

Chapter 28 – Traffic and Vehicles

Sec. 28-8. Designation of Eastern Shore Rail Trail

- (a) Upon opening to the public, in whole or part, the Eastern Shore Rail Trail (“ESRT”), shall be, and is hereby, designated as a public nonmotorized alternate transportation facility and recreational shared-use path.
- (b) Prohibited uses, exceptions
 - (1) Except as expressly permitted in subsection (2) below, motorized vehicles are prohibited from using the ESRT, including, without limitation, the following as defined in Va. Code Ann. § 46.2-100: motor vehicles, motorcycles, off-road motorcycles, replica vehicles, farm utility vehicles, farm tractors, trailers, mopeds, all-terrain vehicles, utility vehicles, golf carts, and Class Three electric power-assisted bicycles, and motorized skateboards and scooters.
 - (2) Notwithstanding the foregoing, the following motorized vehicles shall be permitted on the ESRT:
 - a. Class one and Class two electric-power assisted bicycles, as defined in Va. Code Ann. § 46.2-100;
 - b. Wheelchairs or wheelchair conveyances, as defined in Va. Code Ann. § 46.2-100, or other power-driven mobility devices by or for disabled individuals;
 - c. Motorized vehicles operated by law-enforcement officers conducting official duties or firefighters and emergency medical services agency personnel when responding to an emergency;
 - d. Authorized ESRT maintenance vehicles, including the Town’s Public Works equipment and vehicles; and
 - e. Other motorized vehicles expressly permitted to use shared-use paths under Virginia law.
- (c) Rules for ESRT Use

Rules posted for use of the ESRT shall include the following: (1) users shall be courteous to others at all times; (2) users shall keep right and always pass other users on the left; (3) users of bicycles, including Class One and Class Two power-assisted bicycles, shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing any pedestrian; (4) all users shall give audible warnings when passing other users; (5) all pets shall be securely leashed; (6) all users aged fourteen (14) years or younger shall wear protective helmets when riding or being carried on a motorized vehicle of any type, other than power-driven mobility devices by or for disabled individuals; and (7) users shall immediately clean up after their pets.
- (d) Enforcement; penalty

This section shall be enforced by the Cape Charles Police Department and any other law enforcement agency having jurisdiction. Pursuant to Va. Code Ann. § 46.2-904, a violation of any provision of this section shall be punishable by a civil penalty of not more than \$50.00.