

CHAPTER 373
Bicycles and Motorcycles

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CROSS REFERENCES

See sectional histories for similar State law

Bicycle defined - see TRAF. 301.04

Motorcycle defined - see TRAF. 301.19

Bicycles prohibited on freeways - see TRAF. 303.06

Motorcycle operator's license required - see TRAF. 335.01(a)

Motorcycle headlight - see TRAF. 337.03

Motorcycle brakes - see TRAF. 337.18(b)

Motorcycle protective equipment - see OAC Ch. 4501.17

Motorized bicycle equipment - see OAC Ch. 4501-23

373.01 CODE APPLICATION TO BICYCLES.

The provisions of this Traffic Code which are applicable to bicycles apply whenever a bicycle is operated upon any street or upon any path set aside for the exclusive use of bicycles.

(ORC 4511.52.)

The provisions of this Traffic Code shall apply to bicycles except those which by their nature are not applicable.

373.02 RIDING UPON SEATS; HANDLE BARS; HELMETS AND GLASSES; EARPHONES OR EARPLUGS

(a) For purposes of this Section "snowmobile" has the same meaning as given that term in Ohio R.C. 4519.01.

(b) A person operating a bicycle or motorcycle shall not ride other than upon the permanent and regular seat attached thereto, nor carry any other person upon such bicycle or motorcycle other than upon a firmly attached and regular seat thereon, nor shall any person ride upon a bicycle or motorcycle other than upon such a firmly attached and regular seat.

(c) A person shall ride upon a motorcycle only while sitting astride the seat, facing forward, with one (1) leg on each side of the motorcycle.

(d) No person operating a bicycle shall carry any package, bundle or article that prevents the driver from keeping at least one (1) hand upon the handle bars.

(e) No bicycle or motorcycle shall be used to carry more persons at one (1) time than the number for which it is designed and equipped, nor shall any motorcycle be operated on a highway when the handle bars or grips are more than fifteen (15) inches higher than the seat or saddle for the operator.

(f) No person shall operate or be a passenger on a snowmobile, motorcycle or motorized bicycle without using safety glasses or other protective eye device. No person who is under the age of eighteen (18) years, or who holds a motorcycle operator's endorsement or license bearing a "novice" designation that is currently in effect as provided in Section 4507.13 of the Revised Code, shall operate a motorcycle on a highway, or be a passenger on a motorcycle, unless wearing a protective helmet on his head, and no other person shall be a passenger on a motorcycle operated by such a person unless similarly wearing a protective helmet. The helmet, safety glasses or other protective eye device shall conform with regulations prescribed and promulgated by the Ohio Director of Highway Safety. The provisions of this Subsection or violation thereof shall not be used in the trial of any civil action.

(g) No person shall operate a bicycle or motorcycle while wearing earphones over, or earplugs in, both ears. As used in this section, "earphones" means any headset, radio, tape player, or other similar device that provides the listener with radio programs, music, or other recorded information through a device attached to the head and that covers all or a portion of both ears. "Earphones" does not include speakers or other listening devices that are built into protective headgear. This section does not apply to any person wearing a hearing aid.
(Ord. 74-91. Passed 6-24-91).

373.03 ATTACHING BICYCLE OR SLED TO VEHICLE.

No person riding upon any motorcycle, bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.

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No operator shall knowingly permit any person riding upon any motorcycle, bicycle, coaster, roller skates, sled or toy vehicle to attach the same or himself to any vehicle while it is moving upon a roadway. This Section does not apply to the towing of a disabled vehicle. (ORC 4511.54.)

373.04 RIDING BICYCLES AND MOTORCYCLES ABREAST.

Persons riding bicycles or motorcycles upon a roadway shall ride not more than two (2) abreast in a single lane, except on paths or parts of roadways set aside for the exclusive use of bicycles or motorcycles. (ORC 4511.55(B).)

373.05 SIGNAL DEVICE ON BICYCLE.

No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred (100) feet, except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle. (ORC 4511.56(B).)

373.06 LIGHTS AND REFLECTOR ON BICYCLE; BRAKES.

(a) Every bicycle when in use at the times specified in Section 337.02, shall be equipped with a light on the front that shall emit a white light visible from a distance of at least five hundred (500) feet to the front and with a red reflector on the rear of a type approved by the Ohio Director of Highway Safety that shall be visible from all distances from one hundred (100) feet to six hundred (600) feet to the rear when directly in front of lawful lower beams of headlights on a motor vehicle and a light emitting a red light visible from a distance of five hundred (500) feet to the rear shall be used in addition to the red reflector. (ORC 4511.56(A))

(b) Every bicycle shall be equipped with an adequate brake when used on a street or highway. (ORC 4511.56(C)).

**373.07 RIDING BICYCLE ON RIGHT SIDE OF ROADWAY;
OBEDIENC TO TRAFFIC RULES; PASSING.**

Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable obeying all traffic rules applicable to vehicles and exercising due care when passing a standing vehicle or one proceeding in the same direction. (ORC 4511.55(A).)

373.08 RECKLESS OPERATION; CONTROL, COURSE AND SPEED.

No person shall operate a bicycle:

(a) Without due regard for the safety and rights of pedestrians and drivers and occupants of all other vehicles, and so as to endanger the life, limb or property of any person while in the lawful use of the streets or sidewalks or any other public or private property;

- (b) Without exercising reasonable and ordinary control over such bicycle;
- (c) In a weaving or zigzag course unless such irregular course is necessary for safe operation in compliance with law;
- (d) Without both hands upon the handle grips except when necessary to give the required hand and arm signals, or as provided in Section 373.02(d);
- (e) At a speed greater than is reasonable and prudent under the conditions then existing.

373.09 COMPLIANCE WITHTRAFFICSIGNAL,CONTROL DEVICES REQUIRED.

- (a) Any person operating a bicycle shall obey the instructions of official traffic signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.
- (b) Whenever authorized signs are erected that no right of left or "U" turns are permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians. (Ord. 119-72. Passed 9-5-72.)

373.10 RIDING REGULATIONS.

It shall be legal to ride a bicycle upon a sidewalk, street or public way, or upon any path set aside for the exclusive use of bicycles, subject to the following:

- (a) Every person operating a bicycle upon a street shall ride as near to the right side of the street as is practical, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- (b) Wherever a designated path for bicycles has been provided adjacent to a street, bicycle riders shall use such path and shall not use the street.
- (c) Any person operating a bicycle may ride upon the sidewalk rather than the roadway when sidewalks are available and not congested with pedestrian traffic. If the sidewalk is congested with pedestrian traffic, the bicycle operator using the sidewalk shall walk the bicycle.
- (d) At no time shall a bicyclist under the age of eight (8) years operate a bicycle on a street.

(e) No person shall ride a bicycle upon a sidewalk, upon or along which signs have been erected by authority of the Director of Public Safety-Service prohibiting such bicycle riding.

(f) Whenever a person is riding a bicycle upon a sidewalk, street, roadway or any pedestrian way, such person shall yield the right of way to any pedestrian and shall give an audible signal before attempting to overtake and pass a pedestrian or another bicycle. This audible signal must be given only by a bell or other warning device capable of giving an audible signal and shall be given at such a distance and in such a manner as not to startle person or persons being overtaken and passed.

(g) Whenever a person is riding a bicycle on a sidewalk, the rider shall dismount and shall walk the bicycle across an intersection or a street.

(h) Whenever a person is riding a bicycle upon a sidewalk, the person, before overtaking and passing a blind person carrying a white cane or guided by a dog, shall dismount and overtake or pass on foot.

(i) When a bicycle is operated on the street, the operator shall give hand signals before turning, changing lanes or stopping. Such signals shall conform with the motor vehicle laws of Ohio.
(Ord. 119-72. Passed 9-5-72.)

373.11 EMERGING FROM ALLEY OR DRIVEWAY.

The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alley or driveway, yield the right of way to all pedestrians approaching on such sidewalk area and upon entering the street shall yield the right of way to all vehicles approaching such street. (Ord. 119-72. Passed 9-5-72.)

373.12 CARRYING ARTICLES.

No person operating a bicycle shall carry any package, bundle or article which prevents the operator from having complete control of such bicycle. (Ord. 119-72. Passed 9-5-72.)

373.13 PARKING.

(a) A bicycle shall be parked in a designated bicycle parking area when they are provided. No person shall park a bicycle upon a sidewalk in such a manner so as to unduly interfere with pedestrian traffic, or upon a roadway other than against the curb.

(b) When a designated parking area is not provided, bicycles shall be parked in such a manner as not to interfere with building entrances nor upon a sidewalk. (Ord. 119-72. Passed 9-5-72.)

373.14 DUTY TO LOCK BICYCLES.

No bicycle shall remain unlocked when parked upon any public street, public sidewalk, public driveway, public playground or any other public property. (Ord. 119-72. Passed 9-5-72.)

373.15 STOLEN BICYCLES.

No person shall steal any bicycles or purposely take, ride or operate any bicycle without consent of the owner thereof, or buy or conceal any bicycle that has been stolen knowing it to have been stolen. (Ord. 119-72. Passed 9-5-72.)

373.16 IMPOUNDING.

(a) Whenever any person operates a bicycle in violation of any Section of this Traffic Code, the bicycle may be seized by any member of the Division of Police and the Chief of Police shall have the authority to impound any bicycle at the Police Station.

(b) When any bicycle has been seized and so impounded, notice shall be made forthwith by the officer in charge to the owner of the bicycle or in the event the person is a minor under the age of eighteen (18) years such notice shall be made to the parent or guardian of such minor. Notice shall contain a full explanation of the reason for seizing and impounding the bicycle.

(c) Any bicycle impounded under the provisions of this Traffic Code shall be surrendered to the owner or to the parents or guardian of any minor upon showing sufficient proof of ownership of the bicycle, and upon paying an impounding fee of Five Dollars (\$5.00), but nothing herein shall relieve the offender of any penalty that may be imposed under the general Code penalty section of this Traffic Code.

(d) It shall be the duty of the police officer or the person in charge of records to keep in an appropriate book or file the names and addresses of all owners of bicycles impounded, if known.
(Ord 119-72. Passed 9-5-72.)

373.17 SALE OF IMPOUNDED BICYCLES.

All impounded bicycles if unclaimed after ninety (90) days, shall be sold at public auction at a time and place designated by the Chief of Police. The Chief shall make public notice of the time and place of such public auction.
(Ord. 119-72. Passed 9-5-72.)

373.18 MOTORIZED BICYCLE OPERATION, EQUIPMENT AND LICENSE; EARPHONES OR EARPLUGS

(a) No person shall operate a motorized bicycle upon a street, highway or any public or private property used by the public for purposes of vehicular travel or parking, unless the following conditions are met:

- (1) The person is fourteen (14) years of age or older and holds either a valid operator's license issued under Ohio R.C. Chapter 4507 or a valid motorized bicycle license issued after the person has passed the test provided for in this Section;
 - (2) The motorized bicycle is equipped in accordance with the rules adopted under Subsection (b) hereof and is in proper working order.
 - (3) The person, if he is under eighteen years of age, is wearing a protective helmet on his head with the chin strap properly fastened and the motorized bicycle is equipped with a rear view mirror.
 - (4) The person operates the motorized bicycle when practicable within three (3) feet of the right edge of the roadway obeying all traffic rules applicable to vehicles.
 - (5) The person operates the motorized bicycle without wearing earphones over, or earplugs in, both ears. As used in this section, "earphones" means any headset, radio, tape player, or other similar device that provides the listener with radio programs, music or other recorded information through a device attached to the head and that covers all or a portion of both ears. "Earphones" does not include speakers or other listening devices that are built into protective headgear. This section does not apply to any person wearing a hearing aid.
- Ord. 75-91. Passed 6-24-91).

(b) The Ohio Director of Highway Safety, subject to Ohio R.C. 119.01 to 119.13, shall adopt and promulgate rules concerning the equipment of motorized bicycles and the testing and qualifications of persons who do not hold a valid operator's license issued under Ohio R.C. Chapter 4507. The test shall include at least a test of vision and knowledge of rules of the road.

(c) Every motorized bicycle license expires on the birthday of the applicant in the fourth (4th) year after the date it is issued, but in no event shall any motorized bicycle license be issued for a period longer than four (4) years. (ORC 4511.521.)

(d) The operation of a motorized bicycle upon a sidewalk within the City of Rocky River, while the motor of such bicycle is engaged or operating, is prohibited.

373.99 PENALTY.

(a) Whoever violates any provision of this Chapter or Chapter 374 for which no classification is otherwise provided is guilty of a minor misdemeanor and the Court may prohibit such violator from riding a bicycle for not more than six (6) months or impound such.

(b) Whoever violates Section 373.15 is guilty of a misdemeanor of the first degree.

June 1991 Revision