

# Personal Transportation Device Policy

<b>Subject</b>	Physical Plant
<b>Revised</b>	May 2025
<b>Effective Date</b>	March 4, 2020
<b>Review Date</b>	March 2023; May 2025; May 2028
<b>Responsible Party</b>	Facilities Management

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## 100.00 Introduction

### 110.10 Purpose

The Purpose of the Montana State University (MSU) Personal Transportation Device (PTD) program is to promote an environment in which people walking, using bicycles, e-scooters, skateboards and other PTDs, and motor vehicles, can safely co-exist. The University encourages the safe and courteous use of PTDs, 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 PTDs and promote their safe operation on campus.

### 110.20 Scope

MSU PTD 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 PTD 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 PTD while on the campus. ADA Assisted Transportation Devices (e.g. motorized wheelchairs) required for individual transportation are exempt from this policy. Montana State University Police Department, or their designated appointees, enforce the PTD regulations.

## 200.00 Definitions

1. **ADA Assisted Transportation Device:** Any assistive technology, motorized or non-motorized, that aids the movement of people with physical impairments. Includes, but is not limited to, wheelchairs, self-propelled wheelchairs, and ADA scooter devices.
2. **Bicycle Lane:** portion of the roadway that has been designated by striping, signage and pavement markings for the preferential use by bicyclists and other PTDs.
3. **Gas-Powered Personal Transportation Device:** A personal transportation device (bicycle, scooter, self-balancing device, skateboard, or similar device) that has a motor or propulsion system powered by a gasoline engine.

4. **Impoundment:** The towing, storage and/or locking of a PTD with a university lock or at a university sanctioned location.
5. **Motorized Personal Transportation Device:** A personal transportation device that has a motor, battery, or electric propulsion system that powers movement. Including but is not limited to the following types of devices: self-balancing devices, motorized bicycles including battery-powered, motorized scooters including battery-powered, motorized skateboards, and segways.
6. **Non-Motorized Personal Transportation Devices:** personal transportation device that is propelled solely by human power. Includes but is not limited to the following devices: bicycles, inline skates, kick scooters, and skateboards.
7. **Pedal Assist E-Bike:** Defined for the purpose of this document as an electric assist bike that requires human power in addition to an electric motor. The bike is not operated solely on a throttle.
8. **Pedestrian:** A person who is afoot or operating a self-propelled wheelchair or motorized or non-motorized ADA Assisted Transportation Devices.
9. **Pedestrian Walkway:** A route that prioritizes pedestrian travel.
10. **Permanent Closure:** The closure of an area of campus to PTDs that is unchanged indefinitely. Permanent closures are reviewed and recommended after thorough campus constituent and community input.
11. **Personal Transportation Device:** A device that is either motorized or non-motorized that provides personal transportation.
12. **Registration Decal:** Montana State University issued decal that is a uniquely numbered adhesive sticker supplied as evidence of PTD registration and designed for attachment to the registered PTD as indication of registration. Applies only to privately owned or operated PTD's.
13. **Regulatory Sign:** all traffic control devices, signs, signals and markings, placed or erected for the purpose of regulation, warning or guiding traffic and parking.
14. **Separated Bike Lane:** a horizontally and/or vertically separated space within the roadway that is designed for bicycle travel.
15. **Shared Lane:** 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.

16. **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.
17. **Temporary Closure:** The closure of an area of campus to PTDs that is defined to last for a limited period of time. Temporary closures will be communicated to the campus community prior to the closure.
18. **Third-Party Owned (TPO):** Any PTD that is owned and operated by a rental fleet.
19. **Transportation Advisory Committee (TAC):** This committee is advisory to the University President and was established to create, oversee and maintain policies relating to campus transportation demand management (TDM). Their focus includes policy development, campus access, traffic efficiency and traffic safety.

## 300.00 Conditions for Authorized Operation

1. ADA Assisted Transportation Devices are exempt from the regulations of this policy with the exception that they shall be operated in a safe and courteous manner.
2. An operator may operate an authorized PTD only if such operation is safe and courteous.
3. An operator may operate an authorized PTD on campus only if all rules controlling such operation are observed. Traffic control devices, including designated areas, zones, signage, and signals, are part of the rules controlling operation of PTDs and shall be observed.
4. PTD operators are considered pedestrians when they are walking their PTD.
5. MSU assumes no responsibility for the care and protection of any PTD, attached accessories or content at any time. Theft protection is the responsibility of the owner/operator of the PTD.

## 400.00 Authorized PTDs

1. The following non-motorized devices may be operated on campus on pedestrian walkways, bicycle lanes, sidewalks, and in the street right-of-way: bicycles, inline skates, kick scooters, and skateboards.

2. The following motorized devices may be operated on campus on pedestrian walkways, sidewalks, and within designated campus bike-lanes: personally owned e-scooters, e-bicycles and battery-powered self-balancing devices.
3. PTDs that have the option of human powered propulsion as an alternative to assisted and/or motorized propulsion may be used in the non-motorized option.
4. Gas powered personal transportation devices may be used in the street right-of-way or non-campus designated bike lanes.

## 500.00 Unauthorized PTDs

The following motorized devices may not be operated on campus on pedestrian walkways sidewalks, and designated campus bike-lanes: gas powered personal transportation devices and third-party owned (TPO) personal transportation devices including but not limited to Bird, Lime, etc.

## 600.00 Rules of Transit

1. PTD operators shall yield to pedestrians at all times.
2. PTD operators shall yield to emergency personnel and vehicles at all times.
3. PTD operators shall yield the right of way to other PTD operators as necessary to ensure safe, courteous transit.
4. All PTDs shall be operated as intended by the equipment manufacturer or according to state, local or other laws or ordinances.
5. PTDs shall not be operated in or into any university building but may be walked or carried into parking in areas specifically designated for PTDs.
6. Unauthorized PTDs, as provided for in this policy, are permitted only in public rights-of-ways, which typically include streets, bike lanes, bike boulevards, and similar facilities.
7. The maximum speed at which a PTD may be operated shall not exceed that which is reasonable and prudent for the conditions at the time. A speed which creates a hazard to any person or property is not reasonable and prudent. In no case shall the operating speed exceed that which is posted for vehicular rights-of-way or five miles per hour in pedestrian areas and sidewalks.

8. If a PTD cannot be operated safely and courteously, operation shall be terminated. Operation may only resume when conditions permit safe and courteous operation.
9. Administrative closures of campus areas shall be observed by PTD operators. Administrative closures are meant to improve safety for pedestrians and other campus users. Closures may be temporary and/or short term (special events or conditions) or permanent (changing use patterns). Temporary and/or short-term closures will be communicated to campus through the appropriate channels. Permanent closures will not be implemented without further consultation with campus constituents and approval by the Transportation Advisory Committee (TAC).
10. Walking an unauthorized PTD is permitted on campus.

## 700.00 Parking of PTDs

1. PTDs offered for rent by outside vendors or commercial entities shall only be parked in designated areas signed for such use.
2. Third-Party Owned PTDs shall only be parked in designated areas signed for such use.
3. All other PTDs shall be parked in designated parking areas provided for said PTD parking. Such parking areas may include but are not limited to bike racks, secure PTD parking areas, and PTD lockers.
4. PTDs shall never be parked or stored inside any campus housing environment or other campus building due to risks associated with batteries and fuel.

## 800.00 Registration of PTDs

### 800.10 Generals

1. Registration of PTDs is not mandatory but is advised and can assist with recovery in the event of theft or impoundment.
2. MSU recommends that PTD operators register their PTDs with the (MSU Police Department / Parking & Transportation Services)

3. Registration stickers should be displayed on the PTD in clear sight.
4. Registration is not transferable to another PTD.
5. The person to whom the MSU registration sticker is registered is responsible for any non-moving violation of these regulations and the associated fines in which the PTD is involved.

## 800.20 Registration Procedure

1. Montana State University PTD registration decals are available through the MSU Police Department.
2. The registration card must be completed, and the serial number (when available) must be provided to the MSU Police Department.
3. Registration procedures are subject to change by the MSU Police Department. Current information can be found on their website.

## 800.30 Display of Decals

1. Registration decals on PTDs should be easily visible.
2. Bicycles: on the main frame, center post below the seat post insert, and be entirely visible.
3. Scooters: on the handlebar stem, below the handlebar, and be entirely visible.
4. Skateboards: on the underside of the footboard/deck and be entirely visible.
5. Counterfeiting, altering, defacing, of transferring the registration sticker to another person or PTD 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.

## 900.00 Enforcement

1. Violations of any term of this policy may result in citation or impoundment, or other enforcement action.
2. Any MSU Police Officer, or other person authorized specifically by the Chief of Police, may impound a PTD for violation of this policy.

## 1000.00 Violations

### 1000.10 Traffic Violations

1. Operating a PTD in excess of posted speed limits.
2. Operating a PTD in an unauthorized manner.
3. Operating a PTD in a careless manner on bicycle paths, shared-use areas, and/or roadways, without regard to safety, visibility, local traffic laws, weather, and surface conditions, or in a way that endangers the safety of any person or property in any campus location.
4. Failure to yield the right-of-way to a pedestrian.
5. Failure to obey parking and traffic control devices, signs, and/or equipment.
6. Failure to heed lawful directions of a MSU Police Officer. Violators may also be subject to criminal penalty.

### 1000.20 Parking Violations

1. Leaning or locking to trees, landscaping, railing, fences, posts, signs, fire hydrants, trash receptacles, lighting, and other objects or facilities not designated or intended for PTD parking.
2. Parking in or on a service drive, building entrance, driveway, bicycle way, ramp, or any other passageway to which emergency equipment, wheelchairs, pedestrian, or service equipment may need access. PTDs parking in violation of this section are subject to impoundment and may be charged an additional impound fee.
3. Parking inside a campus building not designed for PTD parking.
4. Parking in a posted or reserved or restricted area.
5. Parking in a manner that creates a hazard or impedes access.
6. Parking in a manner that causes damage to University property or facilities.

## 1100.00 Impoundment

### 1100.10 General



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

1. Parking in a manner which is considered a Parking Violation, as defined in this policy.
2. Abandoned or apparently abandoned PTDs, measured for a period of seven consecutive calendar days.
3. Reported stolen to a law enforcement agency.

## 1100.20 Retrieving an Impounded PTD

1. The University or personnel authorized to remove and impound a PTD shall not be liable to the owner of the PTD for damage or the cost or repair or replacement of any securing devices.
2. Any PTD impounded pursuant to any section of this chapter shall be stored in a secure facility designated for such purpose by the Chief of Police. A fine shall be charged to the owner prior to the release of any impounded PTD. The impound fee is in addition to any fines for other violations pending.
3. Release of an impounded PTD requires an appeal or payment of outstanding citations. It is advised that unregistered PTDs be registered prior to the release of the PTD.

## 1200.00 Payment of Fines and Appeals

### 1200.10 Collection and Payment of Fines

1. Fines for PTD violations are payable in person or by mail to MSU Police Department, Bozeman, Montana 59717, unless an appeal has been filed.
2. Any fines shall constitute a debt owed to the University and be subject to collection.

3. Failure to pay the fine by the date specified on the citation will constitute a second offense subject to a fine.

### 1200.20 Appeal of Fines

1. Appeal forms are located at the University Police Department. The forms must be typed or neatly written with the citation attached and returned to the University Police seven days from the date of the violation so that it may be submitted to the Parking Appeals Committee. Requests for personal appearances are only granted at the discretion of the committee.
2. 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.
3. Fines for appeals which have been denied must be paid within seven days of the date the letter informing the applicant of the Parking Appeals Committee.