

ORDINANCE NO. 4823

AN ORDINANCE to amend and reordain Chapter 7 (BICYCLES), Title 10 (MOTOR VEHICLES AND TRAFFIC) of The Code of the City of Alexandria, Virginia, 1981, as amended, by amending certain sections thereof as set forth more fully below.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 7 of Title 10 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by amending he following sections to read as follows:

(New language is underlined; deleted language is ~~stricken through~~)

Sec. 10-7-1 ~~Registration and license tags; fees.~~ Reserved.

~~The owner of every bicycle kept or regularly operated within the city shall register the same with the police chief and shall obtain from him a license tag for such vehicle, which tag shall be attached and sealed on the rear of the bicycle. The registration and tag shall cost \$0.25 and shall be effective throughout the life of the bicycle; except, that in the event of any transfer, the new owner shall obtain a transfer of license tag from the police chief at a cost of \$0.10.~~

Sec. 10-7-2 ~~Owner's report of change of ownership, etc.~~ Reserved.

~~Within 10 days after change of ownership or dismantling and removal from operation of any bicycle, the previous owner shall report the information to the police chief.~~

Sec. 10-7-3 Reports required of bicycle dealers

Every person engaged in the business of buying or selling new or secondhand bicycles shall report to the police chief every bicycle purchased or sold by such person, as well as the name and address of the person from whom it is purchased or to whom it is sold, a description of the bicycle name or make, the frame number thereof, and the number of the license tag, if any, found thereon

Sec. 10-7-4 ~~Designation of Non-roadway bicycle routes; duties of riders.~~

Unless designated by signage prohibiting such conduct, persons may ride a bicycle upon any sidewalks located within the City, subject to the following conditions

- (a) A person riding a bicycle on a sidewalk or shared-use path shall yield the right-of-way to any pedestrian and shall give an audible signal, either verbally or by the use of

- a bell or other device capable of giving a signal audible for a distance of 100 feet, before overtaking and passing any pedestrian.
- (b) A person riding a bicycle on a sidewalk or shared-use path shall have all the rights and duties of a pedestrian under the same circumstances.
- (c) ~~With the exception of~~ The foregoing sections shall not apply to bicycles operated by police officers in the course of their law enforcement duties, no bicycle shall be operated on any sidewalk in city, except such sidewalks or portions thereof which city council shall by resolution designate as bicycle routes.
- (d) Bicycling on the sidewalk shall be prohibited in King Street/Union Street Commercial Zone. This zone is on King Street, from West Street east to the Potomac River, and on Union Street, between Prince Street and Cameron Street.
- (e) The designation of additional zones within which riding bicycles on the sidewalk is prohibited shall be determined by the Director of Transportation & Environmental Services after consultation with the chief of police and a public hearing before and recommendation from the Traffic & Parking Board, pursuant to criteria to be promulgated by the Director of Transportation and Environmental Services.

Sec. 10-7-5 - Definitions.

The following words, when used in this chapter shall, for the purposes of this chapter, have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

- (1) *Bicycle.* A device propelled solely by human power, upon which a person may ride either on or astride a regular seat attached hereto, having two or more wheels in tandem, including children's bicycles except a toy vehicle intended for use by young children. A bicycle is a vehicle when operated on the roadway. Every device propelled by human power upon which any person may ride, having two tandem wheels either of which is over 20 inches in diameter, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels.
- (2) *Roadway:* That portion of a street or highway improved, designed or ordinarily used for vehicular travel. In the event a highway includes two or more separate roadways, the term "roadway" shall refer to any roadway separately but not to all roadways collectively.
- (3) *Sidewalk.* 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.
- (4) *Shared-use path:* a bikeway that is physically separated from motorized vehicular traffic by an open space or barrier and is located either within the roadway right-of-way or within a separate right-of-way. Shared-use paths may also be used by pedestrians, skaters, users of wheel chair conveyances, joggers, and other nonmotorized users.
- (5) *Bike Lane:* That portion of a street designed and used for bicycle travel.

Sec. 10-7-6 - Manner of operating on roadway

- (a) Every person riding a bicycle upon a roadway has all rights and is subject to all the duties applicable to the driver of a motor vehicle except those provisions which by

their vary nature can have no application or to the extent that different rights and restrictions are expressly imposed by this chapter or applicable state law.

- ~~(b) Every person operating a bicycle on 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.~~
- ~~(c) Whenever any person shall ride a bicycle on a sidewalk designated by the city council as a bicycle route, the person shall yield the right of way to any pedestrian and shall give an audible signal before overtaking and passing any pedestrian or bicycle.~~
- ~~(d) Wherever a bicycle route designated as such pursuant to section 10-7-4 of this chapter is provided adjacent to a roadway, bicycle riders shall use such bicycle route and shall not use the roadway. (Code 1963, Sec. 6-4.2)~~

Sec. 10-7-7 – ~~Brakes, lights, etc., as prerequisite to registration, etc.~~ Reserved.

~~The police chief shall have the authority to refuse to register, license or transfer a tag on any bicycle which is not equipped with effective brakes and with lights and reflectors as required in this title.~~

[Intervening section unchanged]

Sec. 10-7-9 - Riding abreast.

~~Persons riding bicycles upon roadways, designated by the city council as bicycle routes may shall not ride two or more abreast so long as they do not impede traffic. Persons riding bicycles may not ride more than two abreast.~~

Sec. 10-7-10 - Parking.

~~No person shall park a bicycle in the city in a manner that unreasonably impedes pedestrian or vehicular traffic on a public roadway, shared-use path or sidewalk. other than against a curb or in a sidewalk rack or against a building in such manner as to cause the least possible obstruction to traffic.~~

Sec. 10-7-11 – Safety Equipment ~~Warning devices~~

Front white light and red rear reflector lights are required on bicycles ridden between sunset and sunrise as required by state law. ~~Every bicycle operated in the city shall be equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet, except, that no bicycle shall be equipped with any siren or whistle.~~

Sec. 10-7-12 - Bicycle helmets.

- (a) *Requirement.* Every person 14 years of age or younger shall wear a protective helmet when riding or being carried on a bicycle on any roadway, sidewalk or public bicycle shared-use path within the city. For the purpose of this section, "protective helmet" shall refer to any helmet that meets the Consumer Product Safety Commission standard ~~shall refer to any helmet that meets the standards promulgated by the American National Standards Institute or the Snell Memorial Foundation.~~

- (b) *Civil penalty.* The parents of any person who violates this section shall be, jointly and severally, liable for a civil penalty. For each such violation, the parents of the violator shall be liable for a penalty of \$25; provided, that such penalty shall be suspended (i) for any person's first violation and (ii) for any person's second or subsequent violation, if the person provides proof of ownership of, or of having purchased or acquired, subsequent to the violation but prior to the deadline for payment of the civil penalty, a helmet of the type required by this section.
- (c) *Procedures.* If a violation of this section has occurred, the violator shall be given written notice of the violation. The notice shall state:
- (1) that the parents of the violator shall be liable for the civil penalty set forth in subsection (b);
 - (2) the circumstances under which the civil penalty may be suspended, as provided in subsection (b); and
 - (3) the deadline by which the parents of the violator must appear, either in person or by mail, before the treasurer of the city and admit liability for or plead no contest to the violation, and pay the civil penalty established for the violation, or alternatively provide satisfactory proof of ownership, purchase or acquisition, within the time specified in subsection (b), of a helmet of the type required by subsection (a).

An admission of liability or a statement of no contest to a violation of this section shall not be deemed a criminal violation for any purpose. If the parents of a violator do not elect to admit liability or plead no contest, the violation shall be tried in the Alexandria General District Court upon the filing of a warrant in debt.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

WILLIAM D. EUILLE
Mayor

Final Passage: June 25, 2013