

Chapter 3

Bicycles

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Part 1**Licensing and Operation****§3-101. Definition.**

Bicycle - a device having two tandem wheels of a diameter not less than 10 inches and propelled by human power.

Street - includes all public highways, boulevards, streets, lanes, alleys and all public places within the Borough of Shillington.

(Ord. 737, 3/8/1984, §1)

§3-102. Registration.

1. No person shall ride or operate a bicycle upon any public street within the Borough of Shillington unless said bicycle has been properly registered, tagged and licensed as hereinafter provided.

A. The Borough Police Department is hereby authorized and directed to issue, upon application, bicycle licenses which shall be effective for the period of the ownership of the bicycle by the applicant.

B. Every owner of a bicycle residing within the Borough of Shillington shall list and register said bicycle with the Police Department of the Borough at the Borough Hall, or at such other place or places as may be designated for that purpose from time to time by the Borough Council, and shall make application for such registration to the Borough Police Department on a form to be provided by it for that purpose. If the owner be a minor under the age of 18 years, then his parents or one of them, or if said minor does not reside with his parents, or either of them, then the adult person having the care of said minor or the adult person with whom said minor resides, shall make such application and registration thereof on behalf of said minor owner. [Ord. 1025]

C. Registrations of bicycles shall be serially numbered and kept on file by the Borough Police Department in its office as a public record.

D. The Borough Police Department, upon receiving proper registration of a bicycle, shall affix, or cause to be affixed, to the rear mudguard, frame or other rear portion of the bicycle an identification tag or sticker serially numbered to correspond to the bicycle registration, in such position as to be plainly visible from the rear. A registration card shall be issued to the owner of each properly registered bicycle.

E. There shall be no charge made for the initial registration and tagging of bicycles; however, a charge in an amount as established from time to time by resolution of the Borough Council shall be made for the issuance of duplicate registration cards and/or tags or stickers. All charges for duplicate registrations shall be paid to the Borough Police Department at the time of such issuance of the duplicate registration or transfer of registration. [Ord. 1025]

F. It shall be the duty of the owner to see that such tag or sticker is attached to the bicycle for which it is issued and that it remains attached thereto during the

effective period of such license.

G. The Borough Police Department shall keep a record of:

- (1) The number of each registration.
- (2) The date issued.
- (3) The name and address of the person to whom issued.
- (4) The make and number of each bicycle frame.
- (5) A record of all bicycle registration fees collected.

H. Within 5 days after sale, transfer or dismantling of any registered bicycle, such information shall be reported to the Borough Police Department and the registered owner shall return thereto the registration card issued to such person as licensee thereof, together with the name and address of the person to whom such bicycle was sold or transferred, if that be the case.

I. It shall be the duty of any purchaser or transferee of any registered bicycle to make application for new registration of such bicycle and for a new tag or sticker within 5 days after such sale or transfer.

J. Every person engaged in the business of buying or selling new or second-hand bicycles in the Borough of Shillington shall make a report within 5 days to the Borough Police Department:

- (1) Of every bicycle purchased or sold by said dealer, giving the name and address of the person from whom purchased or to whom sold.
- (2) A description of such bicycle by name or make.
- (3) The frame number thereof.
- (4) The number of the identification plate, if any, found thereon.

K. A rental agency shall not rent or offer any bicycle for rent unless the bicycle is properly registered and tagged and unless such bicycle is provided with the equipment required under the terms of this Part.

L. It shall be unlawful for any person to willfully or maliciously remove, destroy, mutilate or alter the identification tag or sticker, frame number of the bicycle, or the registration card issued to the owner thereof.

(Ord. 737, 3/8/1984, §2; as amended by Ord. 1025, 10/14/2004)

§3-103. Examination of Applicant.

1. Before issuing a bicycle registration the applicant shall be required to demonstrate personally, in such manner as the Chief of Police or an officer assigned such duty shall direct, that he or she is the proper person and is capable of riding a bicycle; further, such applicant shall satisfactorily pass an oral examination to determine his knowledge of safe riding rules and practices as this Part and as the Chief of Police may from time to time prescribe.

2. If the owner of a bicycle is a minor for whom an application is made by an adult, as hereinbefore provided, the minor shall be deemed the applicant for the purpose of this Section.

(Ord. 737, 3/8/1984, §3)

§3-104. Inspection.

The Chief of Police, or his duly authorized representative, shall inspect each bicycle presented for registration, and shall refuse to license any bicycle found to be in an unsafe condition mechanically or lacking the equipment specified as necessary under the terms of this Part.

(*Ord. 737, 3/8/1984, §4*)

§3-105. Equipment.

1. Every bicycle operated upon a public street at any time during the period of 1 hour after sunset to 1 hour before sunrise and at any other time when there is not sufficient light under normal atmospheric conditions to render clearly discernible persons and vehicles on the street at a distance of 300 feet ahead, shall be equipped with a lighted lamp on the front thereof, and shall also be equipped with a red reflector or lamp on the rear, exhibiting or reflecting a red light visible under like conditions from a distance of at least 300 feet to the rear of such bicycle. Said reflector or lamp on the rear shall be of a diameter of at least 1½ inches.

2. No bicycle shall be registered nor shall any person operate a bicycle upon the public streets of the Borough of Shillington unless the same is equipped with a mechanical braking device in good working condition, with a bell, horn, or other warning device in good working condition (excepting sirens of all types which are forbidden and shall be unlawful hereunder), and unless the mechanical parts of the bicycle shall be in good working condition.

(*Ord. 737, 3/8/1984, §5*)

§3-106. Operation.

1. A bicycle shall be operated only on the roadway or streets and as near to the right-hand side as possible. Bicycles shall not be operated on sidewalks in the Borough of Shillington. This provision shall, however, not apply to a child under 10 years of age operating a bicycle in the purely residential part of the Borough under the control or guidance of his parent or responsible person.

2. The operator of a bicycle shall obey all official traffic signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.

3. The operator of a bicycle emerging from a driveway or building shall yield the right-of-way to all pedestrians on the sidewalk and to all vehicles on the roadway.

4. The operator of a bicycle shall not carry any other person upon the handle bar, frame or any part of the bicycle. This provision shall not be construed to prohibit the use of bicycles built to be operated by two or more persons.

5. The operator of a bicycle shall not indulge in any abnormal or trick riding and shall keep at least one hand on the handle bars at all times when in use.

6. Operators of bicycles shall not ride in any manner other than single file except on paths or parts of roadway set aside for the exclusive use of bicycles.

7. Operators of bicycles shall not hitch onto vehicles or motor buses upon a roadway.

8. The operator of a bicycle shall park same upon the roadway at the curb; or,

upon the sidewalk in a rack to support the bicycle; or against a building, except windows or glass doors thereof, in such manner as to afford the least obstruction to pedestrians or vehicular traffic.

(Ord. 737, 3/8/1984, §6)

§3-107. Operator Must Abide by Applicable Traffic Rules.

It shall be unlawful for the operator of a bicycle to violate any traffic rules or ordinances of the Borough of Shillington or of the Commonwealth of Pennsylvania that are applicable to bicycles or to motor vehicles.

(Ord. 737, 3/8/1984, §7)

§3-108. Determination of Child's Competence.

1. It shall be unlawful for the owner of a bicycle to permit any child to operate his bicycle upon a public street of the Borough of Shillington unless such child or person is capable of operating a bicycle with safety to himself and the public generally.

2. If a child shall have satisfactorily passed an oral examination given by the Police Department of the Borough of Shillington to determine his ability to ride a bicycle, and to determine his knowledge of safe riding rules and practices prescribed under this Part, the passing of such examination shall be prima facie evidence under this Part of the ability of such child, to operate a bicycle with safety.

(Ord. 737, 3/8/1984, §8)

§3-109. Applicability to Nonresidents.

Any bicycle owned and operated by a nonresident of the Borough of Shillington shall not be required to be registered under the provisions of this Part, but shall be subject to all other provisions of this Part.

(Ord. 737, 3/8/1984, §9)

§3-110. Violations.

1. If the owner or operator of a bicycle required to be registered under the terms of this Part shall violate any of the provisions of this Part contained in §3-105 through §3-108, the registration card issued pursuant to this Part for such bicycle shall be revoked by the Borough Police Department for a period not exceeding 15 days on the first offense in any given calendar year, and for a period not exceeding 30 days each, for the second and third offense occurring during any given calendar year. In the event a person be found in violation of more than three such offenses in any calendar year, the person's registration card may be revoked for the remaining period of that calendar year. The Borough Police Department shall be solely responsible for making a determination of whether a violation has been committed under the terms thereof for the purpose of suspension or revocation of operating privileges. Any party aggrieved by such determination shall have a right to appeal the decision to the Borough Council for a hearing on such charge and suspension. The Council's decision shall be final.

2. Any person, firm or corporation violating §3-102.2, .8, .9, .10, .11 and .12, of this Part shall, upon conviction thereof, be subject to a fine of not less than \$5 nor more than \$25 together with the costs of prosecution.

3. Any person violating any other provisions of this Part shall, upon conviction thereof, in addition to the penalties provided for in subsection .2, be subject to a fine not to exceed \$1,000 and costs and, in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days. [*Ord. 1025*]

(*Ord. 737, 3/8/1984, §10; as amended by Ord. 1025, 10/14/2004*)

§3-111. Disposition of Money.

All moneys payable as registration fees or fines, hereunder, shall be payable to the Borough Treasurer of the Borough of Shillington to be deposited in the Borough's General Fund.

(*Ord. 737, 3/8/1984, §11*)

