work:</b>	<p>On November 1, 2010 the Campus Affairs Committee was charged with Consideration of a Campus-Wide Helmet Policy. The committee began its review of the charge at its December 7, 2010 meeting. The committee met with representatives from the Department of Transportation (DOTS), the Legal Office, the Athletic Department, and Public Safety to discuss the implications of a potential campus-wide helmet policy.</p> <p>Campus Affairs held its annual Campus Safety Forum on February 22, 2011, which focused on traffic safety with special</p>

emphasis on motor scooter safety. This forum provided the campus community a chance to weigh-in on the issue of a helmet policy. Additionally, a survey was created to allow for further campus participation in the helmet policy discussion. The survey was open from March to September 2011.

On April 5, 2011, after considering information from and discussions with the Legal Office, DOTS, and Public Safety, the Campus Affairs Committee voted in favor of requiring scooter riders to wear protective head gear on campus. An additional meeting was requested with the Legal Office, DOTS, and Public Safety on how to best establish and implement the regulations and fines regarding the required use of helmets. They met on April 13, 2011.

The Legal Office advised that DOTS is responsible for the control and flow of traffic on campus under University Policy VI-9.00, and as such should implement any helmet policy and be responsible for issuing the fines for persons not wearing a helmet on campus while riding a scooter or moped. The new License Plate Recognition System, which DOTS is using to photograph license plates for parking tickets, could also be used to photograph scooter/moped riders.

Additionally, the committee sent a request to the SEC for an extension on the helmet policy charge. The committee requested more time to consult on appropriate language for a new policy and to finalize its recommendations for implementation of the policy. On April 21, 2011 the SEC granted the extension and requested the helmet policy survey remain open to allow more campus participation as the committee continued their work.

On May 4, 2011 the committee voted to recommend that protective headgear be required for those operating or riding on a motor scooter or a moped on campus, and that the Director of DOTS, in consultation with (CTAC), should develop an implementation plan for regulations and fines.

The 2011-2012 Campus Affairs Committee met on September 8, 2011 to review the results of the survey and discuss the work and recommendation of the 2010-2011 committee.

After thorough discussion, the 2011-2012 Campus Affairs Committee endorsed the work of the 2010-2011 committee and

	approved the recommendation that protective headgear be required when operating or riding on a motor scooter or moped on campus.
<b>Alternatives:</b>	The current practice of not requiring protective headgear for operators and riders of scooters and mopeds could remain unchanged.
<b>Risks:</b>	Because Maryland State law does not require the use of helmets for operators and riders of scooter and mopeds, there is potential risk that these drivers/passengers will find such a requirement to be unfair.
<b>Financial Implications:</b>	The Department of Transportation Services is unlikely to incur additional financial costs, as it is already utilizing a new License Plate Recognition System to photograph license plates for parking tickets, which could also be used to photograph scooter/moped riders.
<b>Further Approvals Required:</b>	Senate Approval, and Presidential Approval.

Campus Affairs Committee Report for the  
Consideration of a Campus-Wide Helmet  
Policy at the University of Maryland  
Senate Doc 10-11-33

Background

In recent years the University has seen a steady increase in the number of individuals on campus using motor scooters and mopeds as a mode of transportation. As the number of scooter and moped riders has increased, so has the need to make clear rules and regulations to help protect pedestrians, scooter riders, and other motorists.

During the 2010-2011 academic year, the University of Maryland campus was witness to several serious accidents involving motor scooter riders. In these incidents, the scooter riders were not wearing protective helmets. This prompted many on the campus to consider the perceived "reckless behavior" of not wearing a helmet while operating a motor scooter or moped.

Maryland law defines a "motor scooter" as a non-pedal vehicle that (1) has a seat for the operator, (2) has 2 wheels, one of which is 10 inches or more in diameter, (3) has a step-through chassis, (4) has a motor with a rating of 2.7 brake horsepower or less and, if the motor is an internal combustion engine, a capacity of 50 cubic centimeters piston displacement or less, and (5) is equipped with an automatic transmission. Maryland law defines a "moped" as a bicycle that (1) is designed to be propelled by human power with some assistance from a motor, (2) has pedals that drive the bicycle mechanically, (3) has 2 or 3 wheels, one of which are more than 14 inches in diameter, and (4) has a motor with a rating of 1.5 brake horsepower or less and, if the motor is an internal combustion engine, a capacity of 50 cubic centimeters piston displacement or less.

Maryland State law currently requires individuals operating or riding on motorcycles to wear "protective gear". "Protective gear" includes a "DOT certified helmet" and "approved eye protection" (See Appendix 1). In contrast, the State (through the Maryland Vehicle Administration [MVA]) only "encourages" but does not require operators of motor scooters and mopeds to wear a DOT compliant motorcycle helmet.

While motorcycles must be titled and registered, Maryland law does not require motor scooters and mopeds to be titled or registered. At the start of the 2011-2012 academic year the University of Maryland began to require motor scooter and moped operators to register their vehicle with campus DOTS. To operate a motor scooter or moped on any roadway in Maryland, the operator must have a driver license of some class issued in Maryland or from his or her state of residency. A moped operator's permit is also valid; however, the Maryland MVA will not issue a moped operator's permit to any individual whose driver's license is suspended

or revoked. Neither a motor scooter nor a moped may exceed a speed of 30 MPH on any public roadway. Maryland law also prohibits the use of earplugs or headsets covering both ears when riding a motor scooter.

### Committee Work

On November 1, 2010 the Campus Affairs Committee was charged with the proposal, Consideration of a Campus-Wide Helmet Policy. The committee began its review of the charge at its December 7, 2010 meeting. At the January 25, 2011 meeting, the committee met with representatives from the Department of Transportation (DOTS), the Athletic Department, and Public Safety to discuss the implications of a campus-wide helmet policy. The Athletic Department dispelled rumors of supplying student-athletes with scooters, however it did report strong support for educational and safety efforts, including requiring helmets for its athletes that rode scooters. It was learned from DOTS and Public Safety that as the number of motor scooter and moped operators began to increase so did the need for policies specific to motor scooters. These policies were created to treat motor scooters and mopeds more like that of motorcycles and grouped them as such into “motorized cycles” (Appendix 2).

The 2010-2011 Campus Affairs Committee held its annual Campus Safety Forum on February 22, 2011, which focused on traffic safety with special emphasis on motor scooter safety. This forum provided the campus community a chance to weigh-in on the issue of a helmet policy. This year’s committee also created a special guest panel to highlight issues with traffic and scooter safety on campus. The panel for the forum consisted of Darryl Conway, Assistant Athletic Director; Lt. Bob Mueck, Public Safety; Lt. Phil Tou, Public Safety; Matt Riddick, DOTS (filled in for David Allen, Director of DOTS), and Gene Ferrick, 2010-2011 Campus Affairs Committee Chair. The panelists provided the attendees information about traffic safety as it related to the campus. Their information was based on intuitional knowledge as well as personal accounts. The campus community members in attendance were allowed to listen to each panelist’s brief overview and to participate in a question answer format moderated by Ferrick (Appendix 3).

Additionally, a survey was created to allow for further campus participation in the helmet policy discussion. The survey was available to students, faculty, and staff on the SurveyMonkey website beginning in March of 2011 and closed in early September 2011. Hard copies of the survey were also made available and distributed by hand among the employees in Facilities Management that do not have regular access to email or the internet. Participants were allowed to give open-ended feedback to the committee through the survey. The comments of participants were reviewed and are archived in the Senate Office. The majority of those surveyed (63.4%) are in favor of requiring all scooter or moped riders to wear a helmet on campus. A further breakdown of each constituency polled in the survey shows over 80% of staff member and 79% of faculty respondents are in favor of the helmet requirement. Whereas of those students polled, which nearly half ride a scooter on campus, only 44% are in favor of requiring helmets to be worn. *\*All survey results are as of September 8, 2011. The committee*

*also received 15 hard copies of the survey in the mail; these results have been incorporated into the results of the on-line survey and are included in the above mentioned percentages (Appendix 4).*

The 2010-2011 Campus Affairs Committee researched the University of Maryland's peer institutions on their scooter and moped helmet policies. The research found that most schools followed the requirements and laws of the state in which the school is located; consequently Berkeley, UCLA, and Michigan all require helmets to be worn during the operation of a scooter or moped (Appendix 5).

On April 5, 2011 after considering information from and discussions with the Legal Office, DOTS, and Public Safety the 2010-2011 Campus Affairs Committee voted in favor of requiring scooter riders to wear protective head gear. The committee requested an additional meeting with the Legal Office, DOTS and Public Safety on how to best establish and implement regulations and fines regarding the required use of helmets while operating or riding a motor scooter or moped on campus.

On April 13, 2011 the 2010-2011 Campus Affairs Committee Chair, Gene Ferrick, met with representatives from the Legal Office, DOTS, and Public Safety regarding the language and implementation of a potential helmet policy. The Legal Office advised that DOTS would be responsible for the control and flow of traffic on campus under University Policy VI-9.00, and as such should implement any helmet policy and be responsible for issuing the fines for persons not wearing a helmet on campus while riding a scooter or moped (Appendix 6). The new License Plate Recognition System, which DOTS is using to photograph license plates for parking tickets, could also be used to photograph scooter/moped riders. DOTS personnel can review photographs for infractions of a helmet rule and issue a fine by mail to registered scooters/mopeds. (This is similar to red-light and speed camera traffic fines.) It is important to note with the start of the 2011-2012 academic year the University of Maryland requires all motor scooter and moped operators to register their vehicle with campus DOTS. All registered scooters or mopeds are now equipped with a license plate and therefore will automatically be photographed when the License Plate Recognition System vehicle is in operation on the roadways of the campus. Along with parking information, DOTS can inform scooter/moped riders of a helmet rule and the enforcement of the rule on campus.

Additionally, the committee sent a request to the SEC for an extension on the helmet policy charge. The committee requested more time to consult on appropriate language for a new policy and to finalize its recommendations for implementation of the policy. On April 21, 2011 the SEC granted the extension and requested the Campus Affairs Committee helmet policy survey remain open to allow more campus participation as the committee continued their work (Appendix 7).

On May 4, 2011 the Campus Affairs Committee voted to recommend that protective headgear be required for those operating or riding on a motor scooter or a moped on campus. The

committee also agreed that the Director of DOTS, in consultation with the Campus Transportation Advisory Committee (CTAC), should develop an implementation plan for regulations and fines regarding the required use of helmets while operating or riding a motor scooter or moped on campus. Additionally, the survey will remain open over the summer in order to allow for further campus participation.

The committee also learned that several campus groups had independently passed resolutions or policies governing their individual group members in efforts to regulate the use of motor scooter and mopeds. On May 3, 2011, the Residence Hall Association voted in favor (27 – 5) of a university-wide helmet requirement for motorized scooter riders. (Appendix 8) Furthermore, a poll of the athletic team coaches in the spring of 2011 showed that two teams have banned their players from riding scooters and six teams require players to wear helmets when riding a scooter. In the Fall 2011 it was learned that every athletic team had created a policy to either ban scooters altogether or require athletes to use helmets.

The 2011-2012 Campus Affairs Committee met on September 8, 2011 to review the results of the survey and discuss the work and recommendation of the 2010-2011 committee. The returning members to the committee reflected and shared with the new committee members the discussions and rationale behind the approval of the recommendation to require scooter riders to wear helmets. The committee reviewed University Policy VI-9.00, citing that DOTS has the responsibility for the control and flow of traffic on campus. In its review the committee recognized that though the number of respondents to the survey had increased from only 200 to 670, the results of the survey had remained relatively the same with the majority (over 60%) in favor of requiring the use of helmets for scooter riders. The committee did discuss concerns that bicycles should be included in the recommendation regarding helmets, with several members commenting on the reckless riding of some bicyclists. It was decided that because of the size and speed of scooters the committee's efforts were best concentrated on scooters during the present time, but would likely revisit the topic.

After further discussion of the pros and cons of requiring scooter riders to wear helmets, it was moved and properly seconded to endorse the recommendation of the 2010-2011 committee. The 2011-2012 Campus Affairs Committee approved the recommendation that protective headgear be required when operating or riding on a motor scooter or moped on campus.

### Recommendation

The Campus Affairs Committee recommends that protective headgear be required when operating or riding on a motor scooter or a moped on campus. The Director of the Department of Transportation Services, in consultation with the Campus Transportation Advisory Committee (CTAC), should establish and implement regulations and fines regarding the required use of helmets while operating or riding a motor scooter or moped on campus.



## Appendices

Appendix 1- Maryland Motorcycle, Moped and Scooter Laws

Appendix 2- University of Maryland DOTS Descriptions

Appendix 3- Safety Forum Report

Appendix 4- Helmet Survey Results

Appendix 5- Peer Institution Research

Appendix 6- University Policy VI-9.00

Appendix 7- Extension Letter

Appendix 8- Residence Hall Association Resolution

Appendix 9- Charge



## Appendix 1 Maryland Motorcycle, Moped, and Scooter Laws



### ONLINE TRANSACTIONS

- [Online Registration Renewal](#)
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## Protective Riding Gear

Motorcyclists enjoy the freedom of riding in the open air and feeling a part of everything around them. However, there are some drawbacks to being exposed to the environment. Other vehicles usually surround the operator with a compartment or "cage" that helps to protect and keep the occupants comfortable. Motorcyclists must rely on the clothing they wear to protect and keep them comfortable. There are several manufacturers that produce high quality riding gear. Although leather riding gear provides the most protection, it can be very expensive. Riders should shop around and decide what riding gear meets their needs and purchase the highest quality they can afford.

Research indicates that bright colored clothing helps other vehicle operators to see the motorcyclists. Wearing bright colored protective gear can help avoid a crash.

### The required protective gear includes:

- DOT Certified Helmet \*

\*In Maryland, individuals may not operate or ride on a motorcycle unless they wear a helmet that is certified to meet the standards established by the Department of Transportation. Helmets provide protection; they do not prevent crashes. Helmets protect the wearer's head and brain by reducing and dispersing the force created by a blow or impact during a crash. A helmet has four basic components that work together to provide protection:

- Outer shell - The outer shell may be composed of polycarbonate, thermoplastic, kevlar, carbon fiber, graphite, fiberglass or a combination of these materials. It is designed to resist penetration and disperses the initial blow to the shock-absorbing liner.
- Shock-absorbing liner - the shock-absorbing liner is a firm expanding polystyrene system about one inch thick that helps absorb the impact and disperse the shock.
- Comfort liner - This liner improves the helmet's fit and overall "wearability". This liner may be terry cloth, velour, brushed nylon or micro fiber. In addition to comfort, this liner keeps the helmet snug to the wearer's head.
- Retention system - The chinstraps secure the helmet to the wearer's head. The chinstraps must be fastened so the helmet can function properly.

\*All helmets sold in the United States for use by motorcyclists since 1973 must comply with the Federal Vehicle Safety Standard 218 (FMVSS 218). This standard is the minimum standard for helmets required to be worn by motorcycle operators and passengers in Maryland. The helmet manufacturers test their helmets and certify their compliance with the federal standard by permanently affixing a DOT label to the helmet. The manufacturer affixes the DOT on the back of the helmet so that it is easily visible. Consumers should not purchase a helmet unless it bears the DOT label applied by the manufacturer.

\*An improperly fitted helmet will not do its job and may prove to be very uncomfortable when you are riding. Take the time to fit your helmet properly. Try on several helmets from different manufacturers and in various sizes. Do not purchase a used helmet. A helmet should fit snugly, not tightly.

- Approved eye protection \*

\*In Maryland, individuals may not operate or ride on a motorcycle unless they are wearing an approved eye-protective device. Motorcycle operators and passengers must wear an eye-protective device that is in compliance with the Federal Food and Drug Administration regulations on impact resistance, 21 CFR Section 801.410(d)(2). Eye-protective devices include face shields, goggles, and spectacles. Most eyewear sold over the counter complies with the FDA's impact resistance regulations. Motorcycle operators and passengers must wear clear (non-tinted) eye-protective devices when motor vehicles are required to display or use their lights.

- A long-sleeved jacket or shirt
- Long pants. Must be made of a sturdy material. Baggy, loose fitting, sweat and warm-up pants are not acceptable.
- Full-fingered gloves.
- Over-the-ankle shoes/boots. Footwear with low heels and non-slip soles are preferred.

**NOTE: If you do not have the proper gear you will not be permitted to ride. The course instructors will make the final determination if a rider's gear is acceptable.**

If you wish to find out more information about helmets or other protective riding gear, please feel free to call the Program Office and ask to speak with the Program Coordinator or Training Specialist.

**For more information  
please call the Motorcycle Safety Program at:  
1-800-638-1722 or 443-572-8236.**

[Return to Motorcycle  
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## Motor Scooter

### What is a Motor Scooter?

A motor scooter is defined in Maryland Vehicle Law, Section 11-134.5 as a non-pedal vehicle that:

1. Has a seat for the operator.
2. Has two wheels, of which one is 10 inches or more in diameter.
3. Has a step-through chassis.
4. Has a motor with a rating of 2.7 brake horsepower or less or if the motor is an internal combustion engine, with a capacity of 50 cubic centimeters piston displacement or less.
5. Equipped with an automatic transmission.

### Driver License/Moped License Required

A Class M motorcycle license is not required to operate a moped. However, each individual operating a moped or a motor scooter on any roadway in Maryland must have a valid driver's license of some class issued in this state or from the individuals' state or country of residency. A valid moped operators permit issued to the individual is also acceptable. An individual may not obtain a moped operators permit if they possess a valid Maryland driver's license or a valid driver's license issued by any other jurisdiction.

**The MVA will not issue a moped operator's permit to any individual whose driver's license or privilege to drive is suspended or revoked, refused or cancelled.**

The minimum age to apply for and obtain a moped operators permit is 16 years of age. The applicant must pass a vision screening and knowledge test to obtain the moped operators permit. This knowledge test is the same test that is required to obtain a class C learner's permit. Applicants less than 18 years of age must be accompanied by their parent/guardian. Please see [Obtaining a Moped Permit](#) for additional information.

### Titling and Registering a Motor Scooter

Vehicles that fall into the category of Motor Scooters cannot be titled or registered in Maryland. However, vehicles built for road use that have greater horsepower and cc's may be titled and registered as a [motorcycle](#).

*Note: A person may not operate a motorcycle that has a rating of 1.5 brake horsepower or less, or a capacity of less than 70 cubic centimeters piston displacement, on a roadway where the posted maximum speed is more than 50 miles per hour, or on an expressway or other controlled access highway.*

Prior to the sale of the vehicle, any dealer or agent or employee of a dealer, salesman, or other person who sells the motorcycle must inform the buyer of the operation restrictions.

### Lawful Operation of a Motor Scooter

Traffic laws that apply to individuals riding a bicycle also apply to people operating a motor scooter.

When operating a motor scooter, the rider must ride as near to the right side of the roadway as practical and safe except when:

1. Making a left turn.
2. Operating on a one-way street.
3. Passing a stopped or slower moving vehicle.
4. Avoiding pedestrians or road hazards.
5. The right lane is a right turn only lane.
6. Operating in a lane that is too narrow for a bicycle or motor scooter and another vehicle to travel safely side by side.

Operators of motor scooters are encouraged to wear a [DOT compliant motorcycle helmet](#). They may ride side by side only if the flow of traffic is unimpeded and must exercise due care when passing a vehicle. The use of headsets covering both ears or earplugs are prohibited except in certain circumstances.

A person may not ride a bicycle or a motor scooter on a roadway where the posted maximum speed limit is more than 50 miles per hour. If the roadway has a bike lane paved to a smooth surface or a paved shoulder, a person operating a bicycle or a motor scooter must use the bike lane or shoulder and may not ride on the roadway except for a situation identified above as (1 through 6).

A motor scooter may not be operated at a speed in excess of 30 miles per hour.

Operators of motor scooters should check their local jurisdictions for any laws that may affect the operation of a motor scooter.



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## Motorized Cycle



### Registration

### Vehicle Descriptions

### Parking & Storage

### Resources & Services

### Boot/Impound

## Motorized Cycle

According to Maryland State Law, motorized cycles are defined as below:

### Motorcycle:

- Is self-propelled by a motor with a rating of more than 1.5 brake horsepower and a capacity of at least 49 cubic centimeters piston displacement
- Has a singular front steering road wheel mounted in a fork assembly that passes through a frame steering bearing and to which is attached a handlebar or other directly operated steering device
- Except for a windshield or windscreen, does not have any enclosure or provision for an enclosure for the driver or any passenger
- Has a seat that is straddled by the driver



### Moped:

- Is designed to be operated by human power with the assistance of a motor
- Is equipped with pedals that mechanically drive the rear wheel or wheels
- Has two or three wheels, of which one is more than 14 inches in diameter; has a motor with a rating of 1.5 brake horsepower or less and, if the motor is an internal combustion engine, a capacity of 50 cubic centimeters piston displacement or less



### Motor Scooter:

- Is self-propelled by a motor with a rating of more than 1.5 brake horsepower and a capacity of at least 49 cubic centimeters piston displacement
- Has a singular front steering road wheel mounted in a fork assembly that passes through a frame steering bearing and to which is attached a handlebar or other directly operated steering device
- Has a seat that is straddled by the driver
- Except for a windshield or windscreen, does not have any enclosure or provision for an enclosure for the driver or any passenger



Note: "Motor scooter" does not include a vehicle that has been manufactured for off-road use, including a motorcycle and an all-terrain vehicle.

Maryland state law classifies motorized scooters and mopeds as vehicles. Most traffic laws, including, but not limited to, obeying speed limits, lane use, turn signals, etc. apply to mopeds and scooters.

## Appendix 3 Safety Forum Report

### Campus Affairs Committee Safety Forum Report 2011

The Campus Affairs Committee is charged with conducting a safety forum annually. This year the forum was held on February 22, 2011 in the Maryland room 0100 Marie Mount Hall. The safety forum is one of a few opportunities for members of the campus to discuss safety concerns on campus. The SGA and GSG held safety walks during the fall semester. In recent years the Campus Affairs committee has attached a theme or a focus to the safety forum. This year's focus is on traffic safety with a special emphasis on scooters and scooter safety. This year's committee also created a special guest panel to highlight issues with traffic and scooter safety on campus. The panel for the forum consisted of Darryl Conway, Assistant Athletic Director; Lt. Bob Mueck, Public Safety; Lt. Phil Tou, Public Safety; Matt Riddick, DOTS (filled in for David Allen, Director of DOTS), and Gene Ferrick, Campus Affairs committee Chair.

Panel member and moderator Gene Ferrick gave a brief introduction and description of the Campus Affairs Committee Safety Forum and its history to the attendees. He then opened the floor to each panel member allowing them to comment on campus traffic safety, especially in regard to scooter safety.

#### Lt. Bob Mueck

The underlining issue with scooters on campus is that current State law does not mandate the use of a helmet while operating a scooter. However, scooter operators must understand that when they ride their scooter they are considered a motor vehicle and therefore must abide by all state laws in place for motor vehicles or rules of the road. This is not limited to speed limits and stopping at stop signs, but extends to unlawful use on sidewalks and weaving in and out of traffic, which is considered reckless. The number of complaints involving scooters has increased substantially in the past 1-2 years. Complaints ranging from riding recklessly, the number of people on a scooter, and a large number of the complaints are related to "close calls" involving near accidents with cars and scooters. Because of this increase in complaints there has been and will continue to be a notable increase in enforcement towards scooter riders. Currently, Public Safety Officers are restricted to enforcing laws pertaining to riding on sidewalks, reckless behavior, speed limits, and number of passengers (there must be a seat and foot rest for each passenger); the enforcement of registration and helmets are not within the jurisdiction of Public Safety (currently). There is a sense that a scooter is a motorized bicycle, giving the rider a false sense of security and safety. The fact is scooters can travel at high speeds and without a helmet and proper foot gear (and other protective wear) serious physical harm can occur.

#### Darryl Conway

The athletic department has a vested interest in traffic and scooter safety, as many of the athletes on campus utilize the perceived convenience scooters provide. However, the athletic department does not provide scooters to the student athletes despite the multitude of rumors supporting the contrary. Athletes do not receive a scooter as part of their scholarship or as reward of winning championships. This would be in direct violation of NCAA rules and regulations and the University would be put on probation if any scooter purchase was made. The athletic department does recognize that many of the campus' scooter riders are athletes, and as such

provides safety materials to the athletes at mandatory coaches meetings at the beginning of the season. The athletic department would also be in full support of a helmet policy on campus.

Matt Riddick

Scooter registration is currently free for students, staff, and faculty this is very similar to the process used for other vehicle registration. The registration process is in place to have DOTS provide service to the campus community, protects against thefts, and helps to ensure that persons on campus are parking in the correct provided spaces. The numbers of scooters on campus has risen dramatically in recent years; in response DOTS is attempting to continually add more parking spots for scooters. The efforts for more parking spots is not only a direct reaction to the increase in numbers, but also to assist scooters to resist the temptations to park or ride on the sidewalk-which is a direct violation. Parking in non-scooter designated parking spots (sidewalks and bike racks) results in the scooter being towed, an infraction that entails a \$60 fine. The registration process for scooters will be changing in the fall; it will now cost around \$100 to register a scooter. In addition instead of small sticker verifying registration the scooter owner will be given a small license plate. The price for towing will also increase; additionally scooters may first be booted before being towed.

DOTS main concern with traffic safety and scooters on campus deals with road sharing. The large amount of traffic on campus roads, especially main thoroughfares with buses and shuttles providing service to the campus in addition to the regular vehicle traffic, the safety of smaller motor vehicles such as scooters has become a visible priority. Finding better ways to enforce and educate scooter riders on the proper rules of the road are a goal of DOTS.

Gene Ferrick

The Campus Affairs Committee has been charged by the Senate Executive Committee (SEC) to consider a campus wide helmet policy for scooters. The SEC asked the committee to consider safety issues and concerns related to scooters, compare the policies of peer institutions, and consult with the Legal office and Department of Public Safety. The Legal Office has advised the committee that the University can implement a helmet policy because the University polices its own roadways. This information was obtained through contact with the Attorney Generals Office. The committee is currently attempting to collect public opinion on the subject of scooter helmets. The committee is also trying to determine how to implement a helmet policy. How can it be enforced and can fines be applied to violation of the policy. The committee has been in conversations with the Office of Student Conduct, and it is the strong feeling that if a policy is put in place it should not be a Student Judiciary issue.

Open Forum

Question: How, or what method, currently is the committee leaning towards for implementation of a helmet policy? Would it be tickets issued by police officer or a citation issued by a campus representative? Is it more of a legal issue or a campus issue

Answer: The fairest method is some type of citation. Because it is not just a policy for students, but for the entire campus; staff and faculty that ride scooter would be held to the same standard. A citation would cover everyone. The committee is in the process of determining the logistics of what department can/will be in charge of issuing the citations. Currently DOTS or Police can

issue parking tickets, it is hoped that this policing freedom would extend to a helmet policy and police officers would be allowed to write citations based on University policy. It is being discussed how a system could be put in place for this to happen.

Question: What is the current or similar policy?

Answer: There currently is no helmet policy for scooter or any other mode of transportation. There is a registration policy for scooters that plan on utilizing the parking on campus. The registration is to help keep the parking situation under control; as well for a safety concern. Vehicles parked on campus are to be registered and this helps to know who is on campus. In addition all State motor vehicle laws apply to everyone on campus. According to State law scooters must abide by all motor vehicle laws in addition to rules that apply only to scooters. For example scooters are not permitted to drive on roadways with speed limits of greater than 50mph, and for roadways of 50mph scooters are not allowed to operate higher than 35mph. Many students (and other members of the public) don't realize that if while operating a scooter you are found in violation of any motor vehicle law it counts against your driver's license. Points will be added to your license and it will affect your insurance. Under federal law scooters have all the requirements and elements of a motor cycle. It is the size of the engine that keeps scooters lower than a motorcycle, above 50cc and it is considered a motorcycle. You also must have a driver's license or valid moped permit to operate a scooter.

Question: Would it be possible to advertise or provide better education on these facts?

Answer: Education is another consideration suggested in the charge from the SEC. The Athletic Department does provide a general safety discussion to the athletes at the beginning of each year, as well provides them with information. The Department of Public Safety also has safety educational flyers that have been distributed. One of the possible recommendations from the committee is that during the registration process for scooters educational information would be provided and a document would be signed stating the information was received and understood. It is also thought that this could be the time for educating the campus scooter riders about the helmet policy and the implications, if the policy is put in place.

Question: Currently under state law there is no helmet law? What about bicycles?

Answer: Currently there is no state law for scooters or motorcycles to wear a helmet. If you are under the age of 16 you must wear a bicycle helmet (while riding a bicycle).

Question: Where then would the policy end? Is it only scooters? What about bicycles or skateboards? All of which can be dangerous- why just scooters?

Answer: The charge from SEC originally was only for scooters probably due to the speed that scooters can go. It could be considered to go beyond scooters. There have also been a high number of accidents dealing with scooters in the recent past.

Question: Why now? Is this more of a reactionary response to the recent high profile accidents or is it proactive and a policy that the campus really wants?

Answer: The University has been taking safety steps prior to the accidents. The Department of safety has been working for some time to try and get the scooters off of the sidewalks and obeying the rules of the road. More parking has been and continues to be created for scooters. It is both pro and reactive. Athletics has been encouraging the athletes to wear helmets since 2005, but there has not been a mandate in place for enforcing helmets to be worn.

Comment from Lt. Mueck: Everyone has a responsibility-pedestrians, bicyclists, scooter riders, and people in cars and needs to be aware of their responsibilities no matter what their mode of conveyance is. Common sense will go a long way.

Question: What can we do instead of enforcing a helmet policy? I ride a motorcycle and would never go without my helmet. How do we relay that it is unsafe without a policy?

Answer: Many states currently don't have laws for helmets- even for motorcycles not to mention scooters or bicycles. However, there is research showing that States that have dropped their helmet laws seeing a steady increase in head injuries.

Question: (from Panel) Are there any scooter riders in the room?

Answer: No, there was one motorcycle rider and he always wears a helmet.

Comment: Scooters are treated like a toy, a toy for transportation. Many of the scooter riders on campus seem to have the perception that it is not or could be dangerous to ride a scooter; especially without a helmet and other proper gear (footwear-shoes not flip flops). Scooters are seen as a convenient mode of transportation that can get you from one side of campus to the other quickly and without consequence-if you are lucky. A helmet is seen as inconvenient because you would then have to carry it with you or lock it to your scooter. The fact is that if a scooter rider is obeying ALL of the rules of the road a scooter isn't going to get them to class any faster.

Question: How many scooters are registered on campus?

Answer: Unsure of the exact number, but it is a growing number and has been on a steady increase for the past couple of years.

It was acknowledged that there are many problems with bicycles on campus as well; with riders put themselves and others in bad situations because of ignorance and lack of following the rules of the road. However, the number of scooters on campus continues to grow and because of those numbers the safety concerns grow and need to be addressed.

A suggestion of creating a special site for scooters to educate and inform the University's scooter riders of all the requirements needed for operating a scooter, as well as the consequences (points against the riders driver's license ect.) There is a high probability that many of the campus' scooter riders are unaware of. A site like this could be tied into the registration process with



DOTS which may combat the trouble there otherwise may have been getting the public to go to the site.

Question: What is the precedence of a policy like this? Are there other universities that have helmet laws/policies?

Answer: The committee has been checking with peer institutions and the results so far have been that no other universities have helmet policies, but the states do. For example California and Michigan it is state law that scooter riders wear a helmet. In North Carolina you must be 16 years old or older and on highways you must wear a helmet. Illinois does not have a helmet law. Several states do not distinguish between motorcycles and motor scooters; Maryland recognizes them as two different classifications of vehicle. The city of College Park could create a city ordinance requiring that scooter riders wear helmets within the city limits; just as the University can create a policy for on campus use of scooters.

Seeing that there were no further questions or comments Ferrick closed the open forum. All of the concerns raised at the forum would be further discussed at the next Campus Affairs Committee meeting on March 8, 2011. Due to the low attendance rate of the forum other methods of reaching out to the campus community for opinions on a helmet policy such as using the suggestion of a website will be explored.

Ferrick thanked the panel and all that were in attendance for coming and expressing their concerns for campus traffic safety.

## Scooter Safety/Helmet Policy






### 1. What is your constituency?

		Response Percent	Response Count
Student		50.2%	329
Faculty		13.6%	89
Staff		38.2%	250
<b>answered question</b>			<b>655</b>
<b>skipped question</b>			<b>0</b>

### 2. Do you ride a scooter or moped on campus?

		Response Percent	Response Count
Yes		26.6%	174
No		73.6%	482
<b>answered question</b>			<b>655</b>
<b>skipped question</b>			<b>0</b>

**3. Are you in favor of requiring scooter or moped riders to wear a helmet when riding on campus?**

		Response Percent	Response Count
Yes		62.9%	412
No		33.4%	219
No opinion		4.4%	29
<b>answered question</b>			<b>655</b>
<b>skipped question</b>			<b>0</b>

**4. Please tell us why you feel this way about a helmet policy.**

	Response Count
	655
<b>answered question</b>	<b>655</b>
<b>skipped question</b>	<b>0</b>

**5. Do you have any other suggestions on safety in regard to scooters/mopeds on campus?**

	Response Count
	394
<b>answered question</b>	<b>394</b>
<b>skipped question</b>	<b>261</b>




**Q4. Please tell us why you feel this way about a helmet policy.**

1	pure safety and that of others..	Sep 7, 2011 8:47 PM
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# Scooter Safety/Helmet Policy






## 1. What is your constituency?

		Response Percent	Response Count
Student		3.6%	9
Faculty		0.8%	2
Staff		100.0%	250
answered question			250
skipped question			0

## 2. Do you ride a scooter or moped on campus?

		Response Percent	Response Count
Yes		3.2%	8
No		96.8%	242
answered question			250
skipped question			0

**3. Are you in favor of requiring scooter or moped riders to wear a helmet when riding on campus?**

		Response Percent	Response Count
Yes		82.4%	206
No		12.4%	31
No opinion		5.6%	14
answered question			250
skipped question			0

**4. Please tell us why you feel this way about a helmet policy.**

	Response Count
	250
answered question	250
skipped question	0




**5. Do you have any other suggestions on safety in regard to scooters/mopeds on campus?**

	Response Count
	176
answered question	176
skipped question	74



## Scooter Safety/Helmet Policy



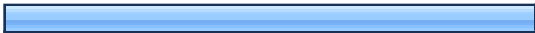


### 1. What is your constituency?

		Response Percent	Response Count
Student		2.2%	2
<b>Faculty</b>		<b>100.0%</b>	<b>89</b>
Staff		2.2%	2
answered question			89
skipped question			0

### 2. Do you ride a scooter or moped on campus?

		Response Percent	Response Count
Yes		12.4%	11
<b>No</b>		<b>87.6%</b>	<b>78</b>
answered question			89
skipped question			0

**3. Are you in favor of requiring scooter or moped riders to wear a helmet when riding on campus?**

		Response Percent	Response Count
Yes		79.8%	71
No		14.6%	13
No opinion		6.7%	6
answered question			89
skipped question			0

**4. Please tell us why you feel this way about a helmet policy.**

	Response Count
	89
answered question	89
skipped question	0

**5. Do you have any other suggestions on safety in regard to scooters/mopeds on campus?**

	Response Count
	60
answered question	60
skipped question	29

## Scooter Safety/Helmet Policy



### 1. What is your constituency?

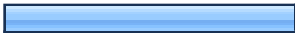


		Response Percent	Response Count
Student		100.0%	329
Faculty		0.6%	2
Staff		2.7%	9
		answered question	329
		skipped question	0

### 2. Do you ride a scooter or moped on campus?

		Response Percent	Response Count
Yes		48.6%	160
No		51.7%	170
		answered question	329
		skipped question	0



**3. Are you in favor of requiring scooter or moped riders to wear a helmet when riding on campus?**

		Response Percent	Response Count
Yes		43.5%	143
No		53.8%	177
No opinion		3.6%	12
<b>answered question</b>			<b>329</b>
<b>skipped question</b>			<b>0</b>

**4. Please tell us why you feel this way about a helmet policy.**

	Response Count
	329
<b>answered question</b>	<b>329</b>
<b>skipped question</b>	<b>0</b>

**5. Do you have any other suggestions on safety in regard to scooters/mopeds on campus?**

	Response Count
	168
<b>answered question</b>	<b>168</b>
<b>skipped question</b>	<b>161</b>

## Scooter – Bike Safety - PEERS

### **California**

California Vehicle Code, Division 12, Chapter 5, Article 7, Section 27803.

"(a) A driver and any passenger shall wear a safety helmet meeting requirements established pursuant to Section 27802 when riding on a motorcycle, motor-driven cycle, or motorized bicycle. "(b) It is unlawful to operate a motorcycle, motor-driven cycle, or motorized bicycle if the driver or any passenger is not wearing a safety helmet as required by subdivision (a). "(c) It is unlawful to ride as a passenger on a motorcycle, motor-driven cycles, or motorized bicycle if the driver or any passenger is not wearing a safety helmet as required by subdivision (a). "(d) This section applies to persons who are riding on motorcycles, motor-driven cycles, or motorized bicycles operated on the highways. "(e) For the purposes of this section, 'wear a safety helmet' or 'wearing a safety helmet' means having a safety helmet meeting the requirements of Section 27802 (see :Standards" below) on the person's head that is fastened with the helmet straps and that is of a size that fits the wearing person's head securely without excessive lateral or vertical movement. "(f) In enacting this section, it is the intent of the Legislature to ensure that all persons are provided with an additional safety benefit while operating or riding a motorcycle, motor-driven cycle, or motorized bicycle."

### **Berkeley**

#### Scooters and motorcycles

Motorcycles and scooters can only be parked in designated parking spaces. There is an annual permit fee and a semester parking fee for on-campus motorcycle parking; the City of Berkeley offers free motorcycle parking in specifically marked parking areas. Motorcycles parked at expired metered spaces will be ticketed.

#### Bicycling

Bicycling is a popular and convenient form of transportation at UC Berkeley and in the surrounding communities. In fact, Berkeley has installed bicycle parking and routing throughout the campus. Pedestrians have the right-of-way, but bicyclists can ride everywhere on campus roadways, paths, and courtyards, except clearly marked Dismount Zones (Sproul and Dwinelle Plazas, during peak period, 8am-6pm). A safe cycling environment is maintained through strictly enforced campus, local, and state laws. Please remember to: wear a safety certified helmet, respect pedestrian rights, use hand signals, obey all stop signs and traffic controls, ride with (not against) traffic, and equip your bicycle with a headlight and side/rear/pedal reflectors. For more information about bicycling in the Bay Area, go online ([police.berkeley.edu/bike](http://police.berkeley.edu/bike)).

Bicycle parking spaces are located throughout the campus and at the residence halls. Bicycles that are parked illegally (on light posts, stairs, ramps, or paths, for instance) interfere with use of the campus, and may be cited or impounded.

The Secure Bicycle Parking Program provides over 120 bicycle parking spaces (in total) at four secure and covered facilities throughout campus. Each facility contains regular bike racks; high-quality locks must be used. Secure bicycle parking facilities are locked and are accessible only via a personal access code; however, the program is free and is available to applicants on a first-come, first-served basis (pt.berkeley.edu/park/bike/secure; 2150 Kittredge Street; glwaugh@berkeley.edu; 510/643-7700).

Avoid bicycle theft by always using a high-quality U-lock correctly. Use it to lock both wheel and frame to a rack in a well-lit, well-traveled area.

Bicycle licenses are a city (and campus) requirement and are offered for free by UCPD. Check the UCPD website for current dates and times (police.berkeley.edu/prevention/bike.html).

On the UC Berkeley campus, pedestrians have the right-of-way at all times, except where signage directs pedestrians to give the right of way to bikes.

Bicyclists are subject to the same rules of the road as motor vehicle drivers. The maximum speed limit on roadways is 25 mph, except where posted otherwise. In driveways and parking lots it is 10 mph. Within 10 feet of a pedestrian, 5 mph.

Read more [Campus Rules and Policies](#)

Other California Vehicle Code Laws Bicyclists Should Know:

you cannot ride a bicycle while wearing headphones

you must have a light when riding at night

What Is The "Dismount Zone"

Bicyclists can ride everywhere on campus roadways, paths and courtyards except the Dismount Zone. The Dismount Zone is defined as California Plaza, Dwinelle Plaza, or Sproul Plaza, during the period of peak pedestrian traffic, 8am-6pm, M-F— when and where bicyclists must walk their bicycles or be subject to citation. The Dismount Zone applies to all others on wheeled transport too, like skateboards and scooters.

When in doubt, WALK in the Zone!

## **UCLA**

Wearing a helmet, while riding a motorcycle or scooter, is required by law.

<http://map.ais.ucla.edu/go/1002494>

## **MICHIGAN**

All persons riding a motorcycle, and any person less than 19 years of age operating a moped on a public thoroughfare, are required to wear a crash helmet on his or her head. The Michigan Department of State Police has been given the legislative responsibility to approve crash helmets and to promulgate rules to implement this law.

Section 257.658 of the Michigan Vehicle Code reads as follows:

Sec. 658. (1) A person propelling a bicycle or operating a motorcycle or moped shall not ride other than upon and astride a permanent and regular seat attached to that vehicle.

(2) A bicycle or motorcycle shall not be used to carry more persons at 1 time than the number for which it is designed and equipped.

(3) A moped shall not be used to carry more than 1 person at a time.

(4) A person operating or riding on a motorcycle, and any person less than 19 years of age operating a moped on a public thoroughfare shall wear a crash helmet on his or her head. Crash helmets shall be approved by the department of state police. The department of state police shall promulgate rules for the implementation of this section pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.315. Rules in effect on June 1, 1970, shall apply to helmets required by this act. This subsection does not apply to a person operating or riding in an auticycle if the vehicle is equipped with a roof which meets or exceeds standards for a crash helmet.

(5) A person operating or riding in an auticycle shall wear seat belts when on a public highway in this state.

From

[http://www.michigan.gov/msp/1,1607,7-123-1589\\_1711\\_4587-16062--,00.html](http://www.michigan.gov/msp/1,1607,7-123-1589_1711_4587-16062--,00.html)

From Univ of Michigan web site...

Motorcycle and Moped Parking

Motorcycle and moped parking is located in some Blue, Yellow and Orange lots.

These areas are indicated on the parking map and on signs at individual lots.

Permits are not required. Motorcycles and mopeds may not park in gate-controlled areas, in regular vehicle parking spaces during enforcement hours or in bicycle racks (unless otherwise indicated).

[http://pts.umich.edu/permit\\_parking/rules\\_regulations.php#moto](http://pts.umich.edu/permit_parking/rules_regulations.php#moto)

Mopeds

A "Moped" is considered to be any low-powered motorized vehicle of 50cc or under.

Mopeds are allowed to park for free in 26 designated moped spaces throughout campus. There are no secured spaces on campus.

Moped riders can Look for the "Moped Parking" signs around campus and for the "Moped Only" decals on the bike loops designated for mopeds. Riders need to walk their mopeds from the street to the bike hoops. Driving on the pedestrian walkways is not allowed.

### Moped Rights and Responsibilities

In general, mopeds on public roadways have the same rights and responsibilities as automobile drivers and are subject to the same Michigan State laws and local ordinances.

**Keep to the Right and Ride Only Two Abreast**  
Riders should stay to the right side of the road and exercise care when passing. No more than two mopeds should ride side by side on a public roadway

**Ride on the Road and in Designated Areas**  
Moped should not be operated on any sidewalk, bicycle path or bicycle lane.

**Register Your Moped**  
All Mopeds must be registered within the state. The registration decal needs to be placed on the rear bumper. Decals should be used versus a license plate. Vehicles with license plates are considered motorcycles.

**Wear a Helmet**  
Persons under the age of 19 shall are required to wear an approved crash helmet.

**Use Lights at Night**  
Mopeds shall be equipped with all lights and other safety equipment required by law.

**Passengers**  
A Moped shall not be used to carry more than one person at a time.

**Keep Both Hands on the Handle Bars**

Moped operators shall not carry packages or bundles which prevent them from keeping both hands on upon the handle bars

[http://pts.umich.edu/maps/motorcycle\\_safety.pdf](http://pts.umich.edu/maps/motorcycle_safety.pdf)

### **Illinois**

Helmets are not required for Motorcycle riders.

### **UNC Chapel Hill**

Special parking areas for mopeds, scooters and gas-powered bikes.  
Scooters pay for a parking permit. (started in 2009)

### **North Carolina**

#### **Moped**

You must be age 16 or older to operate a moped on North Carolina highways or public vehicular areas. A driver license is not required, and the moped does not have to be registered, inspected or covered by liability insurance. **A motorcycle safety helmet is required by law when operating a moped on North Carolina highways.** A moped cannot have a motor of more than 50 cubic centimeters, an external shifting device or have the capability of exceeding 30 miles per hour on a level surface.



# Consolidated USMH and UM Policies and Procedures Manual

University of Maryland  
Policies and Procedures

## VI-9.00(A) UNIVERSITY OF MARYLAND TRAFFIC REGULATIONS

**APPROVED BY THE PRESIDENT 1 AUGUST 1991; UPDATED JULY 2003**

### I. POLICY

The University of Maryland at College Park enforces the Maryland State Department of Transportation Articles on the campus. Maryland State Uniform summonses are issued by the Campus Police for moving violations.

The Department of Transportation Services is responsible for the control and flow of traffic, the protection of pedestrians, and the provision of parking spaces to students, faculty and staff. The complete text of the "Department of Transportation Services University of Maryland College Park Parking Regulations," developed by the Department, is available at the Department of Transportation Services' website:

[www.inform.umd.edu/CampusInfo/Departments/DCP](http://www.inform.umd.edu/CampusInfo/Departments/DCP).



[UM Policies & Procedures](#) | [Directories](#) | [Search](#) | [Calendar](#)  
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# UNIVERSITY OF MARYLAND

UNIVERSITY SENATE

1100 Marie Mount Hall  
College Park, Maryland 20742-4111  
Tel: (301) 405-5805 Fax: (301) 405-5749  
<http://www.senate.umd.edu>

April 13, 2011

Professor Linda Mabbs  
Chair, University Senate  
1100 Marie Mount Hall  
University of Maryland  
College Park, MD 20742-7541

Dear Chair Mabbs:

The Senate Campus Affairs Committee (CAC) was charged with "Consideration of a Campus-Wide Helmet Policy at the University of Maryland (Senate Doc # 10-11-33) on November 1, 2010. The CAC considered the charge and began its work at the December 7, 2010 meeting. The committee also met with David Allen, Director, University Department of Transportation (DOTS); Diane Krejsa, University Council; Darryl Conway, Assistant Athletic Director; Lt. Bob Mueck, University Public Safety; and Chief David Mitchell, University Public Safety to discuss the implications of a campus-wide helmet policy.

The Campus Affairs Committee held its annual Campus Safety Forum on February 22, 2011, which focused on traffic safety, with special emphasis on motor scooter safety. The forum offered the campus community an opportunity to weigh-in on the issue of a motor scooter helmet policy while discussing campus safety concerns. Additionally, the committee created a survey to allow for further participation from the campus community. The survey collected information pertaining to whether the participant rode a scooter on campus, if they supported a scooter helmet policy on campus, and whether the campus should implement a scooter helmet policy.

The Campus Affairs Committee has diligently taken into consideration the information, advice and expertise from the above-mentioned units while reviewing this charge. The committee has also reviewed the data collected from the survey, citing 58% of the total 191 respondents being in favor of a campus-wide scooter helmet policy. The Campus Affairs Committee has voted to approve creating a campus-wide helmet policy for motor scooters. However, we would like to respectfully request more time to consult with DOTS, the Legal Office, and Public Safety to craft appropriate language for a new policy and to finalize its recommendations for implementation of the policy.

Thank you for your consideration of this request.

Sincerely,

Gene Ferrick  
Chair, University Senate Campus Affairs Committee



**Appendix 8**  
**Residence Hall Association Resolution**

Residence Hall Association  
MJW001 2011  
April 28, 2011

Resolution Supporting the Regulation of Helmet Use of Scooters

**Whereas:** The Residence Hall Association (RHA) is the governing body of all on campus students at the University of Maryland, College Park, and

**Whereas:** The RHA has priority influence in regards to issues within the Department of Transportation Services (DOTS) through the Transportation Advisory Committee (TAC), and

**Whereas:** in the latest TAC meeting, David Allen, the Director of Transportation informed TAC that the University Senate has purposed a bill to require helmet use while riding a motorized scooter, and

**Whereas:** DOTS has agreed to enforce the use of helmets on scooters if said bill passes, and

**Whereas:** TAC agrees that a regulation to enforce helmet use is a good safety precaution for scooter riding on campus, and

**Therefore be it resolved:** That RHA supports implementing a helmet regulation for individuals riding on a motorized scooter at the University of Maryland.

Co - Authored By:  
Mindy Wu  
Centreville Senator  
Residence Hall Association

Marcela Lima  
Senator At Large and TAC Chair  
Residence Hall Association

## RHA backs helmet policy for scooter riders

After debate, the resolution passed 27 to 5 ; RHA to revisit issue in the fall

By [Maria Romas](#)

Wednesday, May 4, 2011

After a 45-minute debate, the RHA passed a resolution last night in support of a university-wide helmet requirement for motorized scooter riders but not for bicyclists.

The Residence Hall Association decided to weigh in on the possibility of enacting this policy after at least two scooter accidents occurred last semester; university departments and other voting bodies have previously discussed the issue.

The resolution to mandate helmets originally called for fines to be brought against those who neglected to wear them. But this sparked debate among RHA senators over how the program would be implemented because the organization would have to collaborate with University Police, the Department of Transportation Services and the University Senate to see the initiative through.

Ultimately, the body decided in a 27 to 5 vote to take out the details and add a statement to revisit the issue when it reconvenes in the fall, which the conflicting senators called a compromise. The provision that passed stated only that the body was in favor of a university-wide helmet policy for motorized scooter riders.

"I think the helmet resolution was really significant because it's really good we take a preemptive stance on the issue and not wait until we have a serious injury to make a resolution," RHA President-elect Corie Stretton said. "It's good to be proactive for us. Now, the concerns on technical specifics have not been worked out, but it's good we have a resolution as a foundation now that we can add details to later. Anything that could potentially save lives is a good thing to me."

President Sam Lengyel said the resolution should not be supported unless the details of its implementation are hammered out first.

However, Casey Anis, student groups and organizations liaison, said the bill shouldn't have been hotly debated.

"It's a matter of basic safety," he said in the midst of the debate. "It's not that difficult — it's a very, very easy safety precaution to take. Put the helmet on, and it could save your life. It's like a seatbelt. If it's a chance we have to make scooters safer on campus, why not pass it?"

But National Communications Coordinator Sean Collins said he's against any regulation for scooter riders and vocalized his opinion at the meeting.

"People are stupider than you think," he said. "If they are wearing a helmet, they will think they are indestructible. It's going to harm more than it hurts."

Some students think it is necessary for students to always wear helmets when riding scooters.

"It's better to be safe than sorry," senior psychology major Samantha Urda said. "If they are going to ride a scooter on a crowded campus, with hills, squirrels and students roaming around, they have got to be safe."

Some student-athletes who ride scooters said they don't wear helmets but can see why they should. Earlier this semester, Terrapin football coach Randy Edsall banned his players from owning and riding scooters.

"This year, a bunch of people got injured," said sophomore letters and sciences major Christy Goldmann, a member of the women's track and field team. "I know it would be good to wear helmets, but it's just more of a hassle to bring to class and all. It's not fun, but I guess safety first."

"My mom actually bought me a helmet, and I just never wear it," said freshman biology major Kristiana Person, who is also on the track and field team. "I just don't see any reason. If they told us we had to, I probably would but can't see too many people doing so."


Freshman plant sciences and theater major Dwight Townsend-Gray, an RHA senator, said he personally knows offensive tackle Pete DeSouza — who sustained injuries from a scooter crash last semester — and is scared an accident like this could happen again.

"I'm a freshman now," he said. "I don't want be here as a senior voting on this issue because someone has died," he said.

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**University Senate  
CHARGE**

<b>Date:</b>	November 1, 2010
<b>To:</b>	Gene Ferrick Chair, Campus Affairs Committee
<b>From:</b>	Linda Mabbs Chair, University Senate 
<b>Subject:</b>	Consideration of a Campus-Wide Helmet Policy at the University of Maryland
<b>Senate Document #:</b>	10-11-33
<b>Deadline:</b>	March 28, 2011

The Senate Executive Committee (SEC) requests that the Campus Affairs Committee consider whether a campus-wide helmet policy should be instituted at the University of Maryland.

In recent years, the use of motorized scooters by students on campus has been rapidly increasing. It is clear that students have been using these scooters for the convenience that they afford. Many students use these vehicles as a means to get to class and student-athletes often use them to get across campus to the practice facilities on the north side of campus.

There is no law in the State of Maryland that requires drivers of motorized scooters to wear a helmet while operating them. Since these scooters can be operated on roadways with other vehicles and at speeds greater than most bicycles, safety is a factor.

A preliminary review by the University's Legal Office and the State Attorney General's Office concluded that the University has jurisdiction and control over our campus roads. Therefore, it is possible for the University to create a helmet policy if we deemed it to be appropriate. The SEC requests that the Campus Affairs Committee conduct a review to determine whether or not the University of Maryland should institute a campus-wide helmet policy.

Specifically, we ask that you:

1. Comment on whether there are safety concerns for those who use motorized scooters without helmets.

2. Compare our circumstances to those at our peer institutions.
3. Consult with the Legal Office on the legality and impact of creating such a policy.
4. Consult with a representative of Public Safety regarding penalties and enforcement issues if such a policy were instituted.
5. Recommend a new policy if appropriate.
6. Recommend whether educational safety programs should be instituted.

We ask that you submit your report and recommendations to the Senate Office no later than March 28, 2011. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.