

ORDINANCE COMMITTEE
Town Hall Council Chambers
OCTOBER 4, 2004

Present: Paul Leary , Chairperson
Michael Smart
Colin McPherson
Art Mathews
Kenneth DiFazio

Also Present: George Lane, Town Solicitor
James Thomas, Police Chief
Sergeant John Concannon
T.J. Lacey

Recording Secretary: Janet Murray

Chairman Leary called the meeting to order at 6:35pm. He noted that the only item on the agenda is the discussion of the proposed ordinances for the operation of motor scooters.

Police Chief Thomas stated that there is definitely a need for such an ordinance. He noted that House Bill 1544, which is legislation to amend Chapter 90 of the motor vehicle laws, is currently in its third reading. It will then go to discussion and then a vote. Any such legislation would supercede the town's ordinance. However, such legislation would give the police more power to enforce. Cambridge and Medford, Massachusetts each have ordinances regulating the operation of motor scooters. Quincy and Boston, Massachusetts are in the process of developing ordinances.

Paul Leary suggested that the information presented tonight, the police suggestions, other town ordinances, and the Councilor's suggestions are referred out to a subcommittee-comprised of Sergeant Concannon and Councilor DiFazio. At which time they will report back to the Ordinance Committee.

George Lane, the Town Solicitor, stated that he did not see any glaring inconsistencies in the documents reviewed tonight. The town's ordinance could be additionally restrictive as long as it is consistent with the general law.

Colin McPherson questioned the need to spend time developing an ordinance if the law is going to be enacted at the state level. It was noted that the state fine schedule is different than the proposed town ordinance. State law takes precedence in regards to penalties imposed. He stated that he would like to see the by-law kept lean and simple.

Under the proposed state law, an offense would be subject to fines and insurance surcharges. An operator under age 16 would be subject to arrest as they would be unlicensed drivers.

There have been large amounts of complaints, especially this past summer. There has also been an increase in imitation style motorcycles such as the miniature bikes. Concern was also mentioned about addressing the issue of lawn vehicles and golf carts.

ORDINANCE COMMITTEE

October 4, 2004

Motor scooters are not classified as motor vehicles. There was discussion regarding the distinction between scooters (vehicles without seats) and motorized vehicles (mopeds).

The by-law would regulate usage on all property that the public has right of access.

ADJOURNMENT

At 7:15pm a MOTION was made to adjourn, was seconded, and VOTED UNANIMOUSLY.

Approved by: _____
Paul Leary, Chairperson