

BICYCLE POLICY

Preamble

The University recognizes that concerns exist within the University community regarding the safe use of bicycles on and about the campus. Pedestrians are concerned that they must be overly vigilant to avoid physical encounters with cyclists, particularly in heavy traffic areas. They argue that, to prevent a possible injury, walking a short distance should not be a hardship on the cyclist. Many University community members have concerns about bicycles impeding the free ingress/egress of buildings, especially in the event of an emergency. Additionally, some experience extreme difficulty using the stairs when the handrails are not accessible. Many are concerned about the disorderly appearance of campus when bicycles are secured to trees, trip rails and other inappropriate fixed objects.

Cyclists have legitimate concerns of their own. Their concerns are that regulatory reaction by the University might impair their functional use of bicycles for transportation to and about campus, that there are an insufficient number of reliable bicycle racks available, and that they are victimized by the theft of their bicycles or component parts.

In order to address the concerns of the entire community, the University has adopted the following bicycle use policy which, we believe, balances and provides for the needs of all concerned parties. Enforcement of the policy is authorized by the Pennsylvania Vehicle Code, the Philadelphia Code and the Philadelphia Fire Code. However, like most policies, it relies on the thoughtfulness, cooperation and consideration of the entire University community.

I. Purpose

1. To enhance pedestrian and rider safety within the inner campus during peak traffic periods.
2. To provide for the safe and free ingress/egress to and from all the University buildings and facilities.
3. To reduce bicycle theft losses.
4. To identify, establish and publish written guidelines and regulations to facilitate the movement of bicycle traffic to and about the campus while safeguarding the needs of the community population at large.

II. Scope

This policy applies to all University faculty, staff and students who own, operate or store any pedal drive, human powered vehicles, on or about the building, grounds or premises of the University of Pennsylvania, West Philadelphia campus.

III. Policy defined

A. Registration

The University recommends that every bicycle owned, operated or stored on or about the campus, should be registered with the University Division of Public Safety. The advantages of bicycle registration are:

1. Police will have a quick means to establish the ownership of a bicycle that has been removed from your control. Return of the property, and if appropriate, the arrest of a thief or receiver of stolen property will be greatly enhanced.
2. If your bicycle is lost or stolen the University Police (UPPD) will verify the existence of that bicycle to your insurance carrier, if requested.

If the bicycle is not registered UPPD will take your report of lost or stolen property; however, no verification of the prior existence of that bicycle, as your property, can be affixed to that report when forwarded to your insurance carrier.

3. Bicycles remaining in UPPD custody without identification of ownership are periodically sold at public auction. Dates, times, and places of registration for bicycles will be widely advertised throughout each academic year with periodic reminders as may be appropriate with changes in the University population such as the beginning of the spring semester and the summer sessions.

B. Synopsis of Pennsylvania and Philadelphia Law

1. Human-powered, pedal cycles are vehicles according to the Pennsylvania Vehicle Code.
2. Vehicles, as indicated in #1 above are subject to the provisions of the vehicle code when operated on the highways and may not stop, stand or park where prohibited or where controlled by official traffic control devices to include firelanes, handicapped zones, etc.
3. The Philadelphia Code prohibits any person above the age of 12 from riding a cycle on any sidewalk or pedestrian pathway in a business district. The Penn Campus area meets the definition of a business district.
4. A person walking a bicycle is considered a pedestrian.
5. The Philadelphia Fire Code requires clear passage from all exits and stairways at all times. No obstruction shall be permitted.
6. University Police are authorized to enforce both the Pennsylvania Vehicle Code and City of Philadelphia Ordinances.

C. Riding restricted by time or place

In order to provide the opportunity for the accident-free passage of both pedestrians and cyclists the following riding restrictions are instituted:

1. Cyclists can ride their vehicles on Locust, Smith, and Hamilton Walks only between the hours of 5:30 p.m. and 8:30 a.m. If heavy pedestrian traffic occurs it is expected that riders will dismount in deference to pedestrians.
2. Cyclists will walk their vehicles on Locust, Smith, and Hamilton Walks between the hours of 8:30 a.m. and 5:30 p.m.
3. The ride/walk provisions of 1 and 2 above, also apply to the pedestrian feeders to Locust Walk from Walnut and Spruce streets via 36th and 37th streets.
4. University Police on bicycles will be exempt from the above described restrictions in order to provide enforcement, efficient patrol service and emergency response. Police, consistent with their specialized training and the guidance of their supervisors, will operate bicycles in a responsible manner.

D. Parking and Securing of Bicycles

In order to reduce the opportunity for theft the University has significantly increased the number of structurally sound bicycle security racks distributed at convenient locations throughout inner campus. University Police are particularly attentive to these concentrations of security racks during their patrols.

1. Bicycles should be secured to a bike rack every time they must be left unattended on campus, even if it is to be left for a moment.
2. Bicycles shall not be locked, secured, or otherwise parked to handrails, fences, trees, trip rails, or to, or in any other location that, in any manner, obscures the free ingress/egress of any building, stairway, pathway, or in such a manner as to interfere with the access to facilities as required by the U.S. Americans with Disabilities Act.
3. Locking Devices and Methods.
 - a. The U-shaped Kryptonite-type bicycle locks appear to be among the best type of locking devices.
 - b. When physically possible secure the main frame to the security rack.
 - c. If wheels are of the quick-release type, attempt to secure lock through the security rack, the bike frame and the wheel. If necessary, use an additional lock with a long shackle or a cable and lock to secure all the parts together.
 - d. If the bicycle is equipped with a quick-release seat adjustment, consider removing the seat and taking it with you.
 - e. Never secure a bicycle to an object which can, itself, be disassembled, cut or removed.
 - f. Use the bicycle security racks on the inner campus.
- a. Cycles operated in violation of Para. C, sections 1, 2, & 3, of this policy qualify under the Vehicle Code for issuance of a Traffic Citation.
- b. Violation as in a. immediately above, could also qualify for issuance of a Non-Traffic Criminal Citation under City Ordinances.

Only one of these can be issued for the same offense. Normally the Traffic Citation will be used.
- c. In addition, disregard for traffic control devices, operation of the bicycle in such a manner as to be considered reckless, or to reasonably be considered to have caused damage or injury by negligent operation are some of the more common provisions of the Pennsylvania Vehicle Code which will also qualify for the issuance of a Traffic Citation.
- d. All citations require payment of a fine and costs to civil authorities upon conviction.

Appropriate authorities are:

1. JIO for undergraduate students.
2. Dean of a School for graduate students.
3. Office of the Provost for faculty.
4. Department Director w/copy to Vice President of Human Resources for employees.

(Source: Almanac, October 22, 2002 (http://www.upenn.edu/almanac/v49/n09/bike_policy.html))

E. Enforcement

In order to preserve the intent and the integrity of any policy there must always be a means to ensure compliance. The University's Division of Public Safety Police Department is charged with enforcement action.

1. Parking and securing of Bicycles. Owners or operators of bicycles parked in violation of Para. D., section 2, of this policy will be subject to the following sanctions:
 - a. UPPD officers will confiscate the bicycle by removal to their headquarters or by adding a UPPD lock.
 - b. A confiscated bicycle will be released upon proof of ownership and the payment of a \$5 fee. For a second confiscation in the same academic year (September 1 to August 31) a fee of \$15 will apply.
 - c. Third and subsequent confiscations in the same academic year will generate a report to the appropriate University authority with a request for sanction(s). A \$25 fee will apply.
 - d. A pattern of noncompliance extending over multiple academic years will be addressed by the Commissioner of the Division of Public Safety, with those University officials deemed most appropriate to bring about compliance.
 - e. When the bicycle is also parked in violation of the Vehicle Code or City Ordinance the officer may, at his/her discretion, issue a Parking Violation Report or a Traffic Citation each of which requires payment of a fine and costs to civil authorities.
2. Operation of Bicycles When/Where Prohibited