

## BICYCLES

### Chapter 10 BICYCLES

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#### GENERAL REFERENCES

General Provisions - See Ch. 1.

Vehicles and traffic generally - See Ch. 50.

Chapter 10 Modified and Adopted in its Entirety 11-9-2021

**§ 10-1. Findings.**

The Board of Trustees of the Village of Saltaire hereby finds and determines that because of the unique nature of the village, where pedestrians share the public walks with vehicles of all types, the walks are of limited width and many are elevated above ground level, and in which bicycles are the primary mode of transportation, the regulation of bicycle traffic by the Village is essential in order to preserve the safety, health and well-being of the residents of the village.

**§ 10-2. Definition. [Amended 1-25-2023 by L.L. No. 2 of 2023]**

For purposes of this Chapter, the term “bicycle” shall include any pedal-operated or foot-propelled wheeled vehicle or device, including but not limited to tricycles and scooters but excluding vehicles or devices prohibited by Section 10-8 herein, and electrically-powered bicycles as defined by Section 50-2 of this Code.

**§ 10-3. Operation and use. [Amended 10-15-2022 by L.L. No. 9 2022]**

No person shall at any time ride or operate any bicycle or other pedal-operated or foot-propelled vehicle or device (including, for purposes of this sentence only, wagons) in a dangerous, reckless or careless manner, or as may be set forth in this Chapter.

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- A. No person shall ride or operate any bicycle on any dock, walk or other public place where such riding or operation may from time to time be prohibited by the Board for reasons of safety.
- B. No person while operating a bicycle shall at any time operate, use or carry by hand any electronic device, including but not limited to cellular phones, iPads, radios or any similar communication or entertainment device, for any purpose, including but not limited to telephone or video calls, texting, emailing, accessing the internet, taking photographs or any other activity that can distract the operator of such bicycle or limit his or her ability to properly control the bicycle and thereby pose a health and safety hazard to the operator and to others; except that, in accordance with the provisions of Section 10-4 A hereunder, such operators may use such devices during nighttime hours solely in flashlight mode and only for purposes of illuminating the road ahead of them.
- C. No bicycle operator shall at any time use earphones or any other device or appurtenance that prevents, impedes or otherwise restricts the operator's ability to see or hear other pedestrian or vehicular traffic or their surroundings. Bicycle riders shall at all times remain aware of their surroundings, the presence of others, and the condition of the road.
- D. Bicycles shall at all times yield to pedestrians and emergency vehicles. Immediately upon seeing an emergency vehicle or hearing its approaching siren, riders shall stop and remove said bicycle from the path of all such emergency vehicles so as not to impede their safe passage. Riding a bicycle ahead of, immediately behind, or alongside an emergency vehicle, or failure to move out of its way, is hazardous and strictly prohibited.
- E. Bicycle riders shall at all times remain in physical control of their vehicle and not engage in any activity or method of operation that may inhibit their safe operation of the bicycle or serve as a distraction to the operator.
- F. Riders shall not operate a bicycle in excess of the posted Village speed limit.
- G. No person operating a bicycle shall at any time walk a dog or other animal while simultaneously operating the bicycle. No animal shall be hand-carried by an operator of a bicycle, or otherwise transported or ridden on a bicycle, unless the dog is in a basket attached to the bicycle, or if the animal must be transported because it is sick or injured.
- H. All bicycle riders shall slow down when approaching intersections to check for oncoming traffic or pedestrians.

### **§ 10-4. Nighttime operation of bicycles.**

The nighttime operation of bicycles within the Village of Saltaire shall be permitted under the following conditions:

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Each bicycle shall be equipped with the following lights, which shall be in use during the period from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise:

- (i) A working headlight, either mounted or hand-held, projecting a beam forward from the front of the bicycle. The headlight shall emit a white light visible during hours of darkness at a distance of at least two hundred (200) feet ahead of the bicycle.
- (ii) A red or amber light projecting backward from the rear of the bicycle or a red or amber reflector permanently mounted on the rear of the bicycle. The red or amber light or reflector shall be visible from a distance of at least one hundred (100) feet to the rear.

All required lighting equipment shall be securely affixed to the bicycle or held by the rider in such a manner that the lighting equipment is stable, projects its light without interruption or obstruction, and does not interfere with or obstruct the safe operation of the bicycle by the rider.

### **§ 10-5. Authorized uses.**

The Board may authorize the use of bicycles equipped with such lights, signals and other safety devices, as it may from time to time prescribe, in restricted areas and during restricted hours, by physically handicapped persons for their exclusive use, and by peace and Public Safety officers, Village and public utility employees, firefighters and emergency medical personnel, and physicians in the performance of their duties.

### **§ 10-6. Bell required.**

All bicycles ridden within the village shall be equipped with a bell in operating condition, and riders shall sound such bell as a warning, when passing, and at all intersections. When passing others on a walk the operator of a bicycle shall sound its bell and by verbal or other means make sure the persons or vehicles being passed are aware of the operator's presence and intention.

### **§ 10-7. Registration.**

The Board may impose reasonable fees in connection with the registration of bicycles of village residents. The Board shall determine the means of such registration, including designating the department that shall be responsible for such registration. The Board may at its option mandate the registration of all bicycles within the village.

### **§ 10-8. Prohibited vehicles.**

The operation or use within the village of skateboards, roller skates, rollerblades, unicycles or any similar vehicles or devices is prohibited.

**§ 10-9. Number of riders restricted; passengers prohibited.**

- A. No passengers or other persons shall be permitted on any bicycle or other pedal-operated or foot-propelled vehicle or device in excess of the number that such bicycle, vehicle or device is designed to carry.
- B. In order to insure the safety and physical well-being of all individuals within the village, no bicycle rider shall be permitted to carry passengers, including children, on any portion of a bicycle, including handlebars, the frame, the seat, in any basket or other similar attachment on the bicycle, or anywhere on the operator's person.
- C. A bicycle rider may carry not more than one (1) child seated in a permanently attached and secured seat designed for the express purpose of carrying a single child of a size and weight the seat was designed to accommodate. While being carried on a bicycle such child must be secured in the seat by means of a seatbelt or other similar safety device.

**§ 10-10. Immobilization of bicycles.**

Members of the Village Public Safety force are hereby empowered to immobilize and impound any bicycle being operated in violation of any provision of this Code, if the operator of such bicycle is unable to furnish the Public Safety officer requesting the same, documentation to the satisfaction of the officer identifying such operator and his or her residence address. Any such bicycle so impounded or immobilized shall be released and returned to the owner or operator after said operator furnishes satisfactory identity documentation.

**§ 10-11. Penalties for offenses.**

Unless otherwise provided herein, violation of any provision of this Chapter shall, upon conviction thereof, be punishable by a fine of not less than fifty dollars (\$50) for a first offense and of not less than seventy-five dollars (\$75) for each subsequent offense committed within three (3) years of the last such offense. Each violation of this Chapter may be deemed a separate offense subject to a separate penalty.

**§ 10-12. Electric Assist Bicycles. [Amended 1-25-2023 by L.L. No. 2 of 2023]**

For purposes of the Saltaire Village Code, and enforcement of the provisions contained herein, in the Village of Saltaire, electric-assist bicycles shall be deemed to be motor vehicles and shall be regulated in accordance with the provisions of Chapter 50 of the Saltaire Village Code.

**A. DEFINITIONS**

ELECTRICAL ASSIST BICYCLE (also known and referred to as an ELECTRIC BIKE or EBIKE): Any bicycle with an electrical assist function, having an electrical motor that may be used either exclusively to propel such bicycle, or as an assist when the operator is also manually pedaling such bicycle, and which may also be operated by manual power alone.

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For purposes of this Code, the term Electrical Assist Bicycle shall include electrically-powered scooters, tricycles and other vehicles.

### **B. OPERATION**

1. The operation and use of an Electrical Assist Bicycle while under power using its electric motor is hereby prohibited within the Village of Saltaire from May 1 through the Monday of Columbus Day weekend of each year, inclusive. Operation and use of an Electrical Assist Bicycle using its electric motor shall be permitted from the Tuesday following Columbus Day weekend through April 30 of the following year, inclusive.
2. During the period when operation of an Electrical Assist Bicycle using its electric motor is permitted in the Village of Saltaire, no such bicycle shall be operated by means of electrical assist power from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise of each day. Operation of Electrical Assist Bicycles during such hours shall be permitted only by means of manual or pedal propulsion.
3. The operation of an Electrical Assist Bicycle, whether by manual or pedal power, electrical assist power, or utilizing both, shall be restricted solely to persons 16 (sixteen) years of age and older.
4. The operation and use of electric bicycles shall be subject to and in compliance with all other provisions of this Chapter and Code, and any other regulations as may from time to time be promulgated by resolution of the Board of Trustees, including any and all provisions relating to safety requirements, operating regulations, prohibition of passengers, speed limits (8 miles per hour) and other restrictions, registration and enforcement.
5. The operation and use while under electrical power of any other bicycle (as defined in Section 10-2 of this Chapter) or prohibited vehicle (as defined in Section 10-8) is prohibited, unless modified by resolution of the Board.
6. 10-12(C). Penalties for offenses. Violation of any provision of this Section 10-9 shall, upon a first conviction thereof, be punishable by a fine of not less than four hundred dollars (\$400); and not less than five hundred dollars (\$500) for each subsequent offense where the offense date is within one (1) year of the date of offense of the most recent conviction for an offense of this Section 10-12, and for each conviction thereafter.