

Chapter 5 BICYCLES¹

ARTICLE I. IN GENERAL

Sec. 5.10.010. Definition.

For the purposes of this chapter, 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 (1) or more wheels.

(Code 1968, § 6-1)

Cross reference(s)—Definitions and rules of construction generally, § 1.10.015.

Sec. 5.10.015. Sale or transfer of bicycle to be reported to Police Department.

It shall be the duty of every person who sells or transfers ownership of any bicycle, to report such sale or transfer by returning the registration card or receipt issued to such person as licensee thereof to the Police Department, or to another location designated by the Chief of Police, together with the name and address of the person to whom such bicycle was sold or transferred, and such report shall be made within five (5) days of the date of such sale or transfer.

(Code 1968, § 6-2)

Sec. 5.10.020. Removal, destruction, alteration, etc., of license plates, registration cards and frame numbers prohibited.

It shall be unlawful for any person to wilfully or maliciously remove, destroy, mutilate or alter the number of any bicycle frame licensed pursuant to this chapter, or to remove, destroy, mutilate or alter any license plate, sticker, seal or registration card which has been issued pursuant to this chapter; provided, that nothing in this chapter shall prohibit a person designated by the Chief of Police from stamping numbers on the frames of bicycles on which no serial number can be found, or on which such number is illegible or insufficient for identification purposes.

(Code 1968, § 6-3)

Sec. 5.10.025. Approval of bicycle racks required.

Any merchant or person desiring to construct, erect or install a bicycle rack or racks in the public right-of-way shall first obtain the approval of the Town Engineer as to the type of rack and the place where such rack is intended for installation.

ATTACHMENT 2

¹Cross reference(s)—Amusements generally, Ch. 3; motor vehicles and traffic, Ch. 15; parks and recreation, Ch. 19; police, Ch. 21; streets and sidewalks, Ch. 23; vehicles for hire, Ch. 28.

(Code 1968, § 6-4)

Sec. 5.10.030. Disposition of fees.

All license fees and transfer fees collected under this chapter shall be paid into the Town Treasury.

(Code 1968, § 6-5)

Sec. 5.10.035. Violations by minors under eighteen years of age.

Where this chapter has been violated by juveniles under the age of eighteen (18) years, in lieu of filing charges in the Juvenile Court, the Chief of Police may prohibit the operation upon the streets, alleys and public places in the Town for a period not to exceed thirty (30) days, of a bicycle so used in such violation. In such an event, such bicycle shall be impounded by the Chief of Police and retained by the Chief of Police during the period for which such operation is prohibited, and the owner's registration card shall also be held by the Chief of Police during this period.

(Code 1968, § 6-6)

ARTICLE II. LICENSES AND REGISTRATION²

Sec. 5.20.010. Required; exception.

- (a) It shall be unlawful for any person to operate or use a bicycle in the Town which has not been registered and licensed as provided in this article, except as may be specifically exempted herein.
- (b) Any nonresident of the Town may operate a bicycle in the Town which is duly registered and licensed in another municipality or county.

(Code 1968, § 6-7)

Sec. 5.20.015. Application.

Each person required by this article to obtain a bicycle license shall make application upon forms provided by the Town. The application shall be filed in triplicate within the Police Department and shall contain such information as may be required by the Chief of Police.

(Code 1968, § 6-8)

Sec. 5.20.020. Fee.

For each bicycle license application made, the licensee shall pay to the Town a fee in the maximum amount at the time of application.

(Code 1968, § 6-9)

²Cross reference(s)—Licenses and miscellaneous business regulations, Ch. 14.

Sec. 5.20.025. Examination of applicant; denial of license.

Any person making application for a bicycle license, registration card and license tag may be required to be examined by a person designated by the Chief of Police, in such form or manner as may be deemed suitable by the Chief of Police. Upon completion of such examination, the license may be refused if it appears either that the applicant does not have reasonable knowledge of the provisions of this chapter and the provisions of Vehicle Code sections 21201, 21202, 21203, 21204 and 21205, or that the applicant is unable to exercise reasonable control in operating a bicycle.

(Code 1968, § 6-10)

Sec. 5.20.030. Equipment required as prerequisite.

Every person applying for a bicycle license under this article shall demonstrate to a person designated by the Chief of Police that the bicycle to be licensed meets the following requirements, and as designated in Vehicle Code sections 21201 and 21201.5:

- (1) *Brakes.* Every bicycle shall be equipped with a brake which will enable the operator to make one (1) braked wheel skid on dry, level, clean pavement.
- (2) *Handlebars.* No person shall ride or operate any bicycle equipped with handlebars so raised that the operator's hands must be elevated above the level of the operator's shoulders in order to grasp the formal steering grip area.
- (3) *Height.* No person shall operate upon any highway a bicycle which is of such a size as to prevent the operator from safely stopping the bicycle, supporting it in an upright position with at least one (1) foot on the ground, and restarting it in a safe manner.
- (4) *Lights.* Every bicycle operated upon any highway during darkness shall be equipped:
 - a. With a lamp emitting a white light which, while the bicycle is in motion, illuminates the highway in front of the bicyclist and is visible from a distance of three hundred (300) feet in front and from the sides of the bicycle;
 - b. With a red reflector on the rear which shall be visible from a distance of five hundred (500) feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle;
 - c. With a white or yellow reflector on each pedal visible from the front and rear of the bicycle from a distance of two hundred (200) feet; and
 - d. With a white or yellow reflector on each side forward of the center of the bicycle; and with a white or red reflector on each side to the rear of the center of the bicycle, except that bicycles which are equipped with reflectorized tires on the front and the rear need not be equipped with these side reflectors. Such reflectors and reflectorized tires shall be of a type meeting requirements established by the Department of the State Highway Patrol.
- (5) *Lights in lieu of lights required by subsection (4)a.* A lamp or lamp combination, emitting a white light, attached to the operator and visible from a distance of three hundred (300) feet in front and from the sides of the bicycle, may be used in lieu of the lamp required by subsection (4)a.
- (6) *Sirens.* No bicycle shall be equipped with any siren or any device which emits a sound that is unreasonably loud or harsh.

(Code 1968, § 6-11)

Sec. 5.20.035. Issuance; expiration.

Upon approval of the application and payment of the license fee, a person designated by the Chief of Police shall issue a bicycle license tag or plate or sticker, and a registration card, to the licensee, which shall be effective until such time as title or ownership of the bicycle is transferred or sold to another person.

(Code 1968, § 6-12)

Sec. 5.20.040. Records to be kept.

The Police Department shall keep a record of the date of issuance, to whom issued and the number of every license issued.

(Code 1968, § 6-13)

Sec. 5.20.045. Transfer of ownership.

Every person who buys, or is given any bicycle previously registered and licensed, shall, within ten (10) days after such acquisition, make application for a new registration and license. Each bicycle license and registration shall be null and void when a licensee transfers ownership of the bicycle to any other person.

(Code 1968, § 6-14)

Sec. 5.20.050. License plates and registration cards—Issuance; use, display, etc.

The size, form and character of license plates or tags, and the registration cards, shall be designated by the Chief of Police. The license plate shall be affixed to the bicycle in a manner designated by the Chief of Police, and shall remain attached until such time as ownership of the bicycle is transferred. The registration card shall be carried by the licensee.

(Code 1968, § 6-15)

Sec. 5.20.055. Same—Loss or theft.

- (a) In the event of loss or theft of a license plate or tag, the licensee shall report such loss or theft to the Police Department within seven (7) days. Upon receipt of such a report, the Chief of Police shall cause the missing license to be cancelled and shall issue a new license plate or tag to the licensee, upon receipt of a fee in such maximum amount as specified by Vehicle Code sections 39001 and 39004.
- (b) In the event of loss or theft of a licensee's registration card, the licensee shall report such loss or theft to the Police Department within seven (7) days. Upon receipt of such a report, the Chief of Police shall authorize the issuance of a duplicate card, upon receipt of a fee in such maximum amount as specified by Vehicle Code sections 39001 and 39004.

(Code 1968, § 6-16)

ARTICLE III. RULES AND REGULATIONS FOR OPERATION

Sec. 5.30.010. Applicability of State law; violations generally.

- (a) In addition to the restrictions imposed by this chapter, every person riding or operating a bicycle within the Town shall comply with all State laws pertaining to the equipping of and operation of bicycles, and particularly those sections of the Vehicle Code of the State pertaining to obedience to traffic officers and firefighters, accidents and accident reports and all rules of the road.
- (b) It shall be unlawful for any person to ride or operate a bicycle in violation of any of the provisions of the Vehicle Code of the State or of this chapter.

(Code 1968, § 6-17)

Sec. 5.30.015. Mechanical condition generally.

It shall be unlawful for any person to ride or operate a bicycle unless such bicycle is in safe mechanical operating condition, and is equipped as provided in this chapter.

(Code 1968, § 6-18)

Sec. 5.30.020. Riding on sidewalks.

- (a) No person shall ride or operate a bicycle on any sidewalk or pedestrian path, except as specifically permitted in this chapter.
- (b) Juveniles under the age of ten (10) years, exercising due care, may ride and operate their bicycles upon a sidewalk, except that no bicycles shall be ridden or operated by any person upon any sidewalk within a business or commercial district unless specifically permitted in this chapter.
- (c) Persons exercising due care and caution may ride and operate their bicycles upon a sidewalk in the direction indicated, when the sidewalk has been designated on an approved bicycle route plan as a "bicycle route" and has been properly signed and delineated as a bicycle route facility.

(Code 1968, § 6-19)

Sec. 5.30.025. Riding in groups.

Persons riding or operating bicycles on a public highway or street shall not ride more than two (2) abreast, except on paths or parts of a roadway set aside for the exclusive use of bicycles; and persons riding upon a sidewalk as may be specifically permitted in this chapter shall ride in single file only.

(Code 1968, § 6-20)

Sec. 5.30.030. Operation on roadway.

- (a) Any person operating a bicycle upon a roadway at a speed less than the normal speed of traffic moving in the same direction at such time shall ride as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:
 - (1) When overtaking and passing another bicycle or vehicle proceeding in the same direction.
 - (2) When preparing for a left turn at an intersection or into a private road or driveway.

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- (3) When reasonably necessary to avoid conditions (including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes) that make it unsafe to continue along the right-hand curb or edge, subject to the provisions of Vehicle Code section 21656. For purposes of this section, a "substandard width lane" is a lane that is too narrow for a bicycle and a vehicle to travel safely side by side within the lane.
- (b) Any person operating a bicycle upon a roadway of a highway, which highway carries traffic in one (1) direction only and has two (2) or more marked traffic lanes, may ride as near the left-hand curb or edge of such roadway as practicable.
- (Code 1968, § 6-21)

Sec. 5.30.035. Hitching rides on vehicles.

No person riding upon any motorcycle, motorized bicycle, bicycle, coaster, roller skate, sled, or toy vehicle shall attach the same or attach the person's body to any streetcar or vehicle on the roadway.

(Code 1968, § 6-22)

Sec. 5.30.040. Riding on bicycles; separate seats.

- (a) No person operating a bicycle upon a highway shall ride other than upon or astride a permanent and regular seat attached thereto.
- (b) No operator shall allow a person riding as a passenger, and no person shall ride as a passenger, on a bicycle upon a highway other than upon or astride a separate seat attached thereto. If the passenger is a minor weighing forty (40) pounds or less, the seat shall have adequate provision for retaining the minor in place and for protecting the minor from the moving parts of the bicycle.
- (Code 1968, §§ 6-23, 6-24)

Sec. 5.30.045. Carrying of articles.

No person riding or operating a bicycle shall carry any package, bundle or article which prevents the operator from keeping at least one (1) hand upon the handlebars.

(Code 1968, § 6-25)

Sec. 5.30.050. Racing of bicycles.

No person riding or operating a bicycle upon a public highway or street shall participate in any race, speed or endurance contest unless such race or contest has the written permission of the Town Council, and is under the supervision of the Chief of Police.

(Code 1968, § 6-26)

Sec. 5.30.055. Trick riding.

No person riding or operating a bicycle upon a public highway or street shall perform or attempt to perform any acrobatics, trick or stunt.

(Code 1968, § 6-27)

Sec. 5.30.060. Riding on parks, playgrounds, etc.

No person shall ride or operate a bicycle upon any playground, park or school ground without permission of the person having supervision thereof.

(Code 1968, § 6-28)

Sec. 5.30.065. Parking of bicycles.

No person shall park any bicycle against windows or on the main travelled portion of the sidewalk, nor in such a manner as to constitute a hazard to pedestrians, traffic or property. If there is no bicycle rack or other facility intended to be used for the parking of bicycles in the vicinity, bicycles may be parked on the sidewalk in an upright position, parallel to and within twenty-four (24) inches of the curb.

(Code 1968, § 6-29)