

# 374.06 RIDING ON PROPER SEAT; TRICK RIDING.

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CHAPTER 374

Motorized Bicycles (Mopeds)

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## CROSS REFERENCES

Bicycles - see TRAF. Ch. 373

### 374.01 DEFINITION.

"Motorized bicycle" means the same as defined in Section 301.04 (b).

(Ord. 45-88. Passed 6-14-88.)

### 374.02 PARENT'S RESPONSIBILITY.

The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any provisions of this chapter.

(Ord. 45-88. Passed 6-14-88.)

### 374.03 TRAFFIC CODE APPLICATION.

Every person operating a motorized bicycle (moped) upon a street shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of the State, or by the traffic ordinances of the City applicable to the driver of a vehicle, except as to special regulations in this Code which, by their nature, can have no application. (Ord. 45-88. Passed 6-14-88.)

### 374.04 OBEDIENCE TO TRAFFIC CONTROL DEVICES.

(a) Any person operating a motorized bicycle shall obey the instructions of official traffic control 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, left or "U" turns are permitted, no person operating a motorized bicycle shall disobey the directions of any such sign. (Ord. 45-88. Passed 6-14-88.)

### 374.05 RIDING ON STREETS.

It shall be legal to ride a motorized bicycle upon a street or public way, subject to the following:

(a) Every person operating a motorized 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.

(b) Persons riding motorized bicycles upon a roadway shall ride single file except on paths or parts of roadways set aside for the exclusive use of motorized bicycles or motorcycles.

(c) When a motorized 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 the State.

(d) No person shall operate a motorized bicycle at a speed greater than is reasonable and proper under the conditions then existing nor in excess of any posted speed limit established within the City.

(e) No person riding upon any motorized bicycle shall attach the same or himself to any vehicle upon a street.

(f) No operator of a motorized bicycle shall knowingly permit any person riding upon any bicycle, motorized bicycle, tricycle, coaster, roller skates, sled or toy vehicle to attach the same or himself to his vehicle while moving upon a roadway.

(g) No person shall park a motorized bicycle upon a roadway in such a manner as to interfere with vehicular traffic.

(Ord. 45-88. Passed 6-14-88.)

#### 374.06 RIDING ON PROPER SEAT; TRICK RIDING.

(a) A person operating a motorized bicycle shall not ride other than astride a permanent and regular seat attached thereto, or carry any other person upon such motorized bicycle, nor shall any other person ride upon a motorized bicycle other than the operator thereof.

(b) No person shall engage in trick riding or operate a motorized bicycle without both hands upon the handle grips, except when necessary to give hand signals required herein. (Ord. 45-88. Passed 6-14-88.)

#### 374.07 EMERGING FROM ALLEY OR DRIVEWAY.

(a) The operator of a motorized 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 on such street.

(b) Every rider of a motorized bicycle shall exercise due care to avoid colliding with any pedestrian or any vehicle upon any roadway or sidewalk, or endangering the life, limb or property of any person while in the lawful use of the streets, sidewalks or any other private or public property.

(Ord. 45-88. Passed 6-14-88.)

#### 374.08 CARRYING ARTICLES.

No person operating a motorized bicycle shall carry any package, bundle or article that prevents the driver from keeping both hands upon the handlebars.

(Ord. 45-88. Passed 6-14-88.)

#### 374.09 STOLEN MOTORIZED BICYCLE.

No person shall steal any motorized bicycle or purposely take, ride or operate any motorized bicycle without consent of the owner thereof, or buy or conceal any motorized bicycle that has been stolen, knowing it to have been stolen.

(Ord. 45-88. Passed 6-14-88.)

#### 374.10 REGULATIONS; LICENSING; EQUIPMENT.

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

(1) The person possesses a valid license or permit authorizing such operation and which is issued by the Ohio Registrar of Motor Vehicles under Ohio R.C. Chapter 4507 (Driver's License Law) or Ohio R.C. 4511.521;

(2) The motorized bicycle is equipped in accordance with rules adopted by the Ohio Director of Highway Safety 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 feet of the right edge of the roadway, obeying all traffic rules applicable to vehicles; and the person shall not operate a motorized bicycle upon a sidewalk within the City while the motor of such motorized bicycle is engaged or operating; and

(5) The motorized bicycle displays on the rear of such bicycle the current license plate or

validation sticker furnished by the Ohio Director of Highway Safety under Ohio R.C. 4503.191. This subsection (a)(5) is not effective until the end of the first month of the registration period in 1985 to which the motorized bicycle is assigned by the Ohio Registrar of Motor Vehicles as provided in Ohio R.C. 4503.101.

(b) No person operating a motorized bicycle shall carry another person upon the motorized bicycle.

(Ord. 45-88. Passed 6-14-88.)

#### 374.11 IMPOUNDING OF MOTORIZED BICYCLES.

(a) Whenever any person operates a motorized bicycle in violation of any section of this Traffic Code, the motorized bicycle may be seized by any member of the Division of Police and the Chief of Police shall have the authority to impound any motorized bicycle at the Police Station. An impounded motorized bicycle shall not be released to a minor.

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

(c) Any motorized 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 motorized bicycle, but nothing herein shall relieve the offender of any penalty that may be imposed under the general penalty section of this chapter.

(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 motorized bicycles impounded, the name and address of the violator if he is not the owner, and license number and the serial number of the motorized bicycle, together with the nature and circumstances of each violation, as well as the disposition of each case.

(Ord. 45-88. Passed 6-14-88.)

#### 374.99 PENALTY.

Whoever violates any provision of this chapter shall be deemed guilty of a minor misdemeanor for a first offense and a fourth degree misdemeanor for each subsequent offense and the court may prohibit such violator from riding a motorized bicycle for a period not to exceed six months. Whoever violates any provision of this chapter may be punished by having his motorized bicycle impounded for a period not exceeding thirty days.

(Ord. 45-88. Passed 6-14-88.)

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- ORDINANCE NO. 116-84
- ORDINANCES OF SHEFFIELD LAKE
- Ord. 45-88
- ordinances of the City applicable to the driver of a vehicle, except as to special regulations in this Code which, by their nature, can have no application
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