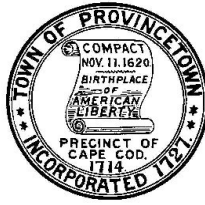


Town of Provincetown

Office of the Town Clerk



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Article Number: 29

Date: October 12, 1976

Headline: Exemption Sought from Laws Restricting Direction of Bicycle Traffic on Commercial Street

ARTICLE 29. To see if the Town will vote to direct the Selectmen to take the appropriate action to pass the following special law for the Town of Provincetown: AN ACT PROVIDING THAT THE TOWN OF PROVINCETOWN BE EXEMPTED FROM THE PROVISIONS OF GENERAL LAWS, CHAPTER 85, SECTION 11B, WITH RESPECT TO THE REGULATION OF THE OPERATION OF BICYCLES ON ALL PUBLIC WAYS IN ACCORDANCE WITH THE TRAFFIC LAWS OF THE COMMONWEALTH.

Be It Enacted by the Senate and House of Representatives in General Courts Assembled, and by the Authority of the Same, as Follows:

Section 1: Notwithstanding any contrary provision of law applicable to the regulation of motor vehicle and bicycle traffic on public ways within the Commonwealth of Massachusetts specifically Section Eleven B of Chapter Eighty-five, bicycle traffic on the ways, as that term is defined in Section One of Chapter Ninety, within the Town of Provincetown shall not be subject to the traffic laws and regulations with respect to the control of direction of travel of the same.

Section 2: The provisions of Section One of this Act shall not impair the ability of local and state police authorities to enforce all applicable provisions of state and local motor vehicle and bicycle laws, ordinances and by-laws except as specifically provided herein.

Section 3: This Act shall be submitted for acceptance to the voters of said Town at its next Annual Town Meeting in the form of the following question, which shall be placed on the official ballot to be used for the election of town officers at said meeting: "Shall an Act passed by the General Court in the year nineteen hundred' and seventy - entitled "An Act providing that the Town of Provincetown be exempted from the provision of General

Laws, Chapter 85, Section 11B, with respect to the regulation of the operation of bicycles on all public ways in accordance with the traffic laws of the Commonwealth, be accepted?" If a majority of the voters in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise. (Requested by the Board of Selectmen) FINANCE COMMITTEE: RESERVES RECOMMENDATION

Mr. Bryant moved the article as read. The Finance Committee does not recommend by a vote of 4-1. Chief Meads asked about the procedure. Town Counsel said this must first be passed by the Town and then go to the Legislature, to come back to the Town for final enactment. Mr. Alexander said he personally was in favor of this since Provincetown is unique in traffic pattern. He feels it is dangerous to have to travel on Bradford Street to follow the traffic pattern.

Mr. Vorse moved to postpone to the April 1977 Town Meeting as he feels a lot more study is needed. Question on postponement defeated.

Chief Meads explained that some years ago the Town Meeting passed a nonbinding law to have the

Selectmen ask the Police not to enforce the bicycle laws on traffic direction. As a result of injuries, the District Attorney and Attorney General's offices received letters to enforce the law. He inquired who would be sued if not enforced, and was told it would be him and him alone. He threw the ball to the Board of Selectmen in asking for a schedule of fees as he cannot enforce the law without this. He has made a determination that as soon as he gets a schedule of fees, the laws will be enforced. He urged passage of this article so it can be seen if enough people really want a special exemption from the State. There was much discussion on the traffic patterns, modes of travel in town, etc. The motion was passed overwhelmingly.