

Chapter 42

BICYCLES

(05-31-13)

Current as of 05-31-13

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42.01 EFFECT OF REGULATIONS.

a) It is an ordinance violation for any person to do any act forbidden or fail to perform any act required in this Chapter.

b) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provision of this Chapter.

c) These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles, and shall apply to bicycles used on multi-use cycle/pedestrian paths, subject to those exceptions stated herein.

d) The regulations applicable to bicycles as described herein shall also apply to other pedal powered vehicles including velocycles, recumbent cycles, tricycles, and other pedal-powered vehicles designed and equipped for on-road operation, with pneumatic tires and all required safety equipment.

42.02 CENTRAL BUSINESS DISTRICT, SKATEBOARDS AND ROLLER BLADES.

a) No person shall ride a bicycle upon a sidewalk within the "CBD" Central Business District as defined in Article 5, Section 5.09 of the Unified Development Ordinance of the City of DeKalb.

b) No person shall ride a skateboard, roller skate, roller board, roller blade or other similar device upon a sidewalk, alley, parking lot, public park, or other public area within the CBD. The Chief of Police or his designee is authorized to erect, or cause to be erected, signs on any sidewalk or roadway prohibiting the riding of skateboards or roller skates thereon by any person and when such signs are in place no person shall disobey the same.

42.03 HARASSMENT OF BICYCLISTS.

a) It shall be unlawful to engage in any harassment of a bicyclist operating a bicycle on or adjacent to a public roadway, path, sidewalk or other public or private area.

b) "Harassment" shall be any act which shall unreasonably disturb a bicyclist or cause a bicyclist to have a reasonable fear of imminent danger, including but not limited to: 1) making threats or engaging in hate speech towards bicyclists; 2) throwing any object at or towards a bicyclist; 3) increasing speed, decreasing following distance, or decreasing lateral (lane) separation when approaching, driving alongside or overtaking bicyclists; 4) excessive, unwarranted or unlawful use of a horn in proximity to bicyclists; 5) taking any action to aggressively swerve towards bicyclists; 6) attempting to stop or block the path of a bicyclist; 7) attempting to force a bicyclist into a fixed obstacle, ditch, curb, parked car or other impediment; or, 8) engaging in sharp acceleration for the purpose of creating a greater than normal accumulation of vehicle exhaust.

c) Violation of this Section 42.03 shall be punishable by a fine of not less than Three Hundred Dollars (\$300) nor more than One Thousand Dollars (\$1,000). A second or subsequent violation of this Section 42.03, or any violation that results in physical contact between an alleged offender (or their vehicle or property) and a cyclist, or a crash or physical injury, shall be a misdemeanor, punishable by a fine not to exceed One Thousand Dollars (\$1,000) and/or thirty days in jail.

42.04 BICYCLE DEALERS.

Every person engaged in the business of buying or selling new or second hand bicycles shall keep a record of every bicycle purchased or sold by such dealer, giving the name and address of the person from whom purchased or to whom sold, a description of such bicycle by name or make, the frame number thereof, and the number of license plate, if any, found thereon. The record shall at all reasonable times be open to the inspection of any member of the Police Department.

42.05 TRAFFIC REGULATIONS.

a) Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of the State of Illinois, Chapter 95, of the Illinois Revised Statutes, "Motor Vehicles", declaring rules of the road applicable to vehicles or by the traffic ordinances of this City applicable to the driver of a vehicle, except as to special regulations in this Chapter and except to those provisions of law and ordinances which by their nature can have no application. Citations issued shall clearly reflect that the citation was issued to the operator of a bicycle, and shall not impact the operator's driver's license (if any). Citations shall be issued as local ordinance violations where possible.

b) Any person operating a bicycle shall obey the instructions of official traffic control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.

c) Whenever authorized signs are erected indicating that no right or left or "U" turn is permitted, no person operating a bicycle shall disobey the direction of any sign, except where such person dismounts from the bicycle or otherwise reduces speed so as to safely make any such turn, in which event such person shall obey the regulations applicable to pedestrians.

42.06 BICYCLE RIDING RULES.

a) Permanent Seat. A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto.

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b) **Carrying Persons.** No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped. Bicycles may be used to carry more than one person, and may be used to tow trailers carrying one or more persons, where properly equipped (with multiple seats, etc.). Nothing within this Ordinance shall prohibit the carrying of a child in a seat or trailer designed for the same, and firmly affixed to the bicycle.

c) **Right Side of Roadway.** Every person operating upon a roadway shall ride as near to the right side of the laned roadway as practicable given road and traffic conditions, exercising due care when passing a standing vehicle or one proceeding in the same direction. This section does not require a person operating a bicycle to operate at the edge of the roadway when it is unreasonable or unsafe to do so. Conditions that may require riding away from the edge of the roadway include when necessary to avoid fixed or moving objects, parked or moving vehicles or surface hazards, when riding in lanes too narrow for a bicycle and an overtaking vehicle to travel side by side within the lane of traffic, when weather conditions present precipitation or snow on the edge of the roadway, when changing lanes to make a lawful turn, or when it is otherwise unsafe or impractical.

d) **Riding Abreast.** Persons riding bicycles upon roadways shall ride not more than 2 abreast, and shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane where possible. Bicycles operated on bike or recreation paths may ride more than 2 abreast where possible with due regard for pedestrians and other users of such paths.

e) **Vehicles.** No person operating a bicycle shall grab or attach himself to any vehicle while it is moving upon a roadway. This section does not apply to the towing of a disabled vehicle nor to the towing of a trailer or the towing of a bicycle.

f) **Speed.** No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

g) **Emerging from Alley or Driveway.** The operator of a bicycle emerging from an alley, driveway or building shall upon approaching a sidewalk or sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall follow the applicable provisions of the Illinois Vehicle Code.

h) **Carrying Articles.** No person operating a bicycle shall carry a package, bundle or article which prevents the rider from keeping at least one hand upon the handlebars.

i) **Parking.** A person shall park a bicycle in such a manner as to afford the least obstruction to pedestrian traffic, parking (including handicapped parking) or building entrances. It shall be lawful to utilize a bike lock to temporarily affix a bicycle to a sign or other street improvement provided that said lock does not damage the improvement in any way and does not impede traffic or the visibility of the improvement.

j) **Riding on Sidewalks.**

1. It shall be legal to operate a bicycle upon a sidewalk when sidewalks are available and not congested with pedestrian traffic. If the sidewalk is congested with pedestrian traffic, any bicycle operator using the sidewalk shall walk the bicycle. It is unlawful to ride a bicycle on the sidewalk where official City signs are clearly posted creating such a prohibition.

2. A person shall not operate a bicycle from a sidewalk so as to suddenly leave a curb or other place of safety and move into the path of a vehicle that is so close as to constitute an immediate hazard.

3. 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, by bell or voice, before overtaking and passing such pedestrian.

4. No person shall operate a bicycle on a sidewalk at a speed greater than an ordinary walk when approaching or entering a crosswalk or approaching or crossing a driveway if a vehicle is approaching the crossing or driveway. This paragraph does not require reduced speeds for bicycles if no other vehicle is present.

42.07 BICYCLE EQUIPMENT.

a) Lights. Every bicycle when in use at night shall be equipped with a lamp on the rear which shall emit a red light visible from a distance of at least 500 feet to the rear, and a white reflector visible from all distances from 50 to 300 feet to the front when directly in front of the headlights of a motor vehicle. Bicycles are encouraged to be equipped with a front headlamp when operated at night, in compliance with the requirements of the Illinois Vehicle Code.

b) Brakes. Every bicycle shall be equipped with one or more adequate brakes or other mechanical devices to enable safe stops.

42.08 PENALTIES.

Any person, firm or corporation, violating any provision of this Chapter, unless otherwise specified, shall be punished by a fine of not less than Thirty Five Dollars (\$35.00) nor more than One Hundred Dollars (\$100.00)