

NOTICE

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CODIFIED ORDINANCES OF KETTERING

PART FOUR – TRAFFIC CODE

TITLE TEN – BICYCLES, MOTORCYCLES AND SNOWMOBILES

Chapter 474. Bicycles and Motorcycles

Chapter 476. Snowmobiles and All Purpose Vehicles

CHAPTER 474 BICYCLES AND MOTORCYCLES

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CROSS REFERENCES

See section histories for similar state law
 Bicycle defined – see Traffic 402.05
 Motorcycle defined – see Traffic 402.20
 Bicycles prohibited on freeways – see Traffic 404.05
 Motorcycle operator's license required – see Traffic 436.01(a)
 Motorcycle headlight – see Traffic 438.03
 Motorcycle brakes – see Traffic 438.18(b)

SECTION 474.01 CODE APPLICATION TO BICYCLES.

(a) The provisions of this Traffic Code which are applicable to bicycles apply whenever a bicycle is operated upon any street or upon any path set aside for the exclusive use of bicycles. (ORC 4511.52)

(b) Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all the duties applicable to the driver of a vehicle under the provisions of this Traffic Code, except as to special regulations in this section and except as to those provisions of this Traffic Code which by their nature can have no application.

Penalty – see Sections 408.01 and 408.02.

**SECTION 474.02 RIDING UPON SEATS; CARRYING PACKAGES;
MOTORCYCLE HANDLE BARS; HELMETS AND GLASSES**

(a) For purposes of this section, “snowmobile” has the same meaning as given that term in Section 476.01.

(b) A person operating a bicycle or motorcycle shall not ride other than upon the permanent and regular seat attached thereto, nor carry any other person upon such bicycle or motorcycle other than upon a firmly attached and regular seat thereon, nor shall any person ride upon a bicycle or motorcycle other than upon such a firmly attached and regular seat.

(c) A person shall ride upon a motorcycle only while sitting astride the seat, facing forward, with one leg on each side of the motorcycle.

(d) No person operating a bicycle shall carry any package, bundle or article that prevents the driver from keeping at least one hand upon the handle bars.

(e) No bicycle or motorcycle shall be used to carry more persons at one time other than the number for which it is designed and equipped, nor shall any motorcycle be operated on a highway when the handle bars or grips are more than fifteen inches higher than the seat or saddle for the operator.

(f) No person shall operate or be a passenger on a snowmobile or motorcycle without using safety glasses or other protective eye device. No person who is under the age of eighteen years, or who holds a motorcycle operator’s endorsement or license bearing a “novice” designation that is currently in effect as provided in Section 4507.13 of the Revised Code, shall operate a motorcycle on a highway, or be a passenger on a motorcycle, unless wearing a protective helmet on his head, and no other person shall be a passenger on a motorcycle operated by such a person unless similarly wearing a protective helmet. The helmet, safety glasses, or other protective eye device shall conform with regulations prescribed and promulgated by the director of highway safety. The provisions of this

paragraph or a violation thereof shall not be used in the trial of any civil action. (ORC 4511.53)

Penalty – see Sections 408.01 and 408.02.

SECTION 474.03 ATTACHING BICYCLES, MOTORCYCLES TO OTHER VEHICLES.

No person riding upon any motorcycle, bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.

No operator shall knowingly permit any person riding upon any motorcycle, bicycle, coaster, roller skates, sled or toy vehicle to attach the same or himself to any vehicle while it is moving upon a roadway. This section does not apply to the towing of a disabled vehicle. (ORC 4511.54)

Penalty – see Sections 408.01 and 408.02.

SECTION 474.04 RIDING ON RIGHT SIDE OF ROADWAY; RIDING ABREAST.

(a) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, obeying all traffic rules applicable to vehicles and exercising due care when passing a standing vehicle or one proceeding in the same direction.

(b) Persons riding bicycles or motorcycles upon a roadway shall ride not more than two abreast in a single lane, except on paths or parts of roadways set aside for the exclusive use of bicycles or motorcycles. (ORC 4511.55)

Penalty – see Sections 408.01 and 408.02.

SECTION 474.05 LIGHTS, SIGNAL DEVICES, BRAKES ON BICYCLES.

(a) Every bicycle, when in use at the times specified in Section 438.02, shall be equipped with a lamp on the front that shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type approved by the Ohio Director of Highway Safety that shall be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle and a lamp emitting a red light visible from a distance of 500 feet to the rear shall be used in addition to the red reflector.

(b) No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet, except that a

bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.

(c) Every bicycle shall be equipped with an adequate brake when used on a street or highway. (ORC 4511.56)

Penalty – see Sections 408.01 and 408.02.

SECTION 474.06 SAFE RIDING REGULATIONS FOR BICYCLES.

(a) No person operating a bicycle shall remove both feet from the pedals or practice or perform any acrobatic riding on any of the streets or public places in the City.

(b) The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right of way to all pedestrians approaching on such sidewalk or sidewalk area and, upon entering the roadway, shall yield the right of way to all vehicles approaching on such roadway.

(c) No person shall ride a bicycle upon a sidewalk within a business district where such sidewalk extends from store front to curb.

(d) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

(e) No person shall operate a bicycle:

- (1) without due regard for the safety and rights of pedestrians and drivers and occupants of all other vehicles, and so as to endanger the life, limb or property of any person while in the lawful use of the streets or sidewalks or any other public or private property;
- (2) without exercising reasonable and ordinary control over such bicycle;
- (3) in a weaving or zigzag course unless such irregular course is necessary for safe operation or in compliance with law;
- (4) without both hands upon the handle grips except when necessary to give the required hand and arm signals; or
- (5) at a speed greater than is reasonable and prudent under the conditions then existing.

- (f) (1) No person under sixteen (16) years of age shall operate or ride on Roller Blades or shall operate a bicycle, or ride as a passenger on a bicycle equipped with a passenger seat, upon a street or sidewalk within the City unless such person is wearing a protective helmet on his or her head, with the chin strap fastened under the chin. Such helmet shall be fitted to the size of the operator and shall meet or exceed the standards set by ANSI (American National Standards Institute) or SNELL (Snell Memorial Foundation) for helmets manufactured before March 1999, and shall meet or exceed the standards set by the Consumer Product Safety Institute after said date. For purposes of this Subsection, "Roller Blades" shall mean a roller skate with skate wheels that are arranged in a line and secured to the bottom of a boot or shoe. Some Roller Blades may have a brake pad on the heel of one or both of a pair of skates.
- (2) No parent of any person under the age of sixteen (16) or guardian of any ward under the age of sixteen (16) shall authorize or knowingly permit any such person or ward to violate the provisions of Item (1) of Subsection (f) of this Section 474.06.
- (3) Whoever is convicted of or pleads guilty to a violation of Item (1) or Item (2) of Subsection (f) of this Section 474.06 shall be fined the amount of Fifty Dollars (\$50.00).

SECTION 474.07 PARKING OF BICYCLE.

No person shall park a bicycle upon a street or sidewalk in such a manner so as to obstruct pedestrian or vehicular traffic.

Penalty – see Sections 408.01 and 408.02.

SECTION 474.08 IMPOUNDING OF BICYCLES.

Members of the Police Department are hereby authorized to seize and impound any bicycle which is ridden or operated in violation of any of the provisions of this chapter. Any bicycle so seized and impounded shall be held by the Police Department until the owner thereof or, if the owner is a minor, the owner and such owner's parent or guardian shall appear at the Police Department and give assurance that such violation shall not be repeated.

SECTION 474.09 POLICE OFFICER OPERATING A BICYCLE.

Subsection (b) of Section 474.01 and Sections 474.02 through, and including, 474.07 of this Chapter 474 do not apply to a police officer operating a bicycle in the official performance of police duties in response to an emergency. However, this does not relieve the officer from the duty to operate the bicycle with due regard for the safety of all persons and property.

LEGISLATIVE HISTORY: Ord. 1326-65; passed 3-23-65. Ord. 2437-72; passed 12-12-72. Ord. 2848-79; passed 6-12-79. Ord. 3978-04; passed 9/14/04.