Bicycle Board's recommendation on unicycles

Executive Summary

Morgantown Police have reported that Morgantown business owners and pedestrians have complained about unicyclists riding on downtown sidewalks. Morgantown does not have an ordinance that explicitly governs unicyclists. The Bicycle Board investigated the issue. No unicyclist-caused injuries or damage have been reported. Other cities and states do not have ordinances governing unicycles. Unicycles are more similar to pedestrians than to bicycles, skateboards or roller blades. Typical unicycles cannot travel faster than a running pedestrian, do not coast and stop if the unicyclist falls. Therefore, the Bicycle Board concludes that unicycles are no more dangerous than runners and recommends that the City forego additional ordinances or modifications to existing ordinances to address unicycles.

Detailed Report

Committee Members:

Ryan Post (committee chair), Gunnar Shogren, Danielle Williams, Colin Dierman, Jonathan Rosenbaum, Scott Ferris.

Background Research:

We were unable to find <u>any</u> laws directly restricting unicycles within the US. Some states define a unicycle, but do not prohibit unicycles from either the sidewalk or the street. California code defines a standard unicycle as a pedestrian, but California defines a giraffe unicycle (the tall ones which use a chain to connect the pedals to the wheel), as a bicycle. Following are excerpts from California code.

467. (a) A "pedestrian" is any person who is afoot or who is using a means of conveyance propelled by human power other than a bicycle. [...]

231. A bicycle is a device upon which any person may ride, propelled exclusively by human power through a belt, chain, or gears, and having one or more wheels. Persons riding bicycles are subject to the provisions of this code specified in Sections 21200 and 21200.5.

There are some articles online that discuss the ticketing of unicyclists in New York City, as well as San Francisco for vary reasons associated with riding on the sidewalk, but these citation were later thrown out in court.

In discussions on Unicyclist.com/forum which has 9400 members comprised primarily of American and British unicyclists, there were no known instances

of major incidents between unicycles and pedestrians or cars. The accidents and hazards mentioned were similar to those on foot: struck by cars in crosswalks, collisions around corners of buildings, distracted people stepping out of store fronts. Aside from vehicle collisions, no injuries were mentioned.

In those same discussions, it was mentioned that unicyclists in some areas prefer to ride in the street rather than on the sidewalk. The riders with this preference were riding larger (faster) unicycles and the topography was flat. The topography of Morgantown is far less conducive to larger unicycles, but some unicyclists are capable of speeds in excess of 10 mph and would not belong on a sidewalk.

Identified Issues:

In a meeting dated March 2, 2012, Chief Preston, ... identified the following issues related to unicyclists in the downtown Morgantown area.

(1) There are 2 state laws defining a bicycle.

(1).1. ***§17C-1-8. Bicycle.***

"Bicycle" means every device which does not have a motor attached and which is propelled by human power upon which any person may ride, having two tandem wheels either of which is more than twenty inches in diameter.

(1).2. ***§17C-11A-3(a)***

"Bicycle" means a human-powered vehicle with wheels designed to transport, by the action of pedaling, one or more persons seated on one or more saddle seats on its frame. Such term also includes a human-powered vehicle, and any attachment to such vehicle designed to transport by pedaling when the vehicle is used on a public roadway, public bicycle path or other public right-of-way, but does not include a tricycle.

(2) Skateboarders are explicitly prohibited from business district, and feel unicycles are similar.

(3) Complaints from business owners and pedestrians that unicycles are already prohibited and should be enforced.

(4) Some unicyclists are not adept, and fall off often, posing potential hazards.

(5) No physical damage or injuries were reported.

Issues Addressed:

(1).1 has precedence in this matter as (1).2 is the definition of a bicycle for use in the "Child Bicycle Safety Act". **(§17C-11A).**

(2) Skateboarder's rights are not an issue in this matter.

(3) Business owners and pedestrians should be informed that the law does not restrict unicycles.

(4) Should any unicyclist cause harm to a bystander, other laws should be applicable, just as if for example a runner were to strike someone on the sidewalk.
(5) Exemplifies (4) in that even the novice unicyclists have done no harm.

Conclusion:
It is the opinion of the Bicycle Board that **no restriction be placed on unicycles** based on the identified issues.