

ARTICLE IV. BICYCLES, SKATEBOARDS, MOTORIZED SKATEBOARDS AND MULTIUSE PATHS*

***Editor's note:** Ord. No. 3186, § 1, adopted Aug. 31, 1998, amended the title of Art. IV to read as herein set out.

DIVISION 1. BICYCLES AND SKATEBOARDS

Sec. 17-76. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bicycle means every device propelled by human power upon which any person may ride, having two (2) tandem wheels either of which is more than sixteen (16) inches in diameter or having three (3) wheels in contact with the ground any of which is more than sixteen (16) inches in diameter.

Owner means any person holding the legal title of a bicycle or any person who is a lessee, conditional vendee or mortgagor of a bicycle with a right to immediate possession.

Skateboard means every device propelled by human power which any person may ride, having a deck and at least two (2) tandem wheels in contact with the ground.

(Code 1972, § 11-611; Ord. No. 2974, § 3, 12-16-96)

Sec. 17-77. Parental responsibility.

No person shall, if a parent or guardian of the child, authorize or knowingly permit any child, to violate this article.

(Code 1972, § 11-620(2))

Sec. 17-78. Impoundment.

If a police officer is unable to ascertain the true identity of any person deemed in violation of this article, the police officer shall be empowered to impound any vehicle or device used in the commission of the violation. The vehicle or device shall be returned to the person or his parents upon furnishing of satisfactory identification.

(Code 1972, § 11-621)

Sec. 17-79. Voluntary registration.

(a) Every owner of a bicycle may voluntarily register his bicycle with the chief of police. The police registration form shall contain the owner's name, residence and social security number, provided that a child applicant shall use the social security number of a parent or guardian.

(b) Upon registration, a police department decal shall be affixed to the bicycle indicating that it has been registered with the police department. When the decal is delivered to the registrant, the chief of police shall cause the social security number of the owner, or in the case of a child, the social security number of one (1) of his parents or guardian, to be inscribed on the bicycle.

(Code 1972, §§ 11-612, 11-613)

Sec. 17-80. Application of traffic laws.

Every person riding a bicycle upon a roadway in the city 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 this state declaring rules of the road applicable to vehicles or by the traffic laws of the city applicable to the driver of a vehicle, except as to special regulations herein and except as to those provisions which by their nature can have no application.

(Code 1972, § 11-614)

State law references: Similar provisions, A.R.S. § 28-812.

Sec. 17-81. Obedience to traffic-control devices.

(a) Any person operating a 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 indicating that no right or left or U-turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make such turn, in which event such person shall then obey the regulations applicable to pedestrians.

(Code 1972, § 11-615)

Sec. 17-82. 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 alleyway, yield the right-of-way to all pedestrians approaching on the sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway.

(Code 1972, § 11-617)

Sec. 17-83. No riding signs.

The chief of police may erect signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person, and, when such signs are in place, no person shall disobey the same.

(Code 1972, § 11-618)

Sec. 17-84. Speed.

No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

(Code 1972, § 11-620(4))

Sec. 17-85. Parking.

No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such manner as to afford the least obstruction to pedestrian traffic.

(Code 1972, § 11-620(5))

Sec. 17-86. Riding in prohibited areas.

No person shall ride a bicycle, skateboard, roller skates or any other nonself-propelled vehicle or device, except wheelchairs, in or upon any area having posted signs expressly prohibiting said self-propelled vehicles or devices.

(Code 1972, § 11-620(6))

Sec. 17-87. Exceptions.

The prohibitions set forth in sections 17-83 and 17-86 of this article shall not apply to law enforcement officials while engaged in the performance of their official duties.

(Ord. No. 2368, 7-1-91)

Secs. 17-88, 17-89. Reserved.

DIVISION 2. MOTORIZED SKATEBOARDS

Sec. 17-90. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context indicates a different meaning:

Child or *juvenile* means an individual who is under the age of eighteen (18) years.

Custodian means a person who has lawful custody of a child.

Motorized skateboard means a self-propelled device which has a motor, a deck on which a person may ride and at least two (2) wheels in contact with the ground and which is not otherwise defined in Arizona Revised Statutes title 28, as amended, as a "motor vehicle," "motorcycle," "motor-driven cycle" or "motorized wheelchair."

Motorized wheelchair means a self-propelled vehicle that is designed for and used by a physically challenged, injured, or incapacitated person.

Multiuse path means an off-road hard surfaced path which may be separated from motorized vehicle traffic by an open space or barrier. A multiuse path is used exclusively for pedestrians, and any human-powered vehicles or devices.

Owner means any person holding the legal title of a motorized skateboard, or any person who is a lessee, conditional vendee or mortgagor of a motorized skateboard with a right to immediate possession.

Vehicle means a device in, upon or by which any person or property is or may be transported or drawn upon a public roadway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

(Ord. No. 2974, § 4, 12-16-96)

Sec. 17-91. Application of traffic laws.

Every person operating a motorized skateboard upon a roadway, or any shoulder adjoining a roadway shall be granted all rights and shall be subject to all the duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles, or by the traffic laws of the city applicable to the driver of a vehicle, except as to special regulations herein and except as to those provisions which by their nature can have no application. This section shall not be construed to require the licensing or registration of motorized skateboards, the licensing of motorized skateboard operators, or the carrying of insurance covering accidents involving motorized skateboards.

(Ord. No. 2974, § 4, 12-16-96)

Sec. 17-92. Responsibility of parents, guardians, and custodians.

No person shall, if a parent, guardian, or custodian of a child, authorize or knowingly permit any child to violate this article.

(Ord. No. 2974, § 4, 12-16-96)

Sec. 17-93. Prohibited operation.

No person shall operate a motorized skateboard:

- (1) On any sidewalk in the city, except for use in crossing such sidewalk by the most direct route to gain access to any public or private road or driveway.
- (2) In any city parking structure or city park, except for use on public roadways within such park.
- (3) On any public property that has been posted or designated by the owner of such property as an area prohibiting "skateboards."
- (4) On any public roadway consisting of a total of four (4) or more marked traffic lanes, or having an established speed limit of greater than twenty-five (25) miles per hour.
- (5) On any private property of another, or any public property which is not held open to the public for vehicle use, without the written permission of the owner, the person entitled to immediate possession of the property, or the authorized agent of either.
- (6) On any sidewalk, or any designated bicycle lane, bicycle path, or multiuse path.

(Ord. No. 2974, § 4, 12-16-96)

Sec. 17-94. General operating restrictions.

- (a) No child under the age of fourteen (14) years shall operate a motorized skateboard.
- (b) No person shall operate a motorized skateboard at a speed greater than is reasonable and prudent under the circumstances then existing.
- (c) The operator of a motorized skateboard, approaching a sidewalk, bicycle path, bicycle lane, or multiuse path in order to cross such, shall yield the right-of-way to all other users.
- (d) No operator of a motorized skateboard shall allow passengers when the motorized skateboard is in operation or motion.
- (e) No person operating or riding upon a motorized skateboard shall attach themselves or the motorized skateboard in any manner to any other vehicle.
- (f) No person shall operate a motorized skateboard while carrying any package, bundle, or article which prevents the operator from keeping both hands upon the steering mechanism at all times.
- (g) No person, other than the owner, shall operate a motorized skateboard without the written permission of the owner.
- (h) No person shall operate a motorized skateboard that has been structurally altered from the original manufacturer's design.
- (i) No person shall operate a motorized skateboard in a crosswalk.

(Ord. No. 2974, § 4, 12-16-96)

Sec. 17-95. Operating restrictions on roadway.

- (a) A person operating a motorized skateboard on a roadway at less than the normal speed of traffic, at the time and place and under the then existing conditions, shall ride as close as practicable to the right hand curb or edge of the roadway, except under the following conditions and when the movement can be made in safety:

- (1) If overtaking and passing a bicycle or vehicle proceeding in the same direction.
- (2) If preparing for left turn at an intersection or into a private roadway or driveway.
- (3) If reasonably necessary to avoid hazardous conditions ahead in the roadway.
- (4) If the lane in which the person is operating the motorized skateboard is too narrow for a motorized skateboard and a bicycle or another vehicle to travel safely side by side within the lane.

(b) No operation of a motorized skateboard shall transport extra fuel in a separate container or alter the fuel reservoir from the original manufacturer's design. This includes the prohibition of physically attaching fuel packs or containers to the operator's person.

(c) Persons operating motorized skateboards on the roadway shall not ride more than two (2) abreast.

(Ord. No. 2974, § 4, 12-16-96)

Sec. 17-96. Required safety equipment.

(a) No person shall operate a motorized skateboard without a head lamp emitting a beam and a red rear reflector anytime from sunset to sunrise, or any other time when there is no sufficient light to render clearly discernible persons or vehicles on the roadway.

(1) A head lamp shall emit a white light and be visible from the front at a distance no less than five hundred (500) feet.

(2) A rear red reflector shall be visible when illuminated by a vehicle head lamp from a distance of not less than three hundred (300) feet.

(3) A rear red lamp visible from a distance of five hundred (500) feet to the rear may be used in addition to the rear red reflector.

(b) No person shall operate a motorized skateboard unless it is equipped with a brake which enables the operator to make a braked wheel(s) skid on pavement.

(c) Any child operator of a motorized skateboard being operated on a roadway shall at all times wear a protective helmet on his or her head in an appropriate and safely secured manner. The helmet shall meet minimum standards of testing and safety inspected by the bicycle industry.

(d) No person shall operate a motorized skateboard without wearing footwear. The footwear must have a sole and completely cover the feet and toes.

(Ord. No. 2974, § 4, 12-16-96)

Sec. 17-97. Violations.

Violations of this article are civil traffic infractions to which the provisions of section 17-2 of this chapter shall apply.

(Ord. No. 2974, § 4, 12-16-96)

DIVISION 3. MULTIUSE PATHS

Sec. 17-98. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly requires a different meaning:

Human-powered means movement accomplished or propelled by human power, such as walking, running, or by any vehicle or device which is designed and equipped to be propelled by human power, without any assistance by a motor or power unit (e.g. bicycle, roller skates, skateboard, wheel chair).

Multiuse path means an off-road hard-surfaced path, that may be separated from motorized vehicular traffic by an open space or barrier, which has been designated, or designed and designated by the city for public use for human-powered travel or movement.

Pedestrian means a person who is either walking, jogging or running on the multiuse path. Pedestrian also means a person with a disability, who is using a motorized or human powered-wheelchair on the multiuse path.

User means any person who is traveling on or is otherwise lawfully using a multiuse path, as provided in this division, and includes pedestrians.

(Ord. No. 3186, § 2, 8-31-98)

Sec. 17-99. General; right-of-way; use of multiuse path.

- (a) Multiuse paths are for the exclusive use of pedestrians and any human-powered vehicles or devices.
- (b) A user who is operating a human-powered device or vehicle upon a multiuse path shall yield the right of way to any pedestrian. A user operating a bicycle shall yield to skaters and pedestrians, and skaters shall yield to pedestrians.
- (c) All users of multiuse paths shall:
 - (1) Travel at a rate of speed which is reasonable and prudent under the conditions at the point of operation, taking into account the amount and character of pedestrian traffic, grade and width of path, and condition of surface. In every event, the user shall control speed as may be necessary to avoid colliding with other users.
 - (2) Obey all instructions of any traffic control device, warning sign, or pavement marking applicable to use of the multiuse path, unless otherwise directed by a police officer, including, without limitation: speed limit, stop, yield, caution, warning and dismount signs.
 - (3) Exercise due care and caution to avoid colliding with any other users.
 - (4) Refrain from entering any portion of the multiuse path when it is flooded or contains standing water.
 - (5) Travel in a consistent and predictable manner.
 - (6) Travel as near to the right side of the path as is safe, except as may be appropriate while preparing to make or making turning movements, or while overtaking or passing another user traveling in the same direction.
 - (7) Occupy only the right half of the multiuse path, measured from the right side, so as not to impede the normal and reasonable movement of other path users.
 - (8) Pass other users on the left and only when it can be done safely, returning to the right only when safely clear of the user being passed.
 - (9) Give an audible warning signal (e.g. voice, bell, or mechanical or electrical signaling device), in sufficient time to allow response, before passing any user.
 - (10) Remove themselves and any equipment at least three (3) feet off the pathway when stopping, standing or parking.

(Ord. No. 3186, § 2, 8-31-98)

Sec. 17-100. Prohibitions.

- (a) No person shall operate, use or place any vehicle or device with an attached motor or power unit, whether or not it is operation, upon a multiuse path or within three (3) feet of a multiuse path. This subsection shall be inapplicable to the use and operation of a motorized wheelchair by a person who ordinarily uses such equipment. It shall also be inapplicable to city employees or others authorized by the city to perform inspection, repair or maintenance work, and to persons providing emergency medical or veterinary services, in the performance of their official or professional duties.

(b) No person shall willfully throw, deposit or cause to be thrown or deposited, upon any multiuse path any glass bottles, glass, nails, tacks, wires, cans or any other object, substance or debris, including animal waste. Any person who drops, or causes to be dropped, thrown or deposited upon a multiuse path any such material will immediately remove it or cause it to be removed.

(Ord. No. 3186, § 2, 8-31-98)

Sec. 17-100.1. Penalties.

A person who violates a provision of this division shall be punished as follows:

- (1) A violation of the provisions of subsections (b) and (c)(1--4) of section 17-99, above, shall constitute a civil offense, which shall be punishable by a civil sanction in an amount not to exceed one hundred fifty dollars (\$150.00).
- (2) A violation of any of the provisions of section 17-100, above, shall be punishable as class 3 misdemeanors are punishable under state law.

(Ord. No. 3186, § 2, 8-31-98)

Sec. 17-100.2. Rules and regulations.

The city manager, or designee, may adopt and post rules and regulations which the manager or designee deems reasonably necessary for the full and safe enjoyment of multiuse paths by users.

(Ord. No. 3186, § 2, 8-31-98)