# Review of Bicycle-Related Codes in the City of Newport's Ordinances

This package of recommended changes to Newport's Code of Ordinances is result of extensive collaboration by the Newport Police Department, Bike Newport, and the Newport Bicycle Pedestrian Advisory Commission.


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# Introduction & Explanation of Recommendations

## Summary of Proposed Changes:

The committee reviewed 20 existing ordinances, and the final recommendations include:

- The elimination of one ordinance (10.72.090);
- The consolidation of six ordinances into other existing ordinances;
- The creation of four new ordinances;
- No changes to three out of the twenty ordinances included in the review.

# Document Sections

## **Section I:** Current City Ordinances & State Laws

*The ordinances and relevant state laws as they currently exist.*

## **Section II:** Proposed Ordinances

*The ordinances presented in their entirety with the recommended changes fully incorporated in the text.*

## **Section III:** Annotated Changes

*Blue text = New to City Ordinances*
*Red text = Edited*
*~~Red strike~~ = Delete*

## **Section IV:** Appendix

*Pertinent documents referenced elsewhere in the review.*

# Table of Contents


***Chapter 10.08. – GENERAL PROVISIONS***

**10.08.010. Definitions.**

*Current* ..... 1
*Proposed.* ..... 13
*Annotated.* ..... 29

***Chapter 10.16. – TRAFFIC CONTROL DEVICES***

**10.16.020-.030. Traffic control signal legend; Flashing signals.**

*Current.* ..... 3
*Proposed.* ..... 17
*Annotated.* ..... 33

***Chapter 10.20. – PARKING GENERALLY***

**10.20.120. Parking prohibited in specified places – Unauthorized moving in prohibited areas.**

*Current.* ..... 5
*Proposed.* ..... 19
*Annotated.* ..... 36

***Chapter 10.72. – BICYCLES***

**10.72.020. Definitions**

*Current.* ..... 6
*Proposed (see 10.08.010. - Definitions.)* ..... 13
*Annotated.* ..... 37

**10.72.030-.050. Bicycle Identification**

*Current.* ..... 6
*Proposed.* ..... 20
*Annotated.* ..... 38

**10.72.060. Operation of Bicycle**

*Current.* ..... 6
*Proposed.* ..... 21
*Annotated.* ..... 39

**10.72.070-.110. Bicycle Businesses**

*Current.* ..... 7
*Proposed.* ..... 23
*Annotated.* ..... 42

**10.72.120. Impoundment and Disposition of Bicycles**

*Current.* ..... 8
*Proposed.* ..... 24
*Annotated.* ..... 43

**10.72.130-.170. Additional Ordinances Related to Bicycle Operation**

*Current.* ..... 8
*Proposed (see 10.72.060. - Operation of bicycle.).* ..... 21
*Annotated.* ..... 44

***PROPOSED NEW ORDINANCES:***

**Safe Passing of a Bicycle**
*Current (State law only)* ..... 9
*Proposed.* ..... 25
*Annotated.* ..... 46
**NEW – Bicycle position on the road.**
*Current (State law only)* ..... 9
*Proposed.* ..... 25
*Annotated.* ..... 46
**NEW – Opening vehicle doors.**
*Current (State law only)* ..... 9
*Proposed.* ..... 26
*Annotated.* ..... 47
**NEW – Stop as yield.**
*Proposed.* ..... 26
*Annotated.* ..... 47

**Appendix**. ..... 51

# Section I:

## Current City Ordinances & State Laws

# *Title 10. – VEHICLES AND TRAFFIC*
# *Chapter 10.08. – GENERAL PROVISIONS*

## 10.08.010. – Definitions.

As used in this title, unless otherwise expressly provided:

**"Authorized emergency vehicle"** means vehicles of the fire division (fire patrol), police vehicles, vehicles used by committing officers in the state Department of Corrections and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the chief of police.

**"Crosswalk"** means:

A. That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the traversable roadway;

B. Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

**"Driver"** means any operator or chauffeur who drives or is in actual physical control of a vehicle.

**"Intersection"** means the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon differing highways joining at any other angle may come in conflict.

Where a highway includes two roadways thirty (30) feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways thirty (30) feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

**"Motor vehicle"** means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except vehicles moved exclusively by human power.

**"Official traffic control device"** means a sign, signal, marking or other device, not inconsistent with this title, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

**"Official traffic signal"** means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

**"Park,"** when prohibited, means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

**"Pedestrian"** means any person afoot.

**"Police officer"** means every officer of the municipal police division or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

**"Private road or driveway"** means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not other persons.

**"Railroad"** means a carrier of persons or property upon cars, other than street cars, operated upon stationary rails.

**"Railroad train"** means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except street cars.

**"Right-of-way"** means the privilege of the immediate use of the roadway.

**"Roadway"** means that portion of a street improved, designed or ordinarily used for vehicular travel, exclusive of the sidewalk, berm or shoulder even though such sidewalk, berm or shoulder is used by persons riding bicycles. In the event that a street includes two or more separate roadways, the term roadway shall refer to any such roadway separately, but not to all such roadways collectively.

**"Safety zone"** means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

**"Sidewalk"** means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.

**"Sign"** means a sign or appropriate marking on a curb or road.

**"Standing,"** when prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

**"Stop,"** when required, means complete cessation of movement.

**"Stop"** or **"stopping,"** when prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

**"Street"** or **"highway"** means the entire width between boundary lines of every way when any part thereof is open to the use of the public for purposes of vehicular traffic.

**"Traffic"** means pedestrians, ridden or herded animals, vehicles and other conveyances, either singly or together, while using any street for purposes of travel.

**"Truck"** means any motor vehicle designed, used or maintained primarily for the transportation of property.

**"Vehicle"** means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon stationary rails or tracks.

# *Chapter 10.16. – TRAFFIC CONTROL DEVICES*

## 10.16.020. Traffic control signal legend.

Whenever traffic is controlled by traffic control signals exhibiting the words "go," "caution" or "stop," or exhibiting different colored lights successively one at a time, or with arrows, the following colors only shall be used and such terms and lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

A. Green Alone or "Go."
   1. Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.
   2. Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

B. Yellow Alone or "Caution" When Shown Following the Green or "Go" Signal.
   1. Vehicular traffic facing the signal shall stop before entering an intersection on a red or "stop" signal, which will be exhibited immediately thereafter. Such vehicle traffic shall not enter or be crossing the intersection when the red or "stop" signal is exhibited.
   2. Pedestrians facing such signal are thereby advised that there is insufficient time to cross the roadway, and any pedestrian then starting to cross shall yield the right-of-way to all vehicles.

C. Red Alone or "Stop."
   1. Vehicular traffic facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection, and shall remain standing until the green or "go" is shown alone, and shall not, prior to reaching such intersection, make any turn over or through private property in order to avoid such signal; provided, however, that a right-hand turn shall be permitted after vehicular traffic reaches a complete stop, at intersections when safety would permit such a turn and no sign forbids it.
   2. No pedestrians facing such signal shall enter the roadway unless he or she can do so safely and without interfering with any vehicular traffic.

D. Red With Green Arrow.
   1. Vehicular traffic facing the signal may cautiously enter the intersection only to make the movement indicated by such arrow, but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.
   2. No pedestrian facing such signal shall enter the roadway unless he or she can do so safely and without interfering with any vehicular traffic.

## 10.16.030. Flashing signals.

Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows:

A. Flashing Red (Stop Signal). When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or, if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

B. Flashing Yellow (Caution Signal). When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

C. Flashing Green (Pedestrian Signal). When a green lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or crosswalk past such a signal only with caution.

# *Chapter 10.20. – PARKING GENERALLY*

## 10.20.120. Parking prohibited in specified places—Unauthorized moving in prohibited areas.

A. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:
   1. On a sidewalk;
   2. In front of a public or private driveway, or within five feet of either side thereof;
   3. Within an intersection;
   4. Within eight feet of a fire hydrant;
   5. On a crosswalk;
   6. Within twenty (20) feet of a crosswalk at an intersection; and, for oncoming traffic at non-intersection crosswalks, within fifteen (15) feet of a crosswalk where there is diagonal parking, and within ten feet of a crosswalk where there is parallel parking;
   7. Within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway;
   8. In front of any place of public worship while any service is being carried on;
   9. On the left side of any street, unless otherwise permitted under this chapter;
   10. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
   11. Within fifty (50) feet of the nearest rail of a railroad crossing;
   12. Within twenty (20) feet of the driveway entrance to any fire station and, on the side of a street opposite the entrance to any fire station, within seventy-five (75) feet of such entrance when properly sign-posted;
   13. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic;
   14. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
   15. Upon any bridge or other elevated structure upon a highway;
   16. At any place where official signs prohibit stopping; or
   17. On any roadway adjacent to a curb painted yellow.

B. No person shall move a vehicle not owned by such person into any such prohibited area or away from a curb such distance as is unlawful.

C. It is unlawful to alter, cover, deface, paint over, or otherwise compromise or change a city-installed or sanctioned curb marking or other traffic control sign, marking or designation.

D. It is unlawful for any person or persons not authorized or sanctioned by the city to paint, alter, duplicate, or create a yellow curb marking, or any other traffic control or public safety device, sign or designation.

# *Chapter 10.72. – BICYCLES*

## 10.72.020. Definitions.

As used in this chapter, "bicycle" means a conveyance propelled by human power in combination with a belt, chain or gears and also includes an electric bicycle (also known as e-bikes).

"Electric bicycle" shall mean a bicycle equipped with fully operable pedals, a saddle or seat for the rider and an electric motor that meets the requirements of one of the following three classes:

Class 1: Bicycle equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches twenty miles per hours (20 mph);

Class 2: Bicycle equipped with a throttle actuated electric motor that ceases to provide assistance when the electric bicycle reaches twenty miles per hours (20 mph);

Class 3: Bicycle equipped with an electric motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the electric bicycle reaches twenty-eight miles per hour (28 mph).

## 10.72.030. Bicycle registration program.

Any person residing in the city may register any bicycle with the police division pursuant to a registration program to be established by the police division. The purpose of bicycle registration will be to identify lost, stolen and found bicycles.

## 10.72.040. Transfers.

A person who sells or transfers ownership of a bicycle may report such sale or transfer to the police division. The person who made the purchase or the transferee of the bicycle may thereafter register the bicycle with the police division. Any disposition of a bicycle not covered by this section may also be reported to the police division.

## 10.72.050. Alteration or mutilation of frame number.

No person shall willfully or maliciously remove, destroy, mutilate or alter the number on any frame of a bicycle registered pursuant to this chapter. Nothing in this section shall prohibit the police division from pressing an identification number on the frame of bicycles on which no serial number can be found, or on which such number is illegible for identification purposes.

## 10.72.060. Operation of bicycle.

The following rules and regulations shall be observed in the operation of a bicycle on the streets, highways, parkways and public places of the city:

A. Generally. Every person operating a bicycle shall at all times operate the bicycle with due regard for the safety of other persons and vehicles lawfully upon the streets, highways, parkways and public places, as well as for his or her own safety, and shall at all times and under all conditions yield the right-of-way to pedestrians on the streets, highways, parkways, parks, public places and crosswalks and shall not operate upon any pedestrian paths in the public parks or upon any public school grounds of public playgrounds except when operated on such school grounds or playgrounds during festival parades or other activities sponsored by the department of public recreation or school authorities.

B. Obedience to Traffic Regulations. Every person operating a bicycle shall comply with all vehicle traffic laws, except where such laws, by their nature, do not apply to bicycles, and with all vehicle traffic signs and signals erected for the regulation of traffic.

C. Turn Signals. Before turning or changing the direction of any bicycle upon any street, highway, parkway or public place, it shall be the duty of the bicycle rider to give a signal, by the extension of the hand, to indicate the direction he or she intends to proceed.

D. Towing Persons or Vehicles. No person operating a bicycle shall tow or draw any coaster, sled, person on roller skates or other similar vehicle on a public highway, except as provided in Section 10.72.170(B}.

E. Acrobatic Riding. No person operating a bicycle shall engage in fancy or trick riding without maintaining full control of such bicycle and keeping both hands on the handlebars, except when necessary to give a signal.

F. Persons thirteen (13) years of age and older are prohibited from operating bicycles of any kind on city sidewalks. Bicycle operators thirteen (13) years of age and older shall operate on public roadways, following the direction of traffic, operating on the right side of the road, if practical, and observing the traffic and vehicle laws, proscribed for bicycle operation, as specified in the Rhode Island General Laws. Persons younger than thirteen (13) years of age are permitted to operate on sidewalks, with caution given to pedestrians. Persons of any age are permitted to walk a bicycle on a public sidewalk.

G. No person may operate a bicycle in any designated skate park area in the city.

H. No person may operate a bicycle of any kind on a sidewalk on Memorial Boulevard, Bellevue Avenue, Thames Street, the west side of Broadway from Equality Park to Washington Square or the west side of America's Cup Avenue.

## 10.72.070. Bicycle dealers-License required-Fee.

No person shall carry on the business of buying and selling new and secondhand bicycles without first obtaining a license therefor from the police division. Every applicant shall pay a license fee as set forth in Section 2.120.010 and such license shall be effective for one year. No person engaged in the business of buying and selling new and secondhand bicycles shall also engage in the business of renting bicycles for public hire without first obtaining a license therefor as provided in Section 10.72.080.

## 10.72.080. Bicycle rental agencies-License required-Fee.

No person shall carry on the business of renting bicycles for public hire without first obtaining a license therefor. The fee for such license shall be as set forth in Section 2.210.010. No fee is required if a bicycle dealer's license has already been obtained. All bicycles owned by such agency offered for public hire shall be registered in the name of the agency, but a record of the name, address and age of such person hiring a bicycle shall be kept on file for the inspection of the police division.

Agencies shall be required to have all individuals riding a rented bicycle to sign an affidavit stating they have read and understood the bicycle ordinances.

## 10.72.090. Restrictions on issuance of dealer and rental agency licenses.

In the matter of the issuance of business licenses for dealers in secondhand bicycles and the conduct and operation of a bicycle rental agency, the chief of police shall be satisfied that the applicants for such licenses are of good character and financially responsible before a license is issued.

## 10.72.100. Reports by dealers.

A person engaged in the business of buying new or secondhand bicycles shall maintain a record available for inspection by a representative of the police division, giving a list of all purchases, transfers and sales made by such person, as well as the name and address of all persons to whom the bicycles are sold, a description of each bicycle purchased, transferred or sold, and the frame number thereof, and, in the case of a secondhand bicycle bought from an individual or taken in trade from a person buying a new bicycle, or a secondhand bicycle from the dealer's stock, the registration number thereon, if any.

## 10.72.110. Rentals to minors.

No person engaged in the business of renting bicycles for hire shall rent a bicycle to a minor under ten years of age. In renting a bicycle to a minor over ten years of age, but not over eighteen (18) years of age, the renting agency shall have on file, for police division inspection, the written consent of the parents or guardian stating that the minor is ten years of age or over and is permitted to rent a bicycle.

## 10.72.120. Impoundment and disposition of bicycles.

Whenever any bicycle is impounded for a violation of the provisions of this chapter, it shall be surrendered to the parent or guardian of the offender or, in the case of an adult offender, surrendered on Wednesdays of each week between the hours of eight a.m. and four p.m. In the case of the seizure of a bicycle because it has been found in the possession of a person who is not the legal owner thereof and the bicycle is not reclaimed by the owner thereof, it shall be sold at public auction after the expiration of thirty (30) days from the date of seizure. Notice containing a description of the bicycle shall be published in a newspaper circulating in the city, at least one week prior to the date of the sale. The proceeds of the sale shall be remitted to the director of finance. Offenders summoned to Newport municipal court may have their bicycles impounded until after their hearing is concluded.

## 10.72.130. Clinging to moving vehicles.

A. No person riding upon a bicycle, motorcycle, coaster, sled, roller skates or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway.
B. This section shall not prohibit attaching a trailer or semitrailer to a bicycle if such trailer or semitrailer has been designed for such attachment.

## 10.72.140. Riding on handlebars.

No operator of a motorcycle or bicycle shall, when upon a street, carry any other person upon the handlebars, frame or tank or any such vehicle, nor shall any person so ride upon any such vehicle.

## 10.72.150. Number of bicycles abreast.

Persons riding bicycles upon a roadway shall not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles. Persons riding two abreast shall not unduly impede traffic and, on a laned roadway, shall ride within a single lane.

## 10.72.160. Helmets required.

Any person fifteen (15) years of age or younger shall be required to wear a safety helmet when riding a bicycle on any public street, highway, parkway, or public place in the city. Said helmet shall fit the person's head, shall be secured to the person's head by straps while the bicycle is being operated, and shall meet the standards for helmets established by the Snell Memorial Foundation's 1984 standard for use in bicycling, or subsequent standards, or standards established by the U.S. Consumer Product Safety Commission, or subsequent standards.

## 10.72.170. Lamps and other equipment on bicycles.

A. Every bicycle, when in use at nighttime, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front.
B. Every bicycle shall be equipped with a red reflector of a type approved by the traffic engineer which shall be visible for six hundred (600) feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred (500) feet to the rear may be used in addition to the red reflector.
C. No person shall sell a new bicycle or a pedal for use on a bicycle that is not equipped with a reflector, of a type approved by the traffic engineer, on each pedal or such bicycle, which reflector is visible from the front and rear of the bicycle during darkness from a distance of two hundred (200) feet, nor shall any person operate a bicycle without such pedals.
D. A bicycle shall not be equipped with, nor shall any person use upon a bicycle, any siren or whistle.
E. Every bicycle shall be equipped with a brake or brakes which will enable the operator to stop the bicycle within twenty-five (25) feet at a speed of ten miles per hour on dry, level, clean pavement.
F. Every bicycle, when in use at nighttime, shall be equipped with a minimum of twenty (20) square inches on each side of the bicycle with white reflective material on the wheels or tires to indicate, as nearly as possible, the continuous circular shape and size of the wheels or tires of each bicycle. All reflective materials used in compliance with this subsection shall be visible during the hours of darkness from five hundred (500) feet when viewed under lawful low beam headlamps under normal atmospheric conditions on a straight, level, unlighted roadway, and shall meet the requirements as prescribed by the traffic engineer

# Rhode Island General Law

## *Title 31: Motor and Other Vehicles*

### *Chapter 15 - Passing, Use of Lanes, and Rules of the Road*

#### § 31-15-18. Unsafe passing of a person operating a bicycle; penalty.

**(a)** A driver of a motor vehicle commits the offense of unsafe passing of a person operating a bicycle if the driver violates any of the following requirements:

**(1)** The driver of a motor vehicle may only pass a person operating a bicycle by driving to the left of the bicycle at a safe distance and returning to the lane of travel once the motor vehicle is safely clear of the overtaken bicycle. For the purposes of this subdivision, a "safe distance" means a distance that is sufficient to prevent contact with the person operating the bicycle if the person were to fall into the driver's lane of traffic. This subdivision does not apply to a driver operating a motor vehicle:

**(i)** In a lane that is separate from and adjacent to a designated bicycle lane;

**(ii)** At a speed not greater than fifteen miles per hour (15 mph); or

**(iii)** When the driver is passing a person operating a bicycle on the person's right side and the person operating the bicycle is turning left.

**(2)** The driver of a motor vehicle may drive to the left of the center of a roadway to pass a person operating a bicycle proceeding in the same direction only if the roadway to the left of the center is unobstructed for a sufficient distance to permit the driver to pass the person operating the bicycle safely and avoid interference with oncoming traffic. This subdivision does not authorize driving to the left of center of a roadway when prohibited under § 31-15-1 (failure to drive on right), § 31-15-3 (passing of vehicles proceeding in opposite directions) or § 31-15-13 (divided highway).

**(b)** The driver of a motor vehicle that passes a person operating a bicycle shall return to an authorized lane of traffic as soon as practicable.

**(c)** Violations of this section are subject to the fine enumerated in § 31-41.1-4.

**(d)** This section may be cited as "Frank's Law."

### *Chapter 19 - Operation of Bicycles*

#### § 31-19-6. Bicycles to right of road.

Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction except where official traffic control devices (signs or pavement markings) specifically direct bicyclists to do otherwise.

### *Chapter 21 - Stopping, Standing, and Parking Restrictions*

#### § 31-21-14. Opening vehicle doors.

No person shall open the door of a motor vehicle on the roadways, streets, or highways of this state, available to moving traffic, unless and until it is reasonably safe to do so, and can be done without interfering with the movement of other traffic, including pedestrians and bicycles on sidewalks, shoulders, or bicycle lanes. No person shall leave a door open on the side of a vehicle available to moving traffic, including pedestrians and bicycles on sidewalks, shoulders or bicycle lanes, for a period of time longer than necessary to load or unload passengers. Any person violating the provisions of this section shall be fined as provided in § 31-41.1-4.

# Section II:

Proposed Ordinances

# *Title 10. – VEHICLES AND TRAFFIC*
# *Chapter 10.08. – GENERAL PROVISIONS*

## 10.08.010. Definitions.

As used in this title, unless otherwise expressly provided:

**"Authorized emergency vehicle"** means vehicles of the fire division (fire patrol), police vehicles, vehicles used by committing officers in the state Department of Corrections and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the chief of police.

"**Bicycle**" means a conveyance propelled by human power in combination with a belt, chain or gears and also includes an electric bicycle (also known as e-bikes).

**"Bicycle Parking"** A designated area that allows for the intact and secure storage of bicycles, where both wheels can rest on a stable surface and accessing the space does not require the movement of other bicycles, vehicles or objects.

**"Class 1 Bicycle Parking."** Spaces in secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residents, non-residential occupants, and Employees.

**"Class 2 Bicycle Parking."** Bicycle racks located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guests, and patrons to the building or use.

"**Bike Path**" A route physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way.

"**Bike Lane**" A lane on a street restricted to bicycles that is designated by means of pavement coloring, lines or other clearly visible markings, which has a width of no less than five (5) feet when adjacent to a curb, guardrail or other vertical surface, or parking lane. The operation and parking of motor vehicles is prohibited within the lane identified for exclusive use by bicyclists, except when making a turn, entering or leaving the roadway or a parking lane, or when required in the course of official duty.

"**Bike Route**" A term used to identify a roadway shared by both bicycles and other forms of transportation that is designated by means of signs and/or pavement markings to indicate a preferred navigational route for bicyclists.

"**Crosswalk**" That portion of a roadway ordinarily included within the prolongation or continuation of curb lines and property lines at intersections, and/or at any portion of the roadway clearly indicated for pedestrian crossing by lines on the road surface or by other markings or signs.

**"Cycle Track"** A bike lane separated from moving cars, parked cars, and sidewalks by physical barriers to provide a dedicated space for bicyclists and minimize potential conflicts between people using different modes of transportation.

**"Driver"** means any operator or chauffeur who drives or is in actual physical control of a vehicle.

"**Electric personal assistive mobility device**" ("EPAMD") is a self-balancing two (2) non-tandem wheeled device, designed to transport only one person, with an electric propulsion system which limits the maximum speed of the device to fifteen (15) miles per hour.

"**Electric bicycle**" shall mean a bicycle equipped with fully operable pedals, a saddle or seat for the rider and an electric motor that meets the requirements of one of the following three classes:

**Class 1**: Bicycle equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches twenty miles per hours (20 mph);

**Class 2**: Bicycle equipped with a throttle actuated electric motor that ceases to provide assistance when the electric bicycle reaches twenty miles per hours (20 mph);

**Class 3**: Bicycle equipped with an electric motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the electric bicycle reaches twenty-eight miles per hour (28 mph).

"**Intersection**" means the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon differing highways joining at any other angle may come in conflict.

Where a highway includes two roadways thirty (30) feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways thirty (30) feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

"**Motor vehicle**" means any vehicle constructed and designed for propulsion by power other than human power, except for electric bicycles, motorized bicycles, EPAMD, and mobility assistive devices, such as electric wheelchairs.

"**Motorized bicycle**" means a 2 or 3 wheeled vehicle that has a post mounted seat, fully operative pedals for human propulsion, and a motor rated not more than four and nine-tenths (4.9) horsepower and not greater than fifty (50) cubic centimeters, which is capable of a maximum speed of not more than thirty (30) miles per hour.

**“Official traffic control device”** means a sign, signal, marking or other device, not inconsistent with this title, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

**“Official traffic signal”** means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

**“Park,”** when prohibited, means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

"**Pedal carriages**" (also known as "**quadricycles**") means a non-motorized bicycle with four (4) or more wheels operated by one or more persons for the purpose of, or capable of, transporting additional passengers in seats or on a platform made a part of, or otherwise attached to, the pedal carriage. The term shall not include a bicycle with trainer or beginner wheels affixed to it, nor shall it include a wheelchair or other vehicle with the purpose of operation by or for the transportation of a handicapped person.

"**Pedestrian**" means any person afoot or using any walking assistance tool such as crutches, a cane or walker, or any person seated in a wheelchair, motorized or otherwise.

“**Pedicab**” means a bicycle that has three (3) or more wheels, or that is a trailer connected to any bicycle, that transports, or is capable of transporting, passengers on seats attached to the bicycle or trailer that is operated by an individual and that is used for transporting passengers for hire.

**“Police officer”** means every officer of the municipal police division or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

**“Private road or driveway”** means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not other persons.

**“Railroad”** means a carrier or persons or property upon cars, other than street cars, operated upon stationary rails.

**“Railroad train”** means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except street cars.

**“Right-of-way”** means the privilege of the immediate use of the roadway.

**“Road user”** means a vehicle operator or passenger, bicyclist or pedestrian within a highway, road or street.

"**Roadway**" means that portion of a street improved, designed, or ordinarily used for vehicular travel, exclusive of the sidewalk, berm or shoulder even though such sidewalk, berm or shoulder is used by persons riding bicycles. In the event that a street includes two or more separate roadways, the term roadway shall refer to any such roadway separately, but not to all such roadways collectively.

“**Roller Skates**” Any shoe with an attachment of wheels, also known as “Roller Blades”.

"**Safety zone**" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

“**Sharrow / Shared Lane Marking**” Shared Lane pavement markings are placed in the center of the vehicle lane on the roadway and indicate that the street space of the route is for use by both bicyclists and motorists. Motorists should expect to see bicycles on this route and expect bicyclists to occupy the full travel lane. Roads with shared lane markings are not a facility type and should not be considered a substitute for bike lanes, cycle tracks, or other separation treatments where these types of facilities are otherwise warranted or space permits.

**“Shared Use Path (SUP)**” means a paved, off-road facility designed for travel by pedestrians and those using modes of transportation that include bicycles, roller skates or skateboards, where use is limited to non-motorized vehicles and the speed limit and direction of travel are set and enforced for the safety of all users.

“**Skateboard**” means any platform of any composition or size without a seat to which one or more wheels are attached and which is intended to be ridden or propelled by one or more persons standing or kneeling upon it.

"**Sidewalk**" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, designated for the use of pedestrians.

**“Sign”** means a sign or appropriate marking on a curb or road.

**“Standing,”** when prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

**“Stop,”** when required, means complete cessation of movement.

**“Stop”** or **“stopping,”** when prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

"**Street**" or "**highway**" means the entire width between boundary lines of every way when any part thereof is open to the use of the public for purposes of vehicular ~~traffic~~ travel.

**“Toy”** means a variation of a bicycle, skateboard, or scooter made for children and intended for recreation, not as a mode of transportation.

"**Traffic**" means pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together, while using any street for purposes of travel.

"**Trishaw**" means a bicycle that has three (3) or more wheels, or that is a trailer connected to any bicycle, that is operated by an individual and transports, or is capable of transporting, passengers on seats attached to the bicycle or trailer.

**"Truck"** means any motor vehicle designed, used or maintained primarily for the transportation of property.

**"Vehicle"** means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon stationary rails or tracks.

# *Chapter 10.16. – TRAFFIC CONTROL DEVICES*

## 10.16.020. Traffic control signal legend.

Whenever traffic is controlled by traffic control signals exhibiting the words "go," "caution" or "stop," or exhibiting different colored lights successively one at a time, or with arrows, the following colors only shall be used and such terms and lights shall indicate and apply to road users as follows:

A. Motor Vehicle Traffic
   a. Green Alone or “Go”.
      Motor vehicle traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. Motor vehicle-traffic, including vehicles turning right or left, shall yield the right-of-way to other road users lawfully within the intersection or an adjacent crosswalk.
   b. Yellow Alone or “Caution” When Shown Following the Green or “Go” Signal.
      Motor vehicle traffic facing the signal shall stop before entering an intersection on a red or “stop” signal, which will be exhibited immediately thereafter. Such traffic shall not enter or be crossing the intersection when the red or “stop” signal is exhibited.
   c. Red Alone or “Stop”.
      Drivers of motor vehicles approaching the signal shall:
      1. Not make any turn over or through private property to avoid such signal;
      2. Stop before entering the nearest crosswalk (if present) and intersection;
      3. Come to a complete stop, and;
      4. Wait for the signal to change to green, or, if safe to do so, make a right turn after yielding the right-of-way to other traffic and pedestrians, unless such right turn on red is prohibited by official signage.
   d. Red with Green Arrow.
      Motor vehicle traffic facing the signal may cautiously enter the intersection only to make the movement indicated by such arrow, but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.

B. Pedestrians. Unless otherwise directed by a pedestrian control signal, traffic control signals shall indicate and apply to pedestrians as follows:
   a. Green Alone or “Go”.
      Pedestrians facing a green signal may proceed across the roadway within any marked or unmarked crosswalk.
   b. Yellow Alone or “Caution” When Shown Following the Green or “Go” Signal.
      Pedestrians facing a yellow signal are thereby advised that there is insufficient time to cross the roadway before a red indication is shown, and no pedestrian shall then start to cross the roadway.
   c. Red Alone or “Stop”.
      No pedestrian facing such signal shall enter the roadway unless they can do so safely and without interfering with the flow of traffic.
   d. Red with Green Arrow.
      No pedestrian facing such signal shall enter the roadway unless they can do so safely and without interfering with the flow of traffic.

C. Bicycle Traffic. Unless otherwise directed by a bicycle-specific control signal, traffic control signals shall apply to bicycle traffic as follows:

a. Green Alone or "Go".
Bicyclists facing any green signal may proceed straight through or turn right or left unless a sign is present prohibiting such turn. Bicycle traffic, including those turning right or left, shall yield the right-of-way to other road users lawfully using the intersection or crosswalk at the time such signal is exhibited.

b. Yellow Alone or "Caution" When Shown Following the Green or "Go" Signal.
Bicyclists facing a yellow signal are thereby advised that there is insufficient time to cross the roadway before a red indication is shown, and no bicyclist shall then start to cross the roadway.

c. Red Alone or "Stop". Bicyclists approaching the signal shall
   1. stop before entering the crosswalk (if present) and intersection;
   2. come to a complete stop, and;
   3. wait for the signal to change to green or make a right turn after yielding right-of-way to other traffic and pedestrians, unless such right turn on red is prohibited by official signage.

d. Red with Green Arrow.
Bicyclists facing the signal may cautiously enter the intersection only to make the movement indicated by such arrow but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully within the intersection.

e. Bicyclists Using Pedestrian Control Signal. Bicyclists are permitted to cross an intersection at the direction of an immediately adjacent pedestrian control signal when the bicyclist has adhered to all applicable traffic laws and come to a stop at the intersection, and all of the following circumstances are met:
   1. The intersection does not have an operational bicycle control signal;
   2. The bicyclist rides directly adjacent to but not within the crosswalk controlled by the pedestrian control signal;
   3. It is safe for the operator of the bicycle to do so, and the action does not interfere with other traffic legally operating within the intersection.

f. Bicycle Control Signal.
If a bicyclist is at an intersection with an operational bicycle traffic control signal, the bicyclist is prohibited from following the direction of an alternative (vehicle or pedestrian) traffic signal.

### 10.16.030. Flashing signals.

Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by road users as follows:

A. Flashing Red (Stop Signal). When a red lens is illuminated with rapid intermittent flashes, road users shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or, if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

B. Flashing Yellow (Caution Signal). When a yellow lens is illuminated with rapid intermittent flashes, road users may proceed through the intersection or past such signal only with caution.

C. Flashing Green (Pedestrian Signal). When a green lens is illuminated with rapid intermittent flashes, road users may proceed through the intersection or crosswalk past such a signal only with caution.

# *Chapter 10.20. – PARKING GENERALLY*

## 10.20.120. Parking prohibited in specified places—Unauthorized moving in prohibited areas.

A. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:
   1. On a sidewalk;
   2. On any bicycle lane, trail, or path.[1]
   3. In front of a public or private driveway, or within five feet of either side thereof;
   4. Within an intersection;
   5. Within eight feet of a fire hydrant;
   6. On a crosswalk;
   7. Within twenty (20) feet of a crosswalk at an intersection; and, for oncoming traffic at non-intersection crosswalks, within fifteen (15) feet of a crosswalk where there is diagonal parking, and within ten feet of a crosswalk where there is parallel parking;
   8. Within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway;
   9. In front of any place of public worship while any service is being carried on;
   10. On the left side of any street, unless otherwise permitted under this chapter;
   11. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
   12. Within fifty (50) feet of the nearest rail of a railroad crossing;
   13. Within twenty (20) feet of the driveway entrance to any fire station and, on the side of a street opposite the entrance to any fire station, within seventy-five (75) feet of such entrance when properly sign-posted;
   14. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic;
   15. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
   16. Upon any bridge or other elevated structure upon a highway;
   17. At any place where official signs prohibit stopping; or
   18. On any roadway adjacent to a curb painted yellow.

B. No person shall move a vehicle not owned by such person into any such prohibited area or away from a curb such distance as is unlawful.

C. It is unlawful to alter, cover, deface, paint over, or otherwise compromise or change a city-installed or sanctioned curb marking or other traffic control sign, marking or designation.

D. It is unlawful for any person or persons not authorized or sanctioned by the city to paint, alter, duplicate, or create a yellow curb marking, or any other traffic control or public safety device, sign or designation.

# *Chapter 10.72. – BICYCLES*

## *10.72.030-.050. Bicycle Identification*

### 10.72.030. Bicycle registration program.

Any person residing in the city may register any bicycle with the police division pursuant to a registration program to be established by the police division. The purpose of bicycle registration will be to identify lost, stolen and found bicycles.

### 10.72.040. Transfers.

A person who sells or transfers ownership of a bicycle may report such sale or transfer to the police division. The person who made the purchase or the transferee of the bicycle may thereafter register the bicycle with the police division. Any disposition of a bicycle not covered by this section may also be reported to the police division.

### 10.72.050. Alteration or mutilation of frame number.

No person shall willfully or maliciously remove, destroy, mutilate or alter the number on any frame of a bicycle registered pursuant to this chapter. Nothing in this section shall prohibit the police division from pressing an identification number on the frame of bicycles on which no serial number can be found, or on which such number is illegible for identification purposes.

# *10.72.060. Operation of Bicycle*

## 10.72.060. Operation of bicycle.

The following rules and regulations shall be observed in the operation of a bicycle on the streets, highways, parkways and public places of the city:

A. Generally. Every person operating a bicycle shall at all times operate the bicycle with due regard for the safety of other persons and vehicles lawfully upon the streets, highways, parkways, and public places, as well as for their own safety, and shall at all times and under all conditions yield the right-of-way to pedestrians. No person shall operate a bicycle upon any pedestrian paths or upon any public school grounds of public playgrounds unless otherwise authorized. No person shall operate a bicycle on any shared-use path, trail, or other right-of-way not open to public vehicular traffic at a speed greater than 15 miles-per-hour, or what is reasonable and prudent having due regard for pedestrian traffic, and in no event at a speed which endangers the safety of persons or property.

B. Obedience to Traffic Regulations. Every person operating a bicycle in the roadway shall ride in the same direction as traffic and shall not ride against traffic on a two-way or one-way street, unless official signage present indicates it is permissible to do so. Every person operating a bicycle shall comply with all traffic laws, except where such laws, by their nature, do not apply to bicycles, and with all signs and signals erected for the regulation of traffic.

C. Turn Signals. Before turning or changing the direction of any bicycle upon any street, highway, parkway or public place, it shall be the duty of the bicycle rider to give a signal, by the extension of the hand, to indicate intent. In instances that demand the use of both hands for safe operation of the bicycle, the bicyclist is not required to signal continuously or signal at all.

D. Clinging to moving vehicles. No person riding upon a bicycle, motorcycle, coaster, sled, roller skates, skateboard or toy vehicle shall attach the same or themself to any vehicle upon a roadway. This shall not prohibit attaching a trailer or semitrailer to a bicycle if such trailer or semitrailer has been designed for such attachment.

E. Maintaining Control of Bicycle. No person operating a bicycle shall engage in fancy or trick riding without maintaining full control of such bicycle. At no time shall the operator of a bicycle carry any item that prevents the operator from keeping at least one hand on the handlebars.

F. Riding on Sidewalks. Pedestrians have the right of way on all sidewalks. Persons thirteen (13) years of age and older are prohibited from operating bicycles of any kind on city sidewalks. Persons younger than thirteen (13) years of age are permitted to operate on sidewalks, with right-of-way given to pedestrians. Persons of any age are permitted to walk a bicycle on a public sidewalk.

G. Cell Phone Usage. No person shall talk on, text message, or otherwise operate a cell phone while riding a bicycle, unless utilizing a hands-free device. No person shall wear headphones, earbuds or other devices of a similar nature in or over both ears while operating a bicycle.

H. No person may operate a bicycle of any kind on a sidewalk in active business districts, including those on Memorial Boulevard, Bellevue Avenue, Thames Street, the west side of Broadway from Equality Park to Washington Square or the west side of America's Cup Avenue. Riders should dismount and walk their bicycles.

I. A person may not use a bicycle to carry more persons than the bicycle is designed to accommodate with a seat securely attached for each passenger.

J. Bicycles abreast. Persons riding bicycles two or more abreast on a roadway or bike path shall ride within a single lane and not unduly impede other bicycle or vehicle traffic.

K. Helmets required. Any person fifteen (15) years of age or younger shall be required to wear a safety helmet when riding a bicycle. Said helmet shall fit the person's head and shall be secured to the person's head by straps while the bicycle is being operated.

L. Equipment on bicycles.

   a. Every bicycle, when in use at nighttime, shall be equipped with a device on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front.

   b. Every bicycle shall be equipped with a red reflector which shall be visible for six hundred (600) feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. A device emitting a red light visible from a distance of five hundred (500) feet to the rear must be used in addition to the red reflector when a bicycle is being operated at nighttime.

   c. No person shall sell a new bicycle or a pedal for use on a bicycle that is not equipped with a reflector on each pedal or such bicycle, which reflector is visible from the front and rear of the bicycle during darkness from a distance of two hundred (200) feet, nor shall any person operate a bicycle without such pedals.

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

   e. Every bicycle shall be equipped with a brake or brakes which will enable the operator to stop the bicycle within twenty-five (25) feet at a speed of ten miles per hour on dry, level, clean pavement.

   f. Every bicycle, when in use at nighttime, shall be equipped with a minimum of twenty (20) square inches on each side of the bicycle with white reflective material on the wheels or tires to indicate, as nearly as possible, the continuous circular shape and size of the wheels or tires of each bicycle. All reflective materials used in compliance with the subsection shall be visible during the hours of darkness from five hundred (500) feet when viewed under lawful low beam headlamps under normal atmospheric conditions on a straight, level, unlighted roadway.

M. Electric bicycles shall not be operated by a person under the age of sixteen (16) years.

## *10.72.070-.110. Bicycle Businesses*

### 10.72.070. Bicycle dealers—License required—Fee.

No person shall carry on the business of buying and selling new and secondhand bicycles without first obtaining a license therefor from the police division. Every applicant shall pay a license fee as set forth in Section 2.120.010 and such license shall be effective for one year. No person engaged in the business of buying and selling new and secondhand bicycles shall also engage in the business of renting bicycles for public hire without first obtaining a license therefor as provided in Section 10.72.080.

Bicycle dealers shall be required to have all individuals purchasing a bicycle sign an affidavit stating they have read and understood the bicycle ordinances.

### 10.72.080. Bicycle rental agencies—License required—Fee.

No person shall carry on the business of renting bicycles for public hire without first obtaining a license therefor. The fee for such license shall be as set forth in Section 2.210.010 and such license shall be effective for one year. No fee is required if a bicycle dealer's license has already been obtained. All bicycles owned by such agency offered for public hire shall be registered in the name of the agency with the city.

Agencies shall be required to have all individuals riding a rented bicycle to sign an affidavit stating they have read and understood the bicycle ordinances.

### 10.72.100. Reports by dealers.

A person engaged in the business of buying new or secondhand bicycles shall maintain a record of all purchases, transfers and sales made by such person, as well as the name and address of all persons to whom the bicycles are sold, a description of each bicycle purchased, transferred or sold, and the frame number thereof, and, in the case of a secondhand bicycle bought from an individual or taken in trade from a person buying a new bicycle, or a secondhand bicycle from the dealer's stock, the registration number thereon, if any.

### 10.72.110. Rentals to minors.

No person engaged in the business of renting bicycles for a fee shall rent a bicycle to a minor under ten years of age. In renting a bicycle to a minor over ten years of age, but not over eighteen (18) years of age, the renting agency shall have on file the written consent of the parents or guardian stating that the minor is ten years of age or over and is permitted to rent a bicycle.

## *10.72.120. Impoundment and Disposition of Bicycles*

### 10.72.120. Impoundment and disposition of bicycles.

The police will participate in and promote the use of a national database to record bicycle ownership and assist with theft deterrence and owner identification. In the instance a bicycle is found unlocked, or a locked bicycle has been left without any evidence of moving for fourteen (14) days, the bicycle shall be deemed abandoned and collected by city authorities. If a bicycle is seized because it is found in the possession of someone who is not the legal owner, Newport Police will attempt to contact the legal owner. If, after thirty (30) days the owner does not claim the bicycle, the bike shall be deemed abandoned.

If a bicycle that is seized by police remains unclaimed for more than (30) days, the bicycle will be donated to a recognized non-profit or other community organization which restores and distributes bicycles within the Newport community. If the bicycle is not able to be accepted by any community organizations, then it may be discarded.

Members of the police department are hereby authorized to remove a bicycle from any public place or way and transport it to the bicycle pound, or to any lot or place maintained by the city or the department for the storage of impounded bicycles, or to any other place of safety under any of the circumstances hereinafter enumerated.

1. When such bicycle is in a public right of way not designated for bicycle storage;
2. When such bicycle is left on private property without permission from the property owner;

In such case that a bicycle is impounded for the reasons above and impounded as authorized by this article and the identity of the owner or person entitled to the possession thereof is known, such owner or person shall be given notice in writing of the fact of such removal or impounding, the reasons therefor, and the place to which the bicycle has been removed or in which it is impounded.

# *PROPOSED NEW ORDINANCES*

## NEW - Unsafe passing of a person operating a bicycle.

A. A driver of a motor vehicle commits the offense of unsafe passing of a person operating a bicycle if the driver violates any of the following requirements:
   1. The driver of a motor vehicle may only pass a person operating a bicycle by driving to the left of the bicycle at a safe distance and returning to the lane of travel once the motor vehicle is safely clear of the overtaken bicycle. For the purposes of this subdivision, a "safe distance" means a distance that is sufficient to prevent contact with the person operating the bicycle if the person were to fall into the driver's lane of traffic. This subdivision does not apply to a driver operating a motor vehicle:
      i. In a lane that is separate from and adjacent to a designated bicycle lane; or
      ii. When the driver is passing a person operating a bicycle on the person's right side and the person operating the bicycle is turning left.
   2. The driver of a motor vehicle may drive to the left of the center of a roadway to pass a person operating a bicycle proceeding in the same direction only if the roadway to the left of the center is unobstructed for a sufficient distance to permit the driver to pass the person operating the bicycle safely and avoid interference with oncoming traffic. This subdivision does not authorize driving to the left of center of a roadway when prohibited. In no event shall such movement be made by driving off the pavement or the main traveled portion of the roadway.

B. The driver of a motor vehicle that passes a person operating a bicycle shall return to an authorized lane of traffic as soon as practicable.

C. This section may be cited as "Frank's Law."

## NEW - Bicycle position on the road.

Every person operating a bicycle upon a roadway at less than the normal speed of traffic shall ride as close as practicable to the right-hand side of the roadway **except** under any of the following situations:

1. Where official traffic control devices (signs or pavement markings) specifically direct the bicyclist to do otherwise.
2. When overtaking and passing another bicycle or vehicle proceeding in the same direction.
3. When preparing for a left turn at an intersection or into a private road or driveway.
4. When approaching a place where a right turn is authorized.
5. When there exists a dedicated right-hand turn lane, in which case the bicyclist may ride on the left-hand side of such dedicated lane, even if the bicyclist does not intend to turn right.
6. When riding on a roadway designated for one-way traffic, when the bicyclist may ride as near to the left-hand side of the roadway as judged safe by the bicyclist.
7. When riding on part of a roadway set aside for the exclusive use of bicycles, including, but not limited to, contra-flow lanes, left-handed cycle tracks on one-way streets, and two-way cycle tracks.
8. When judged reasonably necessary by the bicyclist to avoid any condition or potential conflict, including, but not limited to, a fixed or moving object, parked or moving vehicle, bicycle, pedestrian, animal, surface hazard, turn lane, or substandard-width lane, which makes it unsafe to continue along the right-hand side of the roadway.
9. When sets of two cyclists are riding together and approaching an intersection in a high traffic and low speed area.
10. When the road is not wide enough for a bike and a vehicle to safely share side-by-side and a cyclist is moving slower than traffic, they can “take the lane.”

**NEW - Opening vehicle doors.**

No person shall open the door of a motor vehicle on the roadways, streets, or highways of this state, available to moving traffic, unless and until it is reasonably safe to do so and can be done without interfering with the movement of other traffic, including pedestrians and bicycles on sidewalks, shoulders, bicycle lanes. No person shall leave a door open on the side of a vehicle available to moving traffic, including pedestrians and bicycles on sidewalks, shoulders, bicycle lanes, or roadways for a period of time longer than necessary to load or unload passengers.

**NEW - Stop as Yield.**

A bicyclist that is approaching a stop sign may proceed through the intersection without coming to a complete standstill stop only when the following criteria have been met:

1) The operator of the bicycle slows to a reasonable speed to thoroughly evaluate if there are any vehicles, pedestrians, or other bicyclists in or nearing the intersection before the bicyclist begins to enter the intersection themselves; and
2) The operator of the bicycle yields the right-of-way to:
    a. Any traffic or pedestrians within the intersection or crosswalks; and
    b. Any traffic approaching the intersection on another highway that would pose an immediate hazard during the time the bicyclist is moving through the intersection.

# Section III:

## Annotated Changes

| **Annotation Key:** |
| --- |
| Blue text = New to City Ordinances<br>Red text = Edited<br>~~Red strike~~ = Delete |

# *Title 10. – VEHICLES AND TRAFFIC*
# *Chapter 10.08. – GENERAL PROVISIONS*

**10.08.010. Definitions.**

As used in this title, unless otherwise expressly provided:

**"Authorized emergency vehicle"** means vehicles of the fire division (fire patrol), police vehicles, vehicles used by committing officers in the state Department of Corrections and such ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by the chief of police.

"**Bicycle**" means a conveyance propelled by human power in combination with a belt, chain or gears and also includes an electric bicycle (also known as e-bikes).[i]

**"Bicycle Parking"** A designated area that allows for the intact and secure storage of bicycles, where both wheels can rest on a stable surface and accessing the space does not require the movement of other bicycles, vehicles or objects. [2]

> **"Class 1 Bicycle Parking."** Spaces in secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residents, non-residential occupants, and Employees.
>
> **"Class 2 Bicycle Parking."** Bicycle racks located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guests, and patrons to the building or use.[3]

"**Bike Path**" A route physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way.[4]

"**Bike Lane**" A lane on a street restricted to bicycles that is designated by means of pavement coloring, lines or other clearly visible markings, which has a width of no less than five (5) feet when adjacent to a curb, guardrail or other vertical surface, or parking lane.[5] The operation and parking of motor vehicles is prohibited within the lane identified for exclusive use by bicyclists, except when making a turn, entering or leaving the roadway or a parking lane, or when required in the course of official duty. [6][7]

"**Bike Route**" A term used to identify a roadway shared by both bicycles and other forms of transportation that is designated by means of signs and/or pavement markings to indicate a preferred navigational route for bicyclists. [5]

"**Crosswalk**" That portion of a roadway ordinarily included within the prolongation or continuation of curb lines and property lines at intersections, and/or at any portion of the roadway clearly indicated for pedestrian crossing by lines on the road surface or by other markings or signs.[5]

**"Cycle Track"** A bike lane separated from moving cars, parked cars, and sidewalks by physical barriers to provide a dedicated space for bicyclists and minimize potential conflicts between people using different modes of transportation.[8]

**"Driver"** means any operator or chauffeur who drives or is in actual physical control of a vehicle.

"**Electric personal assistive mobility device**" ("EPAMD") is a self-balancing two (2) non-tandem wheeled device, designed to transport only one person, with an electric propulsion system which limits the maximum speed of the device to fifteen (15) miles per hour.[9]

"**Electric bicycle**" shall mean a bicycle equipped with fully operable pedals, a saddle or seat for the rider and an electric motor that meets the requirements of one of the following three classes:

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[i] "Bicycle" was previously defined in 10.72.020. We propose including the definition in 10.08.010 and removing the separate ordinance.

**Class 1**: Bicycle equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches twenty miles per hours (20 mph);

**Class 2**: Bicycle equipped with a throttle actuated electric motor that ceases to provide assistance when the electric bicycle reaches twenty miles per hours (20 mph);

**Class 3**: Bicycle equipped with an electric motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the electric bicycle reaches twenty-eight miles per hour (28 mph).[ii]

"**Intersection**" means the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon differing highways joining at any other angle may come in conflict.

Where a highway includes two roadways thirty (30) feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways thirty (30) feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

"**Motor vehicle**" means any vehicle constructed and designed for propulsion by power other than human power, except for electric bicycles, motorized bicycles, EPAMD, and mobility assistive devices, such as electric wheelchairs.[10]

"**Motorized bicycle**" means a 2 or 3 wheeled vehicle that has a post mounted seat, fully operative pedals for human propulsion[11], and a motor rated not more than four and nine-tenths (4.9) horsepower and not greater than fifty (50) cubic centimeters, which is capable of a maximum speed of not more than thirty (30) miles per hour.[7]

**"Official traffic control device"** means a sign, signal, marking or other device, not inconsistent with this title, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

**"Official traffic signal"** means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

**"Park,"** when prohibited, means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

"**Pedal carriages**" (also known as "**quadricycles**") means a non-motorized bicycle with four (4) or more wheels operated by one or more persons for the purpose of, or capable of, transporting additional passengers in seats or on a platform made a part of, or otherwise attached to, the pedal carriage. The term shall not include a bicycle with trainer or beginner wheels affixed to it, nor shall it include a wheelchair or other vehicle with the purpose of operation by or for the transportation of a handicapped person.[7]

"**Pedestrian**" means any person afoot or using any walking assistance tool such as crutches, a cane or walker, or any person seated in a wheelchair, motorized or otherwise.[12]

"**Pedicab**" means a bicycle that has three (3) or more wheels, or that is a trailer connected to any bicycle, that transports, or is capable of transporting, passengers on seats attached to the bicycle or trailer that is operated by an individual and that is used for transporting passengers for hire.[13]

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[ii] "Electric Bicycle" was previously defined in 10.72.020. We propose including the definition in 10.08.010 and removing the separate ordinance.

**"Police officer"** means every officer of the municipal police division or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

**"Private road or driveway"** means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not other persons.

**"Railroad"** means a carrier or persons or property upon cars, other than street cars, operated upon stationary rails.

**"Railroad train"** means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except street cars.

**"Right-of-way"** means the privilege of the immediate use of the roadway.

**"Road user"** means a vehicle operator or passenger, bicyclist or pedestrian within a highway, road or street.[14]

"**Roadway**" means that portion of a street improved, designed, or ordinarily used for vehicular travel, exclusive of the sidewalk, berm or shoulder even though such sidewalk, berm or shoulder is used by persons riding bicycles. In the event that a street includes two or more separate roadways, the term roadway shall refer to any such roadway separately, but not to all such roadways collectively.

"**Roller Skates**" Any shoe with an attachment of wheels, also known as "Roller Blades".[5]

"**Safety zone**" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

"**Sharrow / Shared Lane Marking**" Shared Lane pavement markings are placed in the center of the vehicle lane on the roadway and indicate that the street space of the route is for use by both bicyclists and motorists. Motorists should expect to see bicycles on this route and expect bicyclists to occupy the full travel lane. Roads with shared lane markings are not a facility type and should not be considered a substitute for bike lanes, cycle tracks, or other separation treatments where these types of facilities are otherwise warranted or space permits.[15]

**"Shared Use Path (SUP)**" means a paved, off-road facility designed for travel by pedestrians and those using modes of transportation that include bicycles, roller skates or skateboards, where use is limited to non-motorized vehicles and the speed limit and direction of travel are set and enforced for the safety of all users.[16]

"**Skateboard**" means any platform of any composition or size without a seat to which one or more wheels are attached and which is intended to be ridden or propelled by one or more persons standing or kneeling upon it.[17]

"**Sidewalk**" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, ~~intended~~ designated for the use of pedestrians.

**"Sign"** means a sign or appropriate marking on a curb or road.

**"Standing,"** when prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

**"Stop,"** when required, means complete cessation of movement.

**"Stop"** or **"stopping,"** when prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

"**Street**" or "**highway**" means the entire width between boundary lines of every way when any part thereof is open to the use of the public for purposes of vehicular ~~traffic~~ travel.

**"Toy"** means a variation of a bicycle, skateboard, or scooter made for children and intended for recreation, not as a mode of transportation.[iii]

"**Traffic**" means pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together, while using any street for purposes of travel.

"**Trishaw**" means a bicycle that has three (3) or more wheels, or that is a trailer connected to any bicycle, that is operated by an individual and transports, or is capable of transporting, passengers on seats attached to the bicycle or trailer.[iv]

**"Truck"** means any motor vehicle designed, used or maintained primarily for the transportation of property.

**"Vehicle"** means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon stationary rails or tracks.

[iii] Clarifies that toys are specifically made for children and are not intended to be used as a mode of transportation, which prevents skateboards from falling under this classification.
[iv] Same as "pedicab", but not for hire.

# *Chapter 10.16. – TRAFFIC CONTROL DEVICES*

## 10.16.020. Traffic control signal legend.[v]

Whenever traffic is controlled by traffic control signals exhibiting the words "go," "caution" or "stop," or exhibiting different colored lights successively one at a time, or with arrows, the following colors only shall be used and such terms and lights shall indicate and apply to road users ~~drivers of vehicles and pedestrians~~ as follows:

A. Motor Vehicle Traffic

a. Green Alone or "Go".
Motor vehicle traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. ~~But~~ Motor vehicle traffic, including vehicles turning right or left, shall yield the right-of-way to other road users ~~vehicles and to pedestrians~~ lawfully within the intersection or an adjacent crosswalk. ~~at the time such signal is exhibited~~.

b. Yellow Alone or "Caution" When Shown Following the Green or "Go" Signal.
Motor vehicle traffic facing the signal shall stop before entering an intersection on a red or "stop" signal, which will be exhibited immediately thereafter. Such ~~vehicle~~ traffic shall not enter or be crossing the intersection when the red or "stop" signal is exhibited.

c. Red Alone or "Stop".
~~Vehicular traffic~~ Drivers of motor vehicles approaching the signal shall:

1. Not make any turn over or through private property to avoid such signal;
2. Stop before entering the nearest crosswalk (if present) and intersection;
3. Come to a complete stop, and;
4. Wait for the signal to change to green, or, if safe to do so, make a right turn after yielding the right-of-way to other traffic and pedestrians, unless such right turn on red is prohibited by official signage.

d. Red with Green Arrow.
~~Vehicular~~ Motor vehicle traffic facing the signal may cautiously enter the intersection only to make the movement indicated by such arrow, but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.

B. Pedestrians. Unless otherwise directed by a pedestrian control signal, traffic control signals shall indicate and apply to pedestrians as follows:

a. Green Alone or "Go".
Pedestrians facing a green signal may proceed across the roadway within any marked or unmarked crosswalk.

b. Yellow Alone or "Caution" When Shown Following the Green or "Go" Signal.
Pedestrians facing a yellow signal are thereby advised that there is insufficient time to cross the roadway before a red indication is shown, and ~~any pedestrian then starting to cross shall yield the right-of-way to all vehicles~~ no pedestrian shall then start to cross the roadway.

c. Red Alone or "Stop".
No pedestrian facing such signal shall enter the roadway unless they can do so safely and without interfering with ~~any vehicular~~ the flow of traffic.

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[v] Changed "vehicular traffic" to "motor vehicle traffic" throughout. Addressed bicycles throughout. Reorganized code by road user rather than by color of signal.

d. Red with Green Arrow.
No pedestrian facing such a signal shall enter the roadway unless they can do so safely and without interfering with ~~any vehicular~~ the flow of traffic.

C. Bicycle Traffic. Unless otherwise directed by a bicycle-specific control signal, traffic control signals shall apply to bicycle traffic as follows:

a. Green Alone or "Go".
Bicyclists facing any green signal may proceed straight through or turn right or left unless a sign is present prohibiting such turn. Bicycle traffic, including those turning right or left, shall yield the right-of-way to other road users lawfully within the intersection or an adjacent crosswalk.

b. Yellow Alone or "Caution" When Shown Following the Green or "Go" Signal.
Bicyclists facing a yellow signal are thereby advised that there is insufficient time to cross the roadway before a red indication is shown, and no bicyclist shall then start to cross the roadway.

c. Red Alone or "Stop". Bicyclists approaching the signal shall
1. stop before entering the crosswalk (if present) and intersection;
2. come to a complete stop, and;
3. wait for the signal to change to green or make a right turn after yielding right-of-way to other traffic and pedestrians, unless such right turn on red is prohibited by official signage.

d. Red with Green Arrow.
Bicyclists facing the signal may cautiously enter the intersection only to make the movement indicated by such arrow but shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.

e. Bicyclists Using Pedestrian Control Signal. Bicyclists are permitted to cross an intersection at the direction of an immediately adjacent pedestrian control signal when the bicyclist has adhered to all applicable traffic laws and come to a stop at the intersection, and all of the following circumstances are met:
1. The intersection does not have an operational bicycle control signal;
2. The bicyclist rides directly adjacent to but not within the crosswalk controlled by the pedestrian control signal;
3. It is safe for the operator of the bicycle to do so, and the action does not interfere with other traffic legally operating within the intersection.

f. Bicycle Control Signal.
If a bicyclist is at an intersection with an operational bicycle traffic control signal, the bicyclist is prohibited from following the direction of an alternative (vehicle or pedestrian) traffic signal.

**10.16.030. Flashing signals.**

Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by ~~vehicular traffic~~ road users as follows:

A. Flashing Red (Stop Signal). When a red lens is illuminated with rapid intermittent flashes, road users ~~drivers of vehicles~~ shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or, if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

B. Flashing Yellow (Caution Signal). When a yellow lens is illuminated with rapid intermittent flashes, road users ~~drivers of vehicles~~ may proceed through the intersection or past such signal only with caution.

C. Flashing Green (Pedestrian Signal). When a green lens is illuminated with rapid intermittent flashes, road users ~~drivers of vehicles~~ may proceed through the intersection or crosswalk past such a signal only with caution.

## *Chapter 10.20. – PARKING GENERALLY*

### 10.20.120. Parking prohibited in specified places—Unauthorized moving in prohibited areas.

A. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:
   1. On a sidewalk;
   2. On any bicycle lane, trail, or path.[18]
   3. In front of a public or private driveway, or within five feet of either side thereof;
   4. Within an intersection;
   5. Within eight feet of a fire hydrant;
   6. On a crosswalk;
   7. Within twenty (20) feet of a crosswalk at an intersection; and, for oncoming traffic at non-intersection crosswalks, within fifteen (15) feet of a crosswalk where there is diagonal parking, and within ten feet of a crosswalk where there is parallel parking;
   8. Within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway;
   9. In front of any place of public worship while any service is being carried on;
   10. On the left side of any street, unless otherwise permitted under this chapter;
   11. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
   12. Within fifty (50) feet of the nearest rail of a railroad crossing;
   13. Within twenty (20) feet of the driveway entrance to any fire station and, on the side of a street opposite the entrance to any fire station, within seventy-five (75) feet of such entrance when properly sign-posted;
   14. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic;
   15. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
   16. Upon any bridge or other elevated structure upon a highway;
   17. At any place where official signs prohibit stopping; or
   18. On any roadway adjacent to a curb painted yellow.

B. No person shall move a vehicle not owned by such person into any such prohibited area or away from a curb such distance as is unlawful.

C. It is unlawful to alter, cover, deface, paint over, or otherwise compromise or change a city-installed or sanctioned curb marking or other traffic control sign, marking or designation.

D. It is unlawful for any person or persons not authorized or sanctioned by the city to paint, alter, duplicate, or create a yellow curb marking, or any other traffic control or public safety device, sign or designation.

## *Chapter 10.72. – BICYCLES*

**~~10.72.020. Definitions~~**[vi]

~~As used in this chapter, "bicycle" means a conveyance propelled by human power in combination with a belt, chain or gears and also includes an electric bicycle (also known as e-bikes).~~

~~"Electric bicycle" shall mean a bicycle equipped with fully operable pedals, a saddle or seat for the rider and an electric motor that meets the requirements of on of the following three classes:~~

- ~~Class 1: Bicycle equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches twenty miles per hours (20 mph);~~
- ~~Class 2: Bicycle equipped with a throttle actuated electric motor that ceases to provide assistance when the electric bicycle reaches twenty miles per hours (20 mph);~~
- ~~Class 3: Bicycle equipped with an electric motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the electric bicycle reaches twenty-eight miles per hour (28 mph).~~

[vi] We propose including the contents of section 10.72.020 in section 10.08.010 and removing this separate section from Newport's Ordinances.

## *10.72.030-.050. Bicycle Identification*[vii]

### 10.72.030. Bicycle registration program.[viii]

Any person residing in the city may register any bicycle with the police division pursuant to a registration program to be established by the police division. The purpose of bicycle registration will be to identify lost, stolen and found bicycles.

### 10.72.040. Transfers.

A person who sells or transfers ownership of a bicycle may report such sale or transfer to the police division. The person who made the purchase or the transferee of the bicycle may thereafter register the bicycle with the police division. Any disposition of a bicycle not covered by this section may also be reported to the police division.

### 10.72.050. Alteration or mutilation of frame number.

No person shall willfully or maliciously remove, destroy, mutilate or alter the number on any frame of a bicycle registered pursuant to this chapter. Nothing in this section shall prohibit the police division from pressing an identification number on the frame of bicycles on which no serial number can be found, or on which such number is illegible for identification purposes.

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[vii] 10.72.030, 10.72.040 and 10.72.050 were included in the scope of the review and are included here to demonstrate this. The Bicycle Ordinance Review Committee does not propose any changes to these ordinances, and they are printed above as they currently exist in Newport's Code of Ordinances.

[viii] The Review Committee recommends the Newport Police Department enlist the services of an official bike registry program. See Appendix page 59.

## *10.72.060. Operation of Bicycle*

**10.72.060. Operation of bicycle.**

The following rules and regulations shall be observed in the operation of a bicycle on the streets, highways, parkways and public places of the city:

A. Generally. Every person operating a bicycle shall at all times operate the bicycle with due regard for the safety of other persons and vehicles lawfully upon the streets, highways, parkways and public places, as well as for ~~his or her~~ their own safety, and shall at all times and under all conditions yield the right-of-way to pedestrians. ~~on the streets, highways, parkways, parks, public places and crosswalks and~~ No person shall ~~not~~ operate a bicycle upon any pedestrian paths ~~in the public parks~~ or upon any public school grounds of public playgrounds ~~except when operated on such school or playgrounds during festival parades or other activities sponsored by the department of public recreation or school authorities~~ unless otherwise authorized. No person shall operate a bicycle on any shared-use path, trail, or other right-of-way not open to public vehicular traffic at a speed greater than 15 miles-per-hour, or what is reasonable and prudent having due regard for pedestrian traffic, and in no event shall at a speed which endangers the safety of persons or property.[19]

B. Obedience to Traffic Regulations. Every person operating a bicycle in the roadway shall ride in the same direction as traffic and shall not ride against traffic on a two-way or one-way street, unless official signage present indicates it is permissible to do so.[20] Every person operating a bicycle shall comply with all ~~vehicle~~ traffic laws, except where such laws, by their nature, do not apply to bicycles, and with all ~~vehicle traffic~~ signs and signals erected for the regulation of traffic.

C. Turn Signals. Before turning or changing the direction of any bicycle upon any street, highway, parkway or public place, it shall be the duty of the bicycle rider to give a signal, by the extension of the hand, to indicate ~~the direction he or she intends to proceed.~~ intent. In instances that demand the use of both hands for safe operation of the bicycle, the bicyclist is not required to signal continuously or signal at all.[21]

D. ~~**Towing Persons or Vehicles.**~~ Clinging to moving vehicles. ~~No person operating a bicycle shall tow or draw any coaster, sled, person on roller skates or other similar vehicle on a public highway, except as provided in Section 10.72.170(B).~~ No person riding upon a bicycle, motorcycle, coaster, sled, roller skates, skateboard or toy vehicle shall attach the same or themself to any vehicle upon a roadway. This ~~section~~ shall not prohibit attaching a trailer or semitrailer to a bicycle if such trailer or semitrailer has been designed for such attachment.[ix]

E. Maintaining Control of Bicycle. ~~Acrobatic Riding.~~ No person operating a bicycle shall engage in fancy or trick riding without maintaining full control of such bicycle ~~and keeping both hands on the handlebars, except when necessary to give a signal.~~ At no time shall the operator of a bicycle carry any item that prevents the operator from keeping at least one hand on the handlebars.[22]

F. Riding on Sidewalks. Pedestrians have the right of way on all sidewalks. Persons thirteen (13) years of age and older are prohibited from operating bicycles of any kind on city sidewalks. ~~Bicycle operators thirteen (13) years of age and older shall operate on public roadways, following the direction of traffic, operating on the right side of the road, if practical, and observing the traffic and vehicle laws, proscribed for bicycle operation, as specified in the Rhode Island General Laws.~~ Persons younger than thirteen (13) years of age are permitted to operate on sidewalks,

[ix] 10.72.130. Clinging to moving vehicles.

with right-of-way ~~caution~~ given to pedestrians. Persons of any age are permitted to walk a bicycle on a public sidewalk.

~~G. No person may operate a bicycle in any designated skate park area in the city.~~

G. Cell phone usage. No person shall talk on, text message, or otherwise operate a cell phone while riding a bicycle, unless utilizing a hands-free device. No person shall wear headphones, earbuds, or other devices of a similar nature in or over both ears while operating a bicycle.[23]

H. No person may operate a bicycle of any kind on a sidewalk in active business districts, including those on Memorial Boulevard, Bellevue Avenue, Thames Street, the west side of Broadway from Equality Park to Washington Square or the west side of America's Cup Avenue. Riders should dismount and walk their bicycles on the sidewalk.

I. ~~Riding on handlebars. No operator of a motorcycle or bicycle shall, when upon a street, carry any other person upon the handlebars, frame or tank or any such vehicle, nor shall any person so ride upon any such vehicle.~~ A person may not use a bicycle to carry more persons than the bicycle is designed to accommodate[24] with a seat securely attached for each passenger.[25x]

J. ~~Number of~~ Bicycles abreast.[xi] ~~Persons riding bicycles upon a roadway shall not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles.~~ Persons riding bicycles two or more abreast on a roadway or bike path shall ride within a single lane and not unduly impede other bicycle or vehicle traffic ~~and, on a laned roadway, shall ride within a single lane.~~

K. Helmets required.[xii] Any person fifteen (15) years of age or younger shall be required to wear a safety helmet when riding a bicycle. ~~on any public street, highway, parkway, or public place in the city.~~ Said helmet shall fit the person's head and shall be secured to the person's head by straps while the bicycle is being operated.~~, and shall meet the standards for helmets established by the Snell Memorial Foundation's 1984 standard for use in bicycling, or subsequent standards established by the U.S. Consumer Product Safety Commission, or subsequent standards.~~[xiii]

L. ~~Lamps and Other~~ Equipment on bicycles.[xiv]

   a. Every bicycle, when in use at nighttime, shall be equipped with a device ~~lamp~~ on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front.

   b. Every bicycle shall be equipped with a red reflector ~~of a type approved by the traffic engineer~~ which shall be visible for six hundred (600) feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. A device ~~lamp~~ emitting a red light visible from a distance of five hundred (500) feet to the rear must ~~may~~ be used in addition to the red reflector when a bicycle is being operated at nighttime.

   c. No person shall sell a new bicycle or a pedal for use on a bicycle that is not equipped with a reflector~~, of a type approved by the traffic engineer,~~ on each pedal or such bicycle, which reflector is visible from the front and rear of the bicycle during darkness from a distance of two hundred (200) feet, nor shall any person operate a bicycle without such pedals.

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

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[x] 10.72.140. Riding on handlebars.
[xi] 10.72.150. Number of bicycles abreast.
[xii] 10.72.160. Helmets required.
[xiii] Unenforceable, as per Newport Police Department.
[xiv] 10.72.170. Lamps and other equipment on bicycles.

e. Every bicycle shall be equipped with a brake or brakes which will enable the operator to stop the bicycle within twenty-five (25) feet at a speed of ten miles per hour on dry, level, clean pavement.

f. Every bicycle, when in use at nighttime, shall be equipped with a minimum of twenty (20) square inches on each side of the bicycle with white reflective material on the wheels or tires to indicate, as nearly as possible, the continuous circular shape and size of the wheels or tires of each bicycle. All reflective materials used in compliance with the subsection shall be visible during the hours of darkness from five hundred (500) feet when viewed under lawful low beam headlamps under normal atmospheric conditions on a straight, level, unlighted roadway.~~, and shall meet the requirements as prescribed by the traffic engineer.~~

M. Electric bicycles shall not be operated by a person under the age of sixteen (16) years

## *10.72.070-.110. Bicycle Businesses*

### 10.72.070. Bicycle dealers—License required—Fee.

No person shall carry on the business of buying and selling new and secondhand bicycles without first obtaining a license therefor from the police division. Every applicant shall pay a license fee as set forth in Section 2.120.010 and such license shall be effective for one year. No person engaged in the business of buying and selling new and secondhand bicycles shall also engage in the business of renting bicycles for public hire without first obtaining a license therefor as provided in Section 10.72.080.

Bicycle dealers shall be required to have all individuals purchasing a bicycle sign an affidavit stating they have read and understood the bicycle ordinances.[xv]

### 10.72.080. Bicycle rental agencies—License required—Fee.

No person shall carry on the business of renting bicycles for public hire without first obtaining a license therefor. The fee for such license shall be as set forth in Section 2.210.010 and such license shall be effective for one year. No fee is required if a bicycle dealer's license has already been obtained. All bicycles owned by such agency offered for public hire shall be registered in the name of the agency with the city. ~~but a record of the name, address and age of such person hiring a bicycle shall be kept on file for the inspection of the police division.~~

Agencies shall be required to have all individuals riding a rented bicycle to sign an affidavit stating they have read and understood the bicycle ordinances.

~~**10.72.090. Restrictions on issuance of dealer and rental agency licenses.**~~
~~In the matter of the issuance of business licenses for dealers in secondhand bicycles and the conduct and operation of a bicycle rental agency, the chief of police shall be satisfied that the applicants for such licenses are of good character and financially responsible before a license is issued.~~

### 10.72.100. Reports by dealers.

A person engaged in the business of buying new or secondhand bicycles shall maintain a record ~~available for inspection by a representative of the police division, giving a list~~ of all purchases, transfers and sales made by such person, as well as the name and address of all persons to whom the bicycles are sold, a description of each bicycle purchased, transferred or sold, and the frame number thereof, and, in the case of a secondhand bicycle bought from an individual or taken in trade from a person buying a new bicycle, or a secondhand bicycle from the dealer's stock, the registration number thereon, if any.

### 10.72.110. Rentals to minors.

No person engaged in the business of renting bicycles for a fee ~~hire~~ shall rent a bicycle to a minor under ten years of age. In renting a bicycle to a minor over ten years of age, but not over eighteen (18) years of age, the renting agency shall have on file~~, for police division inspection,~~ the written consent of the parents or guardian stating that the minor is ten years of age or over and is permitted to rent a bicycle.

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[xv] Requested by Newport City Council, in practice by Bike Newport, and draft recommendation attached in Appendix.

## *10.72.120. Impoundment and Disposition of Bicycles*

**10.72.120. Impoundment and disposition of bicycles.**

The police will participate in and promote the use of a national database to record bicycle ownership and assist with theft deterrence and owner identification. In the instance a bicycle is found unlocked, or a locked bicycle has been left without any evidence of moving for fourteen (14) days, the bicycle shall be deemed abandoned and collected by city authorities. If a bicycle is seized because it is found in the possession of someone who is not the legal owner, Newport Police will attempt to contact the legal owner. If, after thirty (30) days the owner does not claim the bicycle, the bike shall be deemed abandoned.[xvi]

If a bicycle that is seized by police remains unclaimed for more than (30) days, ~~notice containing a description of said bicycle shall be published in a newspaper circulating in the City at least one week prior~~ the bicycle will be donated to a recognized non-profit or other community organization which restores and distributes bicycles within the Newport community. If the bicycle is not able to be accepted by any community organizations, then it may be discarded.

Members of the police department are hereby authorized to remove a bicycle from any public place or way and transport it to the bicycle pound or to any lot or place maintained by the city or the department for the storage of impounded bicycles, or to any other place of safety under any of the circumstances hereinafter enumerated.[26]

1. When such bicycle is in a public right of way not designated for bicycle storage;
2. When such bicycle is left on private property without permission from the property owner;

In such case that a bicycle is impounded for the reasons above and impounded as authorized by this article and the identity of the owner or person entitled to the possession thereof is known, such owner or person shall be given notice in writing of the fact of such removal or impounding, the reasons therefor, and the place to which the bicycle has been removed or in which it is impounded.

## *10.72.130-.170. Additional Ordinances Related to Bicycle Operation*[xvii]

~~**10.72.130.**~~ Clinging to moving vehicles. No person riding upon a bicycle, motorcycle, coaster, sled, roller skates, skateboard or toy vehicle shall attach the same or ~~himself or herself~~ themselves to any vehicle upon a roadway. This ~~section~~ shall not prohibit attaching a trailer or semitrailer to a bicycle if such trailer or semitrailer has been designed for such attachment.

~~**10.72.140. Riding on handlebars.** No operator of a motorcycle or bicycle shall, when upon a street, carry any other person upon the handlebars, frame or tank or any such vehicle, nor shall any person so ride upon any such vehicle.~~ A person may not use a bicycle to carry more persons than the bicycle is designed to accommodate[23] with a seat securely attached for each passenger.[24]

~~10.72.150.~~ ~~**Number of**~~ Bicycles abreast. ~~Persons riding bicycles upon a roadway shall not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles.~~ Persons

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[xvi] As recommended by Newport Police Department.

[xvii] We propose incorporating the following suggested language for ordinances 10.72.130-170 into 10.72.060 - Operation of bicycle and removing 10.72.130-.170 as individual codes. The following proposed ordinances are presented in the format of 10.72.060, and the contents are also included in the proposed section of 10.72.060 - Operation of bicycle.

riding bicycles two or more abreast on a roadway or bike path shall ride within a single lane and shall not unduly impede bicycle or vehicular traffic. ~~and, on a laned roadway, shall ride within a single lane.~~

~~10.72.160.~~ Helmets required. Any person fifteen (15) years of age or younger shall be required to wear a safety helmet when riding a bicycle. ~~on any public street, highway, parkway, or public place in the city.~~ Said helmet shall fit the person's head~~,~~ and shall be secured to the person's head by straps while the bicycle is being operated.~~, and shall meet the standards for helmets established by the Snell Memorial Foundation's 1984 standard for use in bicycling, or subsequent standards established by the U.S. Consumer Product Safety Commission, or subsequent standards.~~

**~~10.72.170. Lamps and other~~ Equipment on bicycles.**

a. Every bicycle, when in use at nighttime, shall be equipped with a device ~~lamp~~ on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front.
b. Every bicycle shall be equipped with a red reflector ~~of a type approved by the traffic engineer~~ which shall be visible for six hundred (600) feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. A device ~~lamp~~ emitting a red light visible from a distance of five hundred (500) feet to the rear must ~~may~~ be used in addition to the red reflector when a bicycle is being operated at nighttime.
c. No person shall sell a new bicycle or pedal for use on a bicycle that is not equipped with a reflector~~, of a type approved by the traffic engineer,~~ on each pedal or such bicycle, which reflector is visible from the front and rear of the bicycle during darkness from a distance of two hundred (200) feet, nor shall any person operate a bicycle without such pedals.
d. A bicycle shall not be equipped with, nor shall any person use upon a bicycle, any siren or whistle.
e. Every bicycle shall be equipped with a brake or brakes which will enable the operator to stop the bicycle within twenty-five (25) feet at a speed of ten miles per hour on dry, level, clean pavement.
f. Every bicycle, when in use at nighttime, shall be equipped with a minimum of twenty (20) square inches on each side of the bicycle with white reflective material on the wheels or tires to indicate, as nearly as possible, the continuous circular shape and size of the wheels or tires of each bicycle. All reflective materials used in compliance with the subsection shall be visible during the hours of darkness from five hundred (500) feet when viewed under lawful low beam headlamps under normal atmospheric conditions on a straight, level, unlighted roadway.~~, and shall meet the requirements as prescribed by the traffic engineer.~~

## *PROPOSED NEW ORDINANCES*

### Unsafe passing of a person operating a bicycle.~~; penalty.~~

A. A driver of a motor vehicle commits the offense of unsafe passing of a person operating a bicycle if the driver violates any of the following requirements:
   1. The driver of a motor vehicle may only pass a person operating a bicycle by driving to the left of the bicycle at a safe distance and returning to the lane of travel once the motor vehicle is safely clear of the overtaken bicycle. For the purposes of this subdivision, a "safe distance" means a distance that is sufficient to prevent contact with the person operating the bicycle if the person were to fall into the driver's lane of traffic. This subdivision does not apply to a driver operating a motor vehicle:
      i. In a lane that is separate from and adjacent to a designated bicycle lane;
      ~~ii. At a speed not greater than fifteen miles per hour (15 mph);~~ or
      iii. When the driver is passing a person operating a bicycle on the person's right side and the person operating the bicycle is turning left.[27]
   2. The driver of a motor vehicle may drive to the left of the center of a roadway to pass a person operating a bicycle proceeding in the same direction only if the roadway to the left of the center is unobstructed for a sufficient distance to permit the driver to pass the person operating the bicycle safely and avoid interference with oncoming traffic. This subdivision does not authorize driving to the left of center of a roadway when prohibited. ~~under § 31-15-1 (failure to drive on right), § 31-15-3 (passing of vehicles proceeding in opposite directions) or § 31-15-13 (divided highway).~~ In no event shall such movement be made by driving off the pavement or the main traveled portion of the roadway. [28]

B. The driver of a motor vehicle that passes a person operating a bicycle shall return to an authorized lane of traffic as soon as practicable.

~~C. Violations of this section are subject to the fine enumerated in § 31-41.1-4.~~

C. This section may be cited as "Frank's Law."

### Bicycle Position on the Road[xviii]

Every person operating a bicycle upon a roadway at less than the normal speed of traffic shall ride as close as practicable to the right-hand side of the roadway **except** under any of the following situations[29]:

1. Where official traffic control devices (signs or pavement markings) specifically direct the bicyclist to do otherwise.
2. When overtaking and passing another bicycle or vehicle proceeding in the same direction.
3. When preparing for a left turn at an intersection or into a private road or driveway.
4. When approaching a place where a right turn is authorized.
5. When there exists a dedicated right-hand turn lane, in which case the bicyclist may ride on the left-hand side of such dedicated lane, even if the bicyclist does not intend to turn right.
6. When riding on a roadway designated for one-way traffic, when the bicyclist may ride as near to the left-hand side of the roadway as judged safe by the bicyclist.
7. When riding on part of a roadway set aside for the exclusive use of bicycles, including, but not limited to, contra-flow lanes, left-handed cycle tracks on one-way streets, and two-way cycle tracks.

[xviii] Propose creating entirely new ordinance.

8. When judged reasonably necessary by the bicyclist to avoid any condition or potential conflict, including, but not limited to, a fixed or moving object, parked or moving vehicle, bicycle, pedestrian, animal, surface hazard, turn lane, or substandard-width lane, which makes it unsafe to continue along the right-hand side of the roadway.
9. When sets of two cyclists are riding together and approaching an intersection in a high traffic and low speed area.
10. When the road is not wide enough for a bike and a vehicle to safely share side-by-side and a cyclist is moving slower than traffic, they can "take the lane."[30]

### Opening Vehicle Doors

No person shall open the door of a motor vehicle on the roadways, streets, or highways of this state, available to moving traffic, unless and until it is reasonably safe to do so, and can be done without interfering with the movement of other traffic, including pedestrians and bicycles on sidewalks, shoulders, ~~or~~ bicycle lanes, or roadways. No person shall leave a door open on the side of a vehicle available to moving traffic, including pedestrians and bicycles on sidewalks, shoulders, ~~or~~ bicycle lanes, or roadways for a period of time longer than necessary to load or unload passengers. ~~Any person violating the provisions of this section shall be fined as provided in § 31-41.1-4.~~

### Stop as Yield.[xix]

A bicyclist that is approaching a stop sign may proceed through the intersection without coming to a complete standstill stop only when the following criteria have been met:

1) The operator of the bicycle slows to a reasonable speed to thoroughly evaluate if there are any vehicles, pedestrians, or other bicyclists in or nearing the intersection before the bicyclist begins to enter the intersection themselves; and
2) The operator of the bicycle yields the right-of-way to:[31]
    a. Any traffic or pedestrians within the intersection or crosswalks; and
    b. Any traffic approaching the intersection on another highway that would pose an immediate hazard during the time the bicyclist is moving through the intersection.[32]

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[1] R.I. General Law § 31-21-4. Places Where Parking or Stopping Prohibited. http://webserver.rilin.state.ri.us/Statutes/TITLE31/31-21/31-21-4.HTM

[2] Town of Arlington, MA Department of Planning & Community Development. Bicycle Parking Guidelines. https://www.arlingtonma.gov/home/showdocument?id=48389

[3] City of San Francisco planning board Bicycle Parking: Definitions and Standards https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_planning/0-0-0-19002

[4] Florida Statutes. Motor Vehicles: 316.003 - Definitions. https://www.flsenate.gov/Laws/Statutes/2023/316.003.

[5] FHWA Course on Bicycle and Pedestrian Transportation. https://safety.fhwa.dot.gov/PED_BIKE/univcourse/pdf/swless19.pdf

[6] City of Cambridge MA Department of Traffic, Parking & Transportation. Bike Regulations. https://www.cambridgema.gov/CDD/Transportation/gettingaroundcambridge/bikesincambridge/rulesoftheroad/bikeregulations

[7] Rhode Island General Laws § 31-1-23. Types of roads. http://webserver.rilin.state.ri.us/Statutes/TITLE31/31-1/31-1-23.HTM#:~:text=Laws%20%C2%A7%2031%2D1%2D23,the%20exclusive%20use%20of%20bicyclists.

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[xix] See Appendix page 55 for National Highway Traffic Safety Administration's "Stop as Yield" safety research.

[8] City of Raleigh Department of Transportation. Bicycle Lanes Explained: Cycle Tracks. https://raleighnc.gov/transportation/services/bicycle-lanes-explained#paragraph--321311
[9] Rhode Island General Laws § 31-1-3. Motor and Other Vehicles: Definitions. http://webserver.rilin.state.ri.us/Statutes/TITLE31/31-1/31-1-3.HTM
[10] Massachusetts General Law G. L. c. 90, § 1. https://www.mass.gov/doc/3210-motor-vehicle/download
[11] Code of the District of Columbia. § 50-2201.02. Motor and Non-Motor Vehicles and Traffic: Definitions. https://code.dccouncil.gov/us/dc/council/code/sections/50-2301.02
[12] Revised Code of Washington. Title 46. Motor Vehicles. Chapter 46.04 Definitions. Section 46.04.400 – Pedestrian. https://app.leg.wa.gov/RCW/default.aspx?cite=46.04.400
[13] City of Providence, RI § 14-236. Article XI. – Registration and Licensing of Bicycles. Section 14-236 – Purpose. https://library.municode.com/ri/providence/codes/code_of_ordinances?nodeId=PTIICOOR_CH14LI_ARTXIRELIBI_S14-236PU
[14] U.S. Highway Safety Improvement Program. U.S.C. Title 23 – Highways § 148. https://www.govinfo.gov/content/pkg/USCODE-2022-title23/pdf/USCODE-2022-title23-chap1-sec148.pdf
[15] NACTO Urban Bikeway Design Guide. Shared Lane Markings. https://nacto.org/publication/urban-bikeway-design-guide/bikeway-signing-marking/shared-lane-markings/
[16] Colorado Department of Transportation. Roadway Design Guide: Chapter 14 Bicycle and Pedestrian Facilities. https://www.codot.gov/business/designsupport/bulletins_manuals/roadway-design-guide/ch14
[17] City of Pasadena, California – Code of Ordinances. Chapter 10.61 – Skateboards, Roller Skates, Scooters, and EPAMD. 10.61.010 - Definitions https://library.municode.com/ca/pasadena/codes/code_of_ordinances?nodeId=TIT10VETR_CH10.61SKROSKSCEP
[18] R.I. General Law § 31-21-4. Places Where Parking or Stopping Prohibited. http://webserver.rilin.state.ri.us/Statutes/TITLE31/31-21/31-21-4.HTM
[19] San Diego Municipal Code – Chapter 8: Traffic and Vehicles. Article 4: Miscellaneous Driving Rules. https://docs.sandiego.gov/municode/MuniCodeChapter08/Ch08Art04Division00.pdf
[20] City of Cincinnati, Ohio – Code of Ordinances – Title V – Traffic Code. Chapter 506. Operation and Right of Way. Section 4. Operation of Bicycles, Motorized Bicycles, e-Scooters, and Motorcycles. https://library.municode.com/oh/cincinnati/codes/code_of_ordinances?nodeId=TITVTRCO_CH506OPRIWA_S506-4OPBIMOBIOOMO
[21] Massachusetts General Laws. Title XIV: Public Ways and Works. Chapter 85: Regulations and By-Laws Relative to Ways and Bridges. Section 11B: Bicycles. https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXIV/Chapter85/Section11B
[22] State of California – Vehicle Code. Division 11. Rules of the Road [21000 – 23336]. Chapter 1. Obedience to and Effect of Traffic Laws [21000 – 21296]. Article 4. Operation of Bicycles. 21205. https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=VEH&sectionNum=21205.
[23] Maryland Statutes. Department of Transportation. Title 21 - Vehicle Laws: Rules of the Road. Subtitle 12 - Operation of Bicycles and Play Vehicles. https://law.justia.com/codes/maryland/2022/transportation/title-21/subtitle-12/section-21-1210/
[24] State of Texas – Transportation Code. Title 7. Vehicles and Traffic. Subtitle C. Rules of the Road. Chapter 551. Subchapter B. Bicycles. https://statutes.capitol.texas.gov/Docs/TN/htm/TN.551.htm
[25] MD. Transportation Code § 21-1203. https://law.justia.com/codes/maryland/2022/transportation/title-21/subtitle-12/section-21-1203/
[26] City of Denver, CO. § 54-580. – Impoundment. https://library.municode.com/co/denver/codes/code_of_ordinances?nodeId=TITIIREMUCO_CH54TRRE_ARTIXBIELPEASMODEELSC
[27]**"Delaware Safe Passing Law":** State of Delaware. Title 21 – Motor Vehicles. Chapter 41 – Rules of the Road. Subchapter III. Driving on the Right Side of the Roadway; Overtaking and Passing, etc. § 4116 Overtaking a vehicle or bicycle on the left. https://delcode.delaware.gov/title21/c041/sc03/index.html
[28] **"Illinois Safe Passing Law":** State of Illinois. Public Act 095-0231. Section 5. https://ilga.gov/legislation/publicacts/fulltext.asp?Name=095-0231
[29] Model "Where To Ride Law." The League of American Bicyclists. https://www.bikeleague.org/content/model-where-ride-law \

[30] State of California Bicycle Laws. VEHICLE CODE – VEH DIVISION 11. RULES OF THE ROAD. CHAPTER 1. Obedience to and Effect of Traffic Laws. ARTICLE 4. Operation of Bicycles. 21202
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=VEH&sectionNum=21202
[31] Idaho Statutes. Title 49: Motor Vehicles. Chapter 7: Pedestrians and Bicyclists. 49-720
https://legislature.idaho.gov/statutesrules/idstat/title49/t49ch7/sect49-720/
[32] Utah Code. Title 41: Motor Vehicles. Chapter 6a: Traffic Code. Part 11: Bicycles and Other Vehicles, Regulation of Operation. https://le.utah.gov/xcode/Title41/Chapter6a/41-6a-S1105.html