TOWN OF BLOOMSBURG
COLUMBIA COUNTY, PENNSYLVANIA

ORDINANCE NO. 1049

AN ORDINANCE REPEALING CHAPTER 3, PART 1 OF THE CODE OF ORDINANCES OF THE TOWN OF BLOOMSBURG ENTITLED "BICYCLES" IN ITS ENTIRETY AND ENACTING THE PROVISIONS OF THIS ORDINANCE AS CHAPTER 3, PART 1 OF THE CODE OF ORDINANCES OF THE TOWN OF BLOOMSBURG

WHEREAS, by Ordinance No. 858 dated February 24, 2003, the Town of Bloomsburg (the "Town) enacted Chapter 3, Part 1 of the Code of Ordinances of the Town of Bloomsburg (the "Code") which regulates Bicycles; and

WHEREAS, the Town desires to repeal Chapter 3, Part 1 of the Code in its entirety and replace the same as provided herein.

NOW THEREFORE BE IT ORDAINED by the Bloomsburg Town Council as follows:

PART 1

Pedalcycles

§ 3-101. Definitions.

As used in this ordinance, the following words will be deemed to have the meaning set forth herein:

ALLEY — A street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic.

BICYCLE — See pedalcycle.

BUSINESS DISTRICT— the territory contiguous to and including the entire width between the boundary lines of every street maintained when any part thereof is open to the use of the public for purposes of vehicular travel when within any 600 feet along the street there are buildings in use for business or industrial purposes, which occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the street.

COMMONWEALTH — The Commonwealth of Pennsylvania

DRIVER — a person who drives or is in actual physical control of a vehicle, which includes a pedalcycle.

ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE (EPAMD) — A self-balancing, non-tandem two-wheeled device designed to transport only one person with an electric propulsion system.

MOTOR VEHICLE — A vehicle which is self-propelled except an electric personal assistive mobility device or a vehicle which is propelled solely by human power.

MOTORCYCLE — A motor vehicle having a seat or saddle for the use of the rider and:

(1) designed to travel on not more than three wheels in contact with the ground; or

(2) designed to travel on two wheels in contact with the ground which is modified by the addition of two stabilizing wheels on the rear of the motor vehicle.

MOTOR-DRIVEN CYCLE(S) — A motorcycle, including a motor scooter, with a motor which produces not to exceed five brake horsepower.

MOTORIZED PEDALCYCLE(S) — A motor-driven cycle equipped with operable pedals, a motor rated no more than 1.5 brake horsepower, a cylinder capacity not exceeding 50 cubic centimeters, an automatic transmission and a maximum design speed of no more than 25 miles per hour or an electric motor-driven cycle equipped with operable pedals and an automatic transmission powered by an electric battery or battery-pack-powered electric motor with a maximum design speed of no more than 25 miles per hour.

MOTOR SCOOTER — A 2-wheeled vehicle powered by an engine or an electric motor and does not have a seat or saddle for the driver.

PEDALCYCLE(S) (INCLUDES BICYCLE) — A vehicle propelled solely by human-powered pedals or a pedalcycle with electric assist. The term does not mean a three-wheeled human-powered pedal-driven vehicle with a main driving wheel 20 inches in diameter or under and primarily designed for children six years of age or younger.

PEDALCYCLE WITH ELECTRIC ASSIST — A vehicle weighing more than 100 pounds with two or three wheels more than 11 inches in diameter, manufactured or assembled with an electric motor system rate at not more than 750 watts and equipped with operable pedals and capable of a speed not more than 20 miles per hour on a level surface when powered by the motor source only. The term does not include a device specifically designed for use by persons with disabilities.

PEDALCYCLE LANE — A portion of street that has been designated by the Town and marked by signs and/or pavement markings for preferential or exclusive use by pedalcycles and/or motorized pedalcycles.

PEDALCYCLE PATH — A path or other area that has been designated by the Town and marked by signs for pedalcycle and/or motorized pedalcycle use, with or without shared pedestrian use.

PEDESTRIAN — Any of the following:

(1) An individual afoot.

(2) An individual with a mobility-related disability on a self-propelled wheelchair or an electrical mobility device operated by and designated for the exclusive use of an individual with a mobility-related disability.

(3) A personal delivery device.

REFLECTOR — Any device which shall be equivalent to at least one inch in diameter, constructed of metal and/or glass, used to reflect light for safety and visibility.

SIDEWALK — That portion of a street between curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians.

STREET — Any public road, street, alley or trafficway, but not including grassplots or sidewalks.

TOWN — Town of Bloomsburg

TRAFFICWAY — The entire width between property lines or other boundary lines of every way or place of which any part is open to the public for purposes of

vehicular travel as a matter of right or custom.

VEHICLE — Every device in, upon or by which any person or property is or may be transported or drawn upon a street, except devices used exclusively upon rails or tracks. The term does not include a self-propelled wheel chair or an electrical mobility device operated and designed for the exclusive use by a person with a mobility-related disability.

§ 3-102. Operation of Pedalcycles.

Every person operating a pedalcycle upon a street shall be granted all the rights and shall be subject to all of the duties applicable to the operator of a vehicle by the laws of this Commonwealth declaring rules of the road applicable to vehicles or by the ordinances of this Town applicable to the operator of a vehicle, except as to special regulations in this Chapter and except as to those provisions of laws and ordinances which, by their nature, can have no application.

a. Riding on Sidewalks.

(1) No pedalcycle shall be ridden upon a sidewalk in a Business District unless permitted by official traffic control devices, nor when a usable pedalcycle lane has been provided adjacent to the sidewalk within the Town unless permitted by official traffic control devices. No motorized pedalcycles or motor-driven cycles shall be operated upon any sidewalk unless specifically designated by the Town.

(2) No person shall drive any vehicle except a human-powered vehicle upon a sidewalk or sidewalk area except for a vehicle designed for the exclusive use by a person with a mobility-related disability or an EPAMD.

b. Riding on Streets, Pedalcycle Paths and Pedalcycle Lanes.

(1) Every person operating a pedalcycle upon a street shall ride as near to the right side of the street as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction, and shall ride in the same direction as traffic, unless directed otherwise by the Town.

(2) Persons operating pedalcycles or EPAMD upon pedalcycle paths and/or pedalcycle lanes shall ride to the right side unless designated otherwise.

(3) Any person operating a pedalcycle upon a street which carries traffic in one direction only (one-way streets) and has two or more marked lanes may ride as near to the left-hand curb or edge of the street as practicable, exercising due care when passing a standing vehicle or a vehicle proceeding in the same direction.

(4) When a pedalcycle and a vehicle enter an intersection from different streets at approximately the same time, the operator of the vehicle or pedalcycle on the left shall yield the right-of-way to the vehicle or pedalcycle on the right.

(5) No golf carts, motor-driven cycles, mopeds, automobiles, all-terrain vehicles or utility task vehicles may be operated on a pedalcycle path or pedalcycle lane unless specifically designated by the Town.

(6) Employees of the Town and/or its designated agents shall be permitted to operate a utility terrain vehicle upon a street, pedalcycle path and/or pedalcycle lane solely for the purposes of performing duties within the scope of such person's

employment and for no other purpose.

c. Limitations of riding abreast. Persons operating pedalcycles upon a street shall not ride more than two (2) abreast except on pedalcycle paths and/or pedalcycle lanes or parts of streets set aside for the exclusive use of pedalcycles by the Town of Bloomsburg Council.

d. Slower than prevailing speeds. A pedalcycle operated at a slower than a posted prevailing speed shall be driven in the right-hand lane when available for traffic, or as close as practicable to the right-hand curb or edge of the street except when preparing for a left turn at an intersection.

e. Right-Of-Way to Pedestrians. A person operating a pedalcycle upon a street shall yield the right-of-way to pedestrians and shall give an audible signal, by way of bell, horn or voice before overtaking and passing a pedestrian. A person operating an EPAMD upon a sidewalk and/or street shall yield the right-of-way to pedestrians and shall give an audible signal, by way of bell, horn or voice before overtaking and passing a pedestrian.

f. Passengers Illegal. A person operating a pedalcycle shall not ride other than upon or astride a permanent and regular seat attached thereto. A pedalcycle shall not be used to carry more persons on it at one time than the number for which it is designed and equipped by the manufacturer of the same, except that an adult rider, age eighteen (18) years and above may transport a child in a pedalcycle child carrier which is securely attached to the pedalcycle or in a trailer which is towed by a pedalcycle. If the passenger is a minor weighing forty (40) pounds or less, the carrier shall have adequate provision for retaining the minor in place and for protecting the minor from the moving parts of the pedalcycle.

g. Clinging to Vehicles Prohibited. No person operating a pedalcycle shall attach the same or himself to any moving vehicle upon a street for the purpose of being pulled along with the moving vehicle.

h. Carrying Articles. No driver of a pedalcycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars or which obstructs the driver's vision.

i. Improper Riding, Trick Riding, Racing.

(1) No person operating a pedalcycle or EPAMD on a street, sidewalk, pedalcycle lane or pedalcycle path shall participate in any race, speed or endurance contest, unless such race or endurance contest has the written permission of the Town of Bloomsburg and is under the supervision of the Town of Bloomsburg Police.

(2) No person riding or operating a pedalcycle shall perform any acrobatic, fancy or stunt riding upon any street, sidewalk or bicycle/pedalcycle path unless it is an organized activity approved by the Town of Bloomsburg and under the supervision of the Town of Bloomsburg Police.

j. Obedience to Traffic Control Devices.

(1) All drivers operating a pedalcycle shall obey the instructions of official traffic-control devices applicable to vehicles, unless otherwise directed by a police officer or any appropriately attired person authorized to direct, control or regulate traffic.

(2) Whenever authorized signs are erected indicating that no right, left, or "U" turn is permitted, no driver of a pedalcycle shall disobey the direction of any such sign, except where such person dismounts from the pedalcycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

(3) Whenever authorized signs are erected, either permanently or temporarily, indicating that a road is closed, all drivers of pedalcycles must dismount and travel through such areas on foot, thereby abiding to all laws and ordinances regulating pedestrian traffic unless the road is closed due to an organized pedalcycle activity approved by the Town of Bloomsburg and under the supervision of the Town of Bloomsburg Police.

(4) All drivers of pedalcycles who dismount and travel on foot are subject to all provisions of law applicable to pedestrians.

k. Stopping, Turning, Signaling.

(1) No pedalcycle driver shall suddenly stop, slow down or turn without giving an arm signal required by State law for the operation of motor vehicles. The proper arm signals are as follows:

(a) For a left turn, the hand and arm shall be extended horizontally.

(b) For a right turn, the hand and arm shall be extended upward or a rider may also signal a right turn by extending the right hand and arm horizontally.

(c) To stop or decrease speed, the hand and arm shall be extended downward.

(2) Every person operating a pedalcycle intending to turn right at an intersection, shall approach the turning point in the line of traffic nearest the right-hand curb of the street.

(3) Every person operating a pedalcycle intending to turn left at an intersection, shall approach the point of turning in the line of traffic nearest to the center of the street. The pedalcycle driver, in turning left at an intersection, shall pass to the left of the center of the intersection before turning, unless otherwise directed by markers, buttons or signs, except upon one-way streets. At intersections where traffic is moving in opposite directions, if it is not safe for pedalcycles to make turns, as mentioned above, the pedalcycle driver shall stay in the right-hand lane and ride to the opposite corner, then dismount and walk the pedalcycle to the left-hand corner and proceed. Left-hand turns may also be made by riding to the opposite corner and then turning left and riding in normal riding position. Crosswalks shall be used when walking a pedalcycle through an intersection.

l. Parking

(1) A person may park a pedalcycle on a sidewalk, unless prohibited or restricted by an official traffic control device. A pedalcycle parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.

(2) No person shall chain or secure a pedalcycle to any Town stop sign, parking sign or any other official sign, nor any Town trees or parking meters.

(3) Bicycle/pedalcycle racks are to be used, where available. No person shall chain

or secure a pedalcycle to a bicycle/pedalcycle rack within a street right- of-way in excess of 72 hours. No person shall chain or secure a bicycle to a bicycle/pedalcycle rack in a municipal parking facility in excess of 30 days.

(4) A pedalcycle may be parked on the street at any angle to the curb or edge of the street at any location where parking is allowed in the Town.

(5) A pedalcycle may be parked on the street abreast of another pedalcycle near the side of the street at any location where parking is allowed.

(6) A person shall not park a pedalcycle on a street in such a manner as to obstruct the movement of a legally parked motor vehicle.

m. Owner's Consent to Operate. No person shall intentionally take or ride a pedalcycle without the consent of the owner.

n. Helmets.

(1) A person under the age of 12 years of age shall not operate a pedalcycle or ride as a passenger on a pedalcycle unless the person is wearing a pedalcycle helmet meeting the standards of the American National Standards Institute, the American Society for Testing and Materials, The Snell Memorial Foundation's Standards for Protective Headgear for Use in Bicycling, or any other nationally recognized standard for pedalcycle helmet approval. This subsection applies to any person who rides:

(a) Upon a pedalcycle while in a restraining seat attached to a pedalcycle; or

(b) In a trailer towed by a pedalcycle.

(2) Notwithstanding any other provisions of law, any violation of subsection (1), above, is punishable by a fine, including all penalties, assessments and court costs imposed on the convicted person not to exceed $25.00. The parent or legal guardian having control or custody of a person under 12 years of age whose conduct violates this subsection shall be jointly and severally liable with the person in the amount of the fine imposed.

(3) As used in this subsection, the term "wearing a pedalcycle helmet" means having a pedalcycle helmet of good fit fastened securely upon the head with the helmet straps.

o. Operation of Pedalcycle with Electric Assist. No person under 16 years of age shall operate a pedalcycle with electric assist on any street in the Town.

§ 3-103. Safety Equipment Required.

a. Every pedalcycle and EPAMD when in use between sunset and sunrise, shall be equipped on the front with a lamp which emits a white light intended to illuminate the pedalcycle and/or EPAMD's operator's path and visible from a distance of at least 500 feet to the front, red reflector facing to the rear, and an amber reflector on each side. Operators of pedalcycles and/or EPAMD's may supplement the required front lamp with a white flashing lamp, light-emitting diode or similar device to enhance their visibility to other traffic and with a lamp emitting a red flashing lamp, light-emitting diode or similar device visible from a distance of 500 feet to the rear.

A lamp, or lamps, may be worn by the operator of a pedalcycle, or EPAMD and shall be deemed to comply with the requirements of this section if the lamp(s) can be seen at the distances specified.

b. Every pedalcycle shall be equipped with a braking system which will stop the pedalcycle within 15 feet from an initial speed of 15 miles-per-hour on a dry, level and clean pavement.

§3-104. Compliance with Pennsylvania Motor Vehicle Code

Any person operating a pedalcycle, motorized pedalcycle and/or motor-driven cycle in the Town shall do so strictly in accordance with the Pennsylvania Motor Vehicle Code, including, without limitation 75 Pa. C.S. §3501 et. seq. as the same may be changed or amended from time to time.

§ 3-105. Penalties and Enforcement.

Any person shall, upon conviction thereof for violation of this ordinance, be sentenced to pay a fine not to exceed $50 and costs of prosecution. This Ordinance shall be enforced by the Town of Bloomsburg Police Department.

§ 3-106. Impounding and Sale of Pedalcycles.

Whenever any pedalcycle is impounded for violation of these ordinances or violations under the Pennsylvania Vehicle Code and not reclaimed by the legal owner or custodian, it shall be held by the Town of Bloomsburg Police for a period not less than 90 days before disposal. Similarly, any pedalcycle found or turned into the Town of Bloomsburg Police as abandoned property will be held for a period not less than 90 days before disposal. Any pedalcycle held by the Town of Bloomsburg Police and not reclaimed by the legal owner may be sold at public auction or destroyed after 90 days.

§3-107. Pedalcycle Paths and Pedalcycle Lanes.

The Town shall have the right to designate pedalcycle paths and pedalcycle lanes within the Town.

§3-108. Rules and Regulations.

The Town shall have the right to adopt rules and regulations with respect to the operation of pedalcycles withing the Town, including without limitation, on pedalcycle paths and pedalcycle lanes. Any rules and regulations adopted shall be enforceable under this Ordinance.

§ 3-107. Repealer.

This Ordinance shall repeal Chapter 3, Part 1 of the Code of the Town of Bloomsburg in its entirety and be effective five (5) days after its adoption by the Town of Bloomsburg Council.

(SIGNATURE PAGE CONTINUES)

ORDAINED AND ENACTED into law by the Bloomsburg Town Council in lawful session assembled this 8th day of April, 2024.

ATTEST:

Lisa Dooley

Lisa Dooley, Secretary

TOWN OF BLOOMSBURG

Justin Hummel, Mayor