

TOWN OF CARROLLTON, MISSOURI

BILL NO. 2024-25

ORDINANCE NO. 2024 -1499

AN ORDINANCE AMENDING CHAPTER 375 OF THE TOWN CODE FOR BICYCLES, MOTORIZED BICYCLES, AND CERTAIN OTHER VEHICLES AND SETTING PENALTIES FOR VIOLATIONS.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF CARROLLTON as follows:

Section 1. Chapter 375 of the Town Code is amended to read as follow:

Chapter 375. Bicycles, Motorized Bicycles, and Other Vehicles

Section 375.010. Definitions.

As used in this Chapter, the following terms shall mean:

BICYCLE

Every device propelled solely by human power upon which any person may ride, having two (2) tandem wheels, or two (2) parallel wheels and one (1) or two (2) forward or rear wheels, all of which are more than fourteen (14) inches in diameter, except scooters and similar devices.

MOTORIZED BICYCLE

Any two- or three-wheeled device, excluding motorized play vehicles, motorized skateboards, low-speed vehicles, and all-terrain vehicles, having an automatic transmission, capable of achieving a maximum speed of not more than thirty (30) miles per hour on level ground; and

1. If equipped with a gasoline motor, the motor cylinder capacity shall not be more than fifty (50) cubic centimeters, which produces less than three (3) gross brake horsepower; or
2. If equipped with an electric motor, the motor shall produce less than 2,237.1 watts of power.

A motorized bicycle shall be considered a motor vehicle for purposes of any homeowners' or renters' insurance policy.

MOTORIZED PLAY VEHICLE

Any self-propelled device such as a pocket rocket, pocket bike, mini moto, mini motorcycle, minibike, quad bike, go-cart, mini chopper, that, when unmodified, has a seat height of thirty (30) inches or less; and

1. If equipped with a gasoline motor, the motor cylinder capacity shall not be more than fifty (50) cubic centimeters, which produces less than three (3) gross brake horsepower; or
2. If equipped with an electric motor, the motor shall produce less than 2,237.1 watts of power.

MOTORIZED SKATEBOARD

A self-propelled device such as a stand-up-scooter, motorized skateboard, or powerboard that has a deck on which a person may stand while the device is in operation and at least two (2) tandem wheels in contact with the ground; and

1. If equipped with a gasoline motor, the motor cylinder capacity shall not be more than fifty (50) cubic centimeters, which produces less than three (3) gross brake horsepower; or
2. If equipped with an electric motor, the motor shall produce less than 2,237.1 watts of power.

Section 375.020. Brakes Required on All Bicycles, Motorized Bicycles and Other Vehicles — When Required.

Every bicycle, motorized bicycle, motorized play vehicle, or motorized skateboard shall be equipped with brakes which will enable its driver to stop the vehicle within twenty-five (25) feet from a speed of ten (10) miles per hour on dry, level, clean pavement.

Section 375.030. Lights and Reflectors — When Required — Standards to Be Met.

A. Every bicycle and motorized bicycle when in use on a street or highway during the period from one-half (½) hour after sunset to one-half (½) hour before sunrise shall be equipped with the following:

1. A front-facing lamp on the front or carried by the rider which shall emit a white light visible at night under normal atmospheric conditions on a straight, level, unlighted roadway at five hundred (500) feet;

2. A rear-facing red reflector, at least two (2) square inches in reflective surface area, or a rear-facing red lamp on the rear which shall be visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lower beams of vehicle headlights at six hundred (600) feet;

3. Reflective material and/or lights on any part of the bicyclist's pedals, crank arms, shoes or lower leg visible from the front and the rear at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lawful lower beams of vehicle headlights at two hundred (200) feet; and

4. Reflective material and/or lights visible on each side of the bicycle or bicyclist and visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lawful lower beams of vehicle headlights at three hundred (300) feet. The provisions of this Subdivision shall not apply to motorized bicycles which comply with National Highway Traffic and Safety Administration regulations relating to reflectors on motorized bicycles.

Section 375.040. Rights and Duties of Bicycle and Motorized Bicycle Riders.

Every person riding a bicycle or motorized bicycle upon a street or highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle as provided by Chapter 304, RSMo., and this Title, except as to special regulations in this Chapter, and except as to those provisions of Chapter 304, RSMo., and this Title, which by their nature can have no application.

Section 375.050. Riding to Right — Required for Bicycles and Motorized Bicycles — Mandatory Use of Bicycle Path by Bicycles.

Every person operating a bicycle or motorized bicycle shall ride as near to the right side of the roadway as safe, exercising due care when passing a standing vehicle or one proceeding in the same direction, except when making a left turn, when avoiding hazardous conditions, when the lane is too narrow to share with another vehicle, or when on a one-way street. Bicyclists may ride abreast when not impeding other vehicles.

Section 375.055. Use of Motorized Skateboard or Play Vehicles.

No person may operate a motorized skateboard or motorized play vehicle upon any street, highway, roadway or sidewalk within the City, or within the boundaries of any

City park or other public property unless in an area of a park or other public property specifically designated for such use.

Exceptions:

This prohibition shall not apply to:

- (a) motorized skateboard or motorized play vehicle operated on private property with the express permission of the property owner.
- (b) motorized skateboard or motorized play vehicle used in parades, exhibitions, or other events with a valid permit issued by the City.
- (c) motorized skateboard or motorized play vehicle operated by law enforcement or emergency personnel in the performance of their official duties.

Section 375.060 Bicycle To Operate On The Shoulder Adjacent To Roadway, When — Roadway Defined.

A. A person operating a bicycle at less than the posted speed or slower than the flow of traffic upon a street or highway may operate as described in Section 375.050 of this Chapter or may operate on the shoulder adjacent to the roadway.

B. A bicycle operated on a roadway, or the shoulder adjacent to a roadway, shall be operated in the same direction as vehicles are required to be driven upon the roadway.

C. For purposes of this Section and Section 375.050, "roadway" means that portion of a street or highway ordinarily used for vehicular travel, exclusive of the berm or shoulder.

Section 375.070 Bicycle Required To Give Hand Or Mechanical Signals.

The operator of a bicycle shall signal as required in Section 340.190 of this Title, except that a signal by the hand and arm need not be given continuously if the hand is needed to control or operate the bicycle. An operator of a bicycle intending to turn the bicycle to the right shall signal as indicated in Section 340.190 of this Title or by extending such operator's right arm in a horizontal position so that the same may be seen in front and in rear of the vehicle.

Section 375.080. Motorized Bicycles — License Required.

A. No person shall operate a motorized bicycle on any highways, streets or roads in this City unless the person has a valid license to operate a motor vehicle.

B. No motorized bicycle may be operated on any public thoroughfare located within this City which has been designated as part of the Federal interstate highway system.

Section 375.085. Use and Operation of Motorized Play Vehicles and Motorized Skateboards — Parental Responsibility.

A. No motorized play vehicle or motorized skateboard may be operated on public property including any public sidewalk, designated pedestrian and bikeway, roadway, alley, highway, or street.

B. No motorized play vehicle or motorized skateboard shall be operated on any public thoroughfare located within this City that has been designated as part of the Federal Interstate Highway System.

C. Responsibilities Of Parents, Guardians, And Legal Custodians.

1. The parent, guardian, or legal custodian of any minor shall not authorize or knowingly permit such minor to violate any of the provisions of this Section.

2. Any minor found guilty of violation of this Section shall be subject to a fine of not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00). The parents or legal guardian having custody or control of the minor shall be jointly and severally liable with the minor for payment of the fine, whether or not the parents or guardian knew of, or anticipated, a violation of this Section.

Section 375.090. Equipment Required.

No person shall operate a motorized bicycle on any highways, streets or roads in this City unless it is equipped in accordance with the minimum requirements for construction and equipment of MOPEDES, Regulation VESC-17, approved July, 1977, as promulgated by the Vehicle Equipment Safety Commission.

Section 375.100. Penalty for Violation.

Any person seventeen (17) years of age or older who violates any provision of this Chapter is guilty of an infraction and, upon conviction thereof, shall be punished by a fine of not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00) for the first offense and punished by a fine of not less than twenty-five dollars (\$25.00) nor more than two hundred fifty dollars (\$250.00) for all subsequent violations. If any person under seventeen (17) years of age violates any provision of this Chapter in the presence of a Peace Officer possessing the duty and power of

arrest for violation of the general criminal laws of the State or for violation of ordinances of Counties or municipalities of the State, said officer may impound the bicycle, motorized bicycle, or other vehicle involved for a period not to exceed five (5) days upon issuance of a receipt to the child riding it or to its owner.

Section 2: The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the Town Council would have enacted the valid portions without the invalid one, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 3: This ordinance amends any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

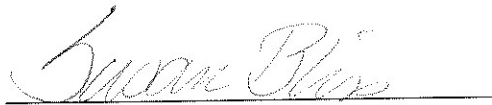
Section 4. It is the intent of the Town Council that this Ordinance be made a part of the Municipal Code and such inclusion shall have the same force and effect as if the ordinance had been included in the original code at the time of its adoption by the Town Council.

Section 5: This ordinance shall be in full force and effect from and after the date of its passage and approval.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Council and this bill was read by title in the open meeting two times prior to its final passage.

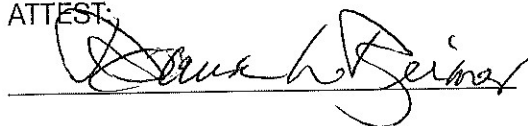
PASSED AND APPROVED THIS 15th DAY OF JULY 2024.

TOWN OF CARROLLTON, MISSOURI



Susan Bliss, Mayor

ATTEST:



Dana Reimer, City Clerk