RESOLUTION NO. 3235-15

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR APPROVING THE TOWN OF WINDSOR BICYCLE USE POLICY

WHEREAS, In an ongoing effort to reduce greenhouse gas emissions the Town of Windsor ("Town") has made bicycles available to employees and officials ("Employees") of the Town; and

WHEREAS, there are various risk factors associated with making the Town's bicycles available to Employees including personal injury, property damage and theft; and

WHEREAS, to minimize the Employee's risk of injury as well as the Town's potential exposure for insurance claims, the Town is submitting a proposed Bicycle Use Policy, attached hereto and incorporated herein by reference, for the Town Council's consideration; and

WHEREAS, the Policy establishes rules and regulations governing business use, non-business use and operating standards; and

WHEREAS, the Policy also includes best practices to promote Employee safety and rules for the Town's enforcement of the Policy.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Windsor approves the attached Town of Windsor Bicycle Use Policy.

PASSED, APPROVED, AND ADOPTED this 7th day of October 2015, by the following vote:

AYES:	**COUNCILMEMBERS FOPPOLI, FUDGE, SALMON, AND MAYOR OKREPKIE**
NOES:	**NONE**
ABSTAIN:	**NONE**
ABSENT:	**VICE MAYOR MILLAN**

BRUCE OKREPKIE, MAYOR

ATTEST:

MARIA DE LA O, TOWN CLERK

Attachment:
Exhibit A – Town of Windsor Bicycle Use Policy

TOWN OF WINDSOR BICYCLE USE POLICY

TOWN OF WINDSOR

PURPOSE

The purpose of this Policy is to establish rules and regulations governing the use of Town owned bicycles on Town business and to define standards for operating bicycles.

POLICY

For purposes of this Policy all references to "riders" include Town of Windsor full-time employees, part-time employees and elected or designated officials, including those serving on the Town Council, commissions and committees.

Town riders are required to comply with the following procedures regarding the use of Town owned bicycles:

PROCEDURES

A. General Procedures

1. The Town's liability coverage includes the use of Town owned bicycles when the rider is operating the bicycle on Town business only, provided that the actual business use is authorized by the Town Manager or his/her designee.

2. Any Town owned bicycle shall be used for official Town business only.

3. Smoking or being under the influence of alcohol or drugs is not permitted when operating Town bicycles.

4. Only one rider can operate the bicycle at a time; transporting additional riders or animals is prohibited. Riders shall use safe and appropriate equipment made for bicycles to transport laptops and/or work related files, books, binders, etc.

5. Riders who use Town-owned bicycles while on Town business shall be knowledgeable of and shall obey all applicable federal, state and local traffic laws and regulations at all times.

6. Riders shall be familiar with the manner of operation of any bicycle which they ride on Town business. If riders are unsure of the operations of the bicycle, proper instructions should be requested of their supervisors or other authority as necessary.

7. Riders shall conduct a walk-around inspection of assigned Town owned bicycles for damage prior to use. Any Town owned bicycle shall not be operated when it is known to be in a dangerous or defective condition. If a Town owned bicycle is found to be in such condition, it is the responsibility of the rider not to ride that bicycle and to report the bicycle's condition to a supervisor or manager as soon as possible. Upon notification, supervisors and managers are required to email the Facility Maintenance Division staff for maintenance and repair.

8. It is the responsibility of the rider of the Town owned bicycle to exercise reasonable care to avoid impediments and obstructions in the path of the bicycle which might cause injury to riders, pedestrians, other riders or drivers, the bicycle, or other property.

9. When not in use, all Town owned bicycles shall be properly stored and locked in their assigned area.

10. No rider shall be permitted to ride a Town owned bicycle unless such rider is conducting official Town business for or with the Town.

11. Riders are not authorized to keep Town owned bicycles overnight, and are not permitted to use the Town owned bicycles for personal use of any sort, even if said use is immediately prior to conducting official Town business.

12. Riders who are involved in an accident while riding a Town owned bicycle shall complete an Incident and Traffic Accident Report Form and forward the completed form to a Department Director and the Administrative Services Director by the end of the next business day.

    Injury accidents, or any accident involving members of the public, shall be reported immediately to the appropriate law enforcement agency, as well as to the Department Director and the Administrative Services Director.

13. Any rider who receives a citation while operating or parking a Town owned bicycle shall report the citation to the Department Director and the Administrative Services Director. The rider will be responsible for paying any fees associated with the citation.

14. Riders shall refrain from touching or manipulating any electronic devices while operating a Town owned bicycle including cellular telephones, laptops or other computers, navigational devices, or any other device that may distract the rider or put the rider at risk. Riders must safely stop the bicycle or use a hands-free device when using such equipment. Riders may not operate a Town owned bicycle while using headphones.

15. Riders must abide by the Town of Windsor Bicycle Program and operate within the Bicycle Safety Practices in Section B to ensure their safety while operating Town owned bicycles.

B. Bicycle Safety Practices

1. Wear a bicycle helmet. It is the law for persons under 18 years of age.

2. Ride in the same direction as the flow of traffic.

3. Keep right where practicable to allow vehicles to pass, unless you are turning left, passing another bicycle or vehicle, or avoiding hazards.

4. Ride in a straight line.

5. Obey all traffic signals and traffic signs.

6. Use proper hand signals when turning, stopping or changing lanes.

7. Watch for cars at cross streets and driveways.

8. Use a light, reflectors and reflective clothing when it is dark or raining outside.

9. Wear bright clothing during the daytime.

10. Keep a safe distance from parked cars and watch for car doors that may open.

11. Use extra caution when it is raining, and allow extra time to stop.

12. Cross railroad tracks at a right angle.

13. Walk the bike when using a crosswalk.

14. Ride defensively and be alert for road hazards.

15. Give pedestrians the right of way.

C. Enforcement

1. Each rider is responsible for reading and comprehending the Town of Windsor Bicycle Use Policy prior to use of a Town owned bicycle. Riders will acknowledge reading this Policy by signing the Rider Acknowledgement of Bicycle Use Form and the signed form will be stored in the rider's personnel file or other appropriate file.

2. Each time a bicycle is used, the rider will be responsible for logging their use in the Bicycle Log prior to departing and immediately upon return.

3. The Administrative Services Director shall review all bicycle involved accidents to determine whether an accident was preventable or not, and make any necessary disciplinary recommendations to the Department Director, Human Resources Manager and the Town Manager. All accidents involving Town owned bicycles will be reviewed by the Town Manager or their designee for final determination on what corrective action, if any, should be taken.

4. Names of riders who are suspected of not meeting these Policy standards shall be provided to the Human Resources Manager and the Administrative Services Director to determine if the rider is acting in accordance with the Bicycle Use Policy. Any recommended changes in eligibility status will be submitted to the Town Manager or designee for review and final determination.

5. When circumstances indicate that a rider has violated these rules, the Town Manager shall investigate and take appropriate action, which may include the termination of Town bicycle use. Riders will be notified if their eligibility status changes.

ACKNOWLEDGEMENT & RECEIPT OF THE TOWN OF WINDSOR BICYCLE USE POLICY

_____ I hereby acknowledge that I have received a copy of the Town of Windsor's Bicycle Use Policy.

_____ I have read and understood all provisions specified in this Policy and understand that a copy of this acknowledgement will be placed in my personnel file.

_____ I agree to comply with all provisions in this Policy.

_____ I understand that violations of this Policy may subject me to discipline/ sanction, up to and including termination of employment or other appropriate sanction.

_____ _____

Rider Signature Date

_____

Print Name of Rider

_____ _____

Human Resources Manager Signature Date