

St Charles County, Missouri - Suggested Updates to County Bicycle Ordinances

This draft proposal is offered by the Missouri Bicycle & Pedestrian Federation as a starting point for discussion and an example of reform of the county's bicycle laws which will address several important safety issues while avoiding conflict with existing state bicycle law. Suggested changes are in bold. ~~Strikeout~~ indicates words to be omitted and underline indicates words to be added.

This suggested language is intended to harmonize the county's bicycle ordinance with state vehicle code.

SECTION 250.230: BICYCLING

A. Bicycle defined. The word bicycle shall mean every vehicle propelled solely by human power upon which any person may ride, having two tandem wheels, or two parallel wheels and one or two forward or rear wheels, all of which are more than fourteen inches in diameter, except scooters and similar devices.

AB. *Where Allowed.* A person may only ride a bicycle on ~~the right hand side of~~ a vehicular road ~~of~~ or on the right-hand side of a trail or path designated and posted for that purpose. A bicyclist shall be permitted to wheel or push a bicycle by hand over any grassy, paved or wooded area or trail reserved and posted for pedestrian or other specified use.

Reason: Requirement to ride on "the right hand side" of the roadway is clarified and qualified in subsection D below, so it is superfluous and partially contradicts subsection D if that phrase is included here as well. "Of" seems to be a typo and "or" the intended meaning.

B. Operation. ~~Bicyclists shall, at all times, operate their bicycles with reasonable regard to the safety of others, signal all turns and stops and pass to the right of any vehicles they may be meeting.~~

Reason: This section is removed because each point of bicycle operation that it covers is covered by new sections, mirroring state law, below. Signaling is specifically covered below in subsection G; safe operation is required by subsection C (by reference to section 304.012, "Careful and prudent driving"); riding to the right-hand side of the road is required by subsection D.

C. Rights and duties of bicycle and motorized bicycle riders. Every person riding a bicycle upon a street or highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle as provided by chapters 300 and 304 of this code, except as to special regulations in this section and except as to those provisions of chapters 300 and 304 of this code, which by their nature can have no application.

D. Riding to right, required for bicycles and motorized bicycles. Every person operating a bicycle or motorized bicycle at less than the posted speed or slower than the flow of traffic upon a street or highway shall ride as near to the right side of the roadway as safe, exercising due care when passing a standing vehicle or one proceeding in the same direction, except when making a left turn, when avoiding hazardous conditions, when the lane is too narrow to share with another vehicle or when on a one-way street. Bicyclists may ride abreast when not impeding other vehicles.

Note: This addresses one of the main concerns of commissioners, by specifically requiring bicyclists to single up when other vehicles approach from the rear.

It addresses another specific concern by requiring bicyclists to ride as far to the right as safe.

E. Shoulder riding, allowed but not required for bicyclist operators (1) A person operating a bicycle at less than the posted speed or slower than the flow of traffic upon a street or highway may operate as described in subsection D, or may operate on the shoulder adjacent to the roadway. (2) A bicycle operated on a roadway, or the shoulder adjacent to a roadway, shall be operated in the same direction as vehicles are required to be driven upon the roadway. (3) For purposes of this section, "roadway" means that portion of a street or highway ordinarily used for vehicular travel, exclusive of the berm or shoulder.

Note: Most shoulders of roads in Missouri are completely unsuitable or even dangerous for bicycling. Thus state law gives bicyclists the option of using the shoulder when available but specifically allows bicyclists to use the main roadway even when shoulders are present—so county law can't go beyond that in its requirements.

F. Riding bicycle on sidewalks (1) No person shall ride a bicycle upon a sidewalk within a business district;
(2) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian;
(3) No person shall ride a motorized bicycle upon a sidewalk.

Note: This prohibits specific actions by bicyclists which have become a problem in many areas of the state and which are dangerous.

G. Bicyclists may signal right turn with right arm. The operator of a bicycle shall signal as required in section 304.019, except that a signal by the hand and arm need not be given continuously if the hand is needed to control or operate the bicycle. An operator of a bicycle intending to turn the bicycle to the right shall signal as indicated in section 304.019 or by extending such operator's right arm in a horizontal position so that the same may be seen in front and in rear of the vehicle.

H. Operation At Night. Any person riding a bicycle on any road, trail or path between thirty (30) minutes before sunset and thirty (30) minutes after sunrise shall have an attached headlight on the bicycle which is plainly visible at least five hundred (500) feet in front of the bicycle and shall have a red tail light or red reflector on the bicycle which is plainly visible from at least five hundred (500) feet from the rear of such bicycle.

I. Brakes required. Every bicycle and motorized bicycle shall be equipped with a brake or brakes which will enable its driver to stop the bicycle or motorized bicycle within twenty-five feet from a speed of ten miles per hour on dry, level, clean pavement.

Note: This is another basic safety requirement that is not covered by current St Charles County law

J. Riding bicycles, sleds, roller skates, by attaching to another vehicle, prohibited. No person riding upon any bicycle, motorized bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.

Note: This is a specific and very dangerous practice which is not prohibited by current county law.

K. Penalty for violation. Any person seventeen years of age or older who violates any provision of this section is guilty of an infraction and, upon conviction thereof, shall be punished by a fine of not less than five dollars nor more than twenty-five dollars. Such an infraction does not constitute a crime and conviction shall not give rise to any disability or legal disadvantage based on conviction of a criminal offense. If any person under seventeen years of age violates any provision of this section in the presence of a peace officer possessing the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, said officer may impound the bicycle or motorized bicycle involved for a period not to exceed five days upon issuance of a receipt to the child riding it or to its owner.

Remark: This is the penalty for bicycle-related infractions currently in force under state law. The county may wish to fit the bicycle infractions into its own penalty system. Many municipalities provide for a 'diversion program' where bicyclists are sent for safety education training in lieu of paying a fine.



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