

## CHAPTER 3

### BICYCLES

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**PART 1**

**GENERAL REGULATIONS**

**§3-101. Definitions.**

As used in this Part 1, the following terms shall have the meanings indicated:

**BICYCLE or PEDALCYCLE** — a vehicle propelled solely by human-powered pedals. The term does not mean a three-wheeled human-powered pedal-driven vehicle with the main driving wheel 20 inches in diameter or under, primarily designed for children six years of age or under.

(Ord. 359, 4/12/1960; as amended by Ord. 369, 5/18/1961; by Ord. 401, 6/11/1963; by Ord. 623, 2/13/1990; by Ord. 626, 5/8/1990; and by Ord. 773, 8/12/2008)

**§3-102. Registration of Pedalcycles.**

Every owner or operator of a pedalcycle within the Borough of Coplay shall register the pedalcycle with the Coplay Police Department. Registration information shall include a complete description of the pedalcycle as well as the serial number. Such registration shall be kept on file with the Coplay Police Department.

(Ord. 359, 4/12/1960; as amended by Ord. 369, 5/18/1961; by Ord. 401, 6/11/1963; by Ord. 623, 2/13/1990; by Ord. 626, 5/8/1990; and by Ord. 773, 8/12/2008)

**§3-103. Riding on Roadways, Sidewalks and Pedalcycle Paths.**

1. **General Rule.** The rider of a pedalcycle upon a street or roadway shall ride as near as practicable within five feet of the right-hand curb or edge of the roadway, except when passing a standing or other vehicle or making a left-hand turn at an intersection.
2. **Limitations on Riding Abreast.** Persons riding pedalcycles upon a roadway shall not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of pedalcycles.
3. **Right-of-Way to Pedestrians.** A person riding a pedalcycle upon a sidewalk or pedalcycle path used by pedestrians shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing a pedestrian.

(Ord. 359, 4/12/1960; as amended by Ord. 369, 5/18/1961; by Ord. 401, 6/11/1963; by Ord. 623, 2/13/1990; by Ord. 626, 5/8/1990; and by Ord. 773, 8/12/2008)

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### **§3-104. Riding on Pedalcycles.**

1. Use of Seat by Operator. A person propelling a pedalcycle shall not ride other than upon or astride a permanent and regular seat attached to the pedalcycle.
2. Number of Riders. No pedalcycle shall be used to carry more persons at one time than the number for which the pedalcycle is designed and equipped, except that an adult rider 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.
3. Articles Carried by Operator. No person operating a pedalcycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars.

(Ord. 359, 4/12/1960; as amended by Ord. 369, 5/18/1961; by Ord. 401, 6/11/1963; by Ord. 623, 2/13/1990; by Ord. 626, 5/8/1990; and by Ord. 773, 8/12/2008)

### **§3-105. Lamps and Other Equipment on Pedalcycles.**

1. Lamps and Reflectors. Every pedalcycle, when in use between sunset and sunrise, shall be equipped on the front with a lamp which emits a beam of white light intended to illuminate the pedalcycle operator's path, visible from a distance of at least 500 feet to the front, a red reflector facing to the rear, and an amber reflector on each side. Operators of pedalcycles 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 worn by the operator of a pedalcycle shall comply with the requirements of this subsection if the lamp or lamps can be seen at the distances specified.
2. Audible Signal Devices. A pedalcycle may be equipped with a device capable of giving a signal audible for a distance of at least 100 feet, except that a pedalcycle shall not be equipped with nor shall any person use upon a pedalcycle a siren.
3. Brakes. Every pedalcycle shall be equipped with a braking system which will stop the pedalcycle in 15 feet from an initial speed of 15 miles per hour on a dry, level and clean pavement.

(Ord. 359, 4/12/1960; as amended by Ord. 369, 5/18/1961; by Ord. 401, 6/11/1963; by Ord. 623, 2/13/1990; by Ord. 626, 5/8/1990; and by Ord. 773, 8/12/2008)

### **§3-106. Pedalcycle Helmets for Certain Persons.**

1. General Rule. A person under 12 years of age shall not operate a pedalcycle or ride as a passenger on a pedalcycle unless the person is wearing a pedalcycle hel-

met 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 shall also apply to a 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. Waiver of Fine. If a person receives a citation for violation of Subsection 1, a Magisterial District Judge, Magistrate or Judge shall dismiss the charges if the person, prior to or at the person's hearing, displays evidence of acquisition of a helmet meeting the standards prescribed in Subsection 1 to such Magisterial District Judge, Magistrate or Judge. Sufficient evidence shall include a receipt, mailed to the appropriate court officer, which evidences purchase or transfer of such a helmet to such owner, evidenced by a notarized letter.
3. Penalty. Notwithstanding any other provisions of law, any violation of Subsection 1 is punishable by a fine, including all penalties, assessments and court costs imposed on the convicted person, not to exceed \$25. The parent or legal guardian having control or custody of a person under 12 years of age whose conduct violates this section shall be jointly and severally liable with the person for the amount of the fine imposed.
4. Definitions. As used in this section, the term "wearing a pedalcycle helmet" means having a pedalcycle helmet of good fit fastened securely upon the head with the helmet straps.

(Ord. 359, 4/12/1960; as amended by Ord. 369, 5/18/1961; by Ord. 401, 6/11/1963; by Ord. 623, 2/13/1990; by Ord. 626, 5/8/1990; and by Ord. 773, 8/12/2008)

### **§3-107. Parking.**

1. Sidewalks.
- A. A person may park a pedalcycle on a sidewalk unless prohibited or restricted by an official traffic-control device.
  - B. A pedalcycle parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.
2. Roadways.
- A. A pedalcycle may be parked on the roadway at an angle to the curb or edge of the roadway at any location where parking is allowed.

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- B. A pedalcycle may be parked on the roadway abreast of another pedalcycle or pedalcycles near the side of the roadway at any location where parking is allowed.
- C. A person shall not park a pedalcycle on a roadway in such a manner as to obstruct the movement of a legally parked motor vehicle.

(Ord. 359, 4/12/1960; as amended by Ord. 369, 5/18/1961; by Ord. 401, 6/11/1963; by Ord. 623, 2/13/1990; by Ord. 626, 5/8/1990; and by Ord. 773, 8/12/2008)

### **§3-108. Penalty for Violation.**

Any person violating any provision of this Part 1 is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$15.

(Ord. 359, 4/12/1960; as amended by Ord. 369, 5/18/1961; by Ord. 401, 6/11/1963; by Ord. 623, 2/13/1990; by Ord. 626, 5/8/1990; and by Ord. 773, 8/12/2008)

**PART 2**

**MOTORIZED SCOOTERS**

**§3-201. Motorized Scooter Defined.**

A motorized scooter, as herein mentioned and regulated, is a wheeled transportation device upon which the rider stand or sits, having a steering mechanism and motor to supply power to one or more of the wheels, and as further defined by the Pennsylvania Motor Vehicle Code or future amendments thereof.

(Ord. 732-2004, 4/13/2004, §201)

**§3-202. Motorized Scooters Not to be Ridden on Public Streets or Sidewalks.**

It shall be unlawful for a motorized scooter to be operated on a public street, alley or sidewalk within the Borough of Coplay with the motor running. The device is recognized by PennDOT and the Borough Council to be a motorized vehicle and is not permitted on the streets and sidewalks of the Borough. The device is also recognized to be danger and public nuisance.

(Ord. 732-2004, 4/13/2004, §202)

**§3-203. Motorized Scooters Not to be Ridden on Private Property Without Owner's Permission.**

It shall be unlawful for a motorized scooter to be operated on private property without the specific permission of the owner thereof.

(Ord. 732-2004, 4/13/2004, §203)

**§3-204. Penalty for Violation.**

Any person who shall violate any provision of this Part 2 shall, upon conviction thereof, be sentenced to pay a fine not less then \$25 nor more than \$50 and cost or, in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. This penalty shall be in addition to any action taken by PennDOT regarding license suspension, postponement or revocation.

(Ord. 732-2004, 4/13/2004, §204)

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### **§3-205. Authority to Impound.**

Coplay Borough police are hereby authorized to impound motorized scooters where they witness actual violation of this Part 2 and hold the motorized scooter at the police station pending payment of the fine or disposition of any appeal of the citation.

(Ord. 732-2004, 4/13/2004, §205)