

**§5-601 BICYCLES; DEFINITION.** For the purpose of this, Article, the term "bicycle" shall mean every device propelled solely by human power, upon which any person may ride, and having two tandem wheels either of which is more than fourteen inches in diameter. (Ref. 60-611 RS Neb.)

**§5-602 BICYCLES; TRAFFIC LAWS APPLIED TO PERSONS RIDING.** (1) Any person who rides a bicycle upon any roadway shall have all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle under this chapter of the City Code of the City of Crete, except for special bicycle regulations and except for those provisions of this Code which by their very nature can have no application.

(2) Regulations applicable to bicycles shall apply whenever a bicycle shall be operated upon any highway or upon any path set aside by the City of Crete with the exclusive use of bicycles. (Ref. 60-6,314 RS Neb.)

**§5-603 BICYCLES; RIDING OF; PROHIBITED ACTS.** (1) Any person who rides a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

(2) Any person who rides a bicycle shall not remove his or her feet from the pedals and shall have at least one hand on the handlebars at all times.

(3) Any person who rides a bicycle shall not carry any package, bundle, or article that prevents such operator from keeping at least one hand upon the handle bars.

(4) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped. (Ref, 60-6,315 RS Neb.)

**§5-604 BICYCLES; CLINGING TO VEHICLES; PROHIBITED.** Any, person who rides any bicycle shall not attach himself, herself, or the bicycle to any vehicle upon a roadway. (Ref. 60-6,316 RS Neb.)

**§5-605 BICYCLES; GENERAL RULES; REGULATIONS.** (1) Any person who operates a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under conditions then existing shall ride as near to the right-hand curb or right-hand edge of the roadway as practical except when:

(a) Overtaking and passing another bicycle proceeding in the same direction;

(b) Preparing for a left turn onto a private road or driveway or at an intersection;

(c) Reasonably necessary to avoid conditions that make it unsafe to continue along the right-hand curb or right-hand edge of the roadway, including fixed or moving objects, stopped or moving vehicles, bicycles, pedestrians, animals, or service hazards;

(d) Riding upon a lane of substandard width which is too narrow for a bicycle and a vehicle to travel safely side by side within the lane; or

(e) Lawfully operating a bicycle on the paved shoulders of a highway included in the state highway system.

Any person who operates a bicycle upon a roadway with a posted speed limit of thirty five miles per hour or less on which traffic is restricted to one direction of movement and which has two or more marked traffic lanes may ride it as near to the left hand curb or left-handed edge of the roadway as practicable. Whenever a person operating a bicycle leaves the roadway to ride on the paved shoulder or leaves the paved shoulder to enter the roadway, the person shall clearly signal his or her intention and yield the right-of-way to all other vehicles.

(2) Any person who operates a bicycle upon a highway shall not ride more than single file except on paths or parts of highways set aside for the exclusive use of bicycles. (Ref. 60-6,317 RS Neb.)

**§5-606 BICYCLES; EQUIPMENT; LIGHTS AND BRAKES.** (1) When in use at nighttime, a bicycle shall be equipped with a light visible from a distance of at least five hundred feet to the front on a clear night and with a red reflector on the rear which is visible on a clear night for all distances between one hundred feet and six hundred feet to the rear when directly in front of lawful lower beams of headlights on a motor vehicle. A red light visible from a distance of five hundred feet to the rear may be used in addition to such red reflector.

(2) Any bicycle used on a highway shall be equipped with a brake or brakes which will enable the operator to stop the bicycle within twenty-five feet of the point of breaking when moving at a speed of ten miles per hour on dry, level, clean pavement. (Ref. 60-6,318 RS Neb.)

**§5-607 BICYCLES; TURNING; SIGNALING.** Every person riding or propelling a bicycle upon any street or public highway shall properly signal prior to turning at intersections. (Ref. 60-6,317 RS Neb.)

**§5-608 BICYCLES; RIDING ON SIDEWALKS.** No person shall ride a bicycle upon a sidewalk within the business district. No person ten (10) or more years of age shall ride a bicycle on any sidewalk within the municipality. Whenever any person is riding a bicycle on a sidewalk, such a person shall yield the right of way to the pedestrian. (Ref. 60-6,317 RS Neb.)

**§5-609 BICYCLES; PARKING.** No person shall park any bicycle upon any road or highway, sidewalk or against any building in such a manner that obstructs vehicular or pedestrian traffic. (Ref. 60-6,317 RS Neb.)

**§5-610 BICYCLES; LICENSE.** It shall be unlawful for any person to operate a bicycle within the municipality unless said bicycle has been properly licensed by the Municipal Police. Upon receipt of proper application, the Municipal Police shall affix a license tag to the frame of the bicycle in a substantial manner. The removal of such tag, except by the Municipal Police, shall be unlawful. (Ref. 60-6,317; 60680(h) RS Neb.)

**§5-611 BICYCLES; TRANSFER OF OWNERSHIP.** Upon the sale or other transfer of a licensed bicycle, the licensee shall make application to the Municipal Police for a new bicycle license. The new license tag will be affixed over the previous license tag. (Ref. 60-6,317 RS Neb.)

**§5-612 BICYCLES; RENTAL AGENCIES.** A rental agency shall not rent, or offer any bicycle for rent unless the bicycle is licensed and a license tag has been affixed thereto as provided herein and such bicycle is equipped with the lights, reflectors and others equipment required by this code. (Ref. 60-6,317 RS Neb.)

**§5-613 BICYCLES; PENALTIES.** Every person who violates any provision of this article shall be required to attend and successfully complete a bicycle safety program presented by the Municipal Police at the time and place designated by the Chief of Police. (Ref. 60-6,317 RS Neb.)

**§5-614 CLINGING TO MOTOR VEHICLE.** No person riding upon any bicycle, coaster, roller skates, sled, skis, or toy vehicle shall attach himself or the bicycle, coaster, roller skates, sled, skis, or toy vehicle to any vehicle upon a roadway, and it shall be unlawful for the driver of any vehicle to suffer or permit any person riding upon any bicycle, coaster, roller

skates, sled, skis, or toy vehicle to cling or attach himself or the bicycle to such vehicle driven and operated by him. (Ref. 60-6,316 RS Neb.)

**§5-615 MOPEDS; DEFINED.** For the purposes of this Article, moped shall mean a bicycle with fully operative pedals for propulsion by human power, an automatic transmission, and a motor with a cylinder capacity not exceeding fifty (50cc) cubic centimeters, which produces no more than two (2) brake horsepower and is capable of propelling the bicycle at a maximum design speed of no more than thirty (30 m.p.h.) miles per hour on level ground. Mopeds, their owners, and their operators, shall be subject to Chapter 60, Article 4, R.R.S. of Nebraska, 1943, and amendments thereto, but shall be exempt from the requirements of Chapter 60, Articles 1, 3, 5, and 17, R.R.S. of Nebraska, 1943 and amendments thereto. (Ref. 60-6,309 RS Neb.)

**§5-616 MOPEDS; OPERATOR'S LICENSE REQUIRED.** No person shall operate a moped upon the streets, alleys, or highways within the Municipality unless such person has (1) a valid Class 0 operator's license or (2) a valid school or learner's permit. (Ref. 60-6,310 RS Neb.)

**§5-617 MOPEDS; TRAFFIC REGULATIONS APPLICABLE.** Any person who rides a moped upon a roadway shall have all of the rights and shall be subject to all of the duties applicable to the driver of a motor vehicle under Chapter 5 of this Code and sections 39-601 to 39-6,122 R.R.S. of Nebraska 1943 and amendments thereto, except for those provisions of such sections which by their nature can have no application. Such regulations applicable to mopeds shall apply whenever a moped shall be operated upon any street, alley, or public highway within the Municipality or upon any path set aside by the Department of Roads or local authority, for the use of mopeds. Notwithstanding any established maximum speed limits in excess of twenty-five (25 m.p.h.) miles per hour, no person shall operate any moped at a speed in excess of thirty (30 m.p.h.) miles per hour. (Ref. 60-6,311 RS Neb.)

**§5-618 MOPEDS; OPERATION.** (1) Any person who operates a moped shall ride only upon a permanent and regular seat attached to the moped. A person operating a moped shall not carry any other person nor shall any other person ride on a moped unless such moped is designed by the manufacturer to carry more than one (1) person.

(2) A person shall ride upon a moped only while sitting astride the seat, facing forward.

(3) No person shall operate a moped while carrying any package, bundle, or other article which prevents him or her from keeping both hands on the handlebars.

(4) No operator shall carry any person, nor shall any person ride, in a position that interferes with the operation or control of the moped or the view of the operator.

(5) Any moped which carries a passenger shall be equipped with footrests for such passenger. (Ref. 60-6,312 RS Neb.)

**§5-619 MOPEDS; USE OF TRAFFIC LANES.** (1) A moped shall be entitled to full use of a traffic lane or any of any highway with an authorized speed limit of forty-five (45) miles per hour or less and no vehicle shall be operated in such a manner as to deprive any moped of the full use of such lane, except that mopeds and motorcycles may be operated two abreast in a single lane.

(2) No person shall operate a moped between lanes of traffic or between adjacent lines or rows of vehicles.

(3) Mopeds shall not be operated more than two (2) abreast in a single lane.

(4) Any person who operates a moped on a roadway with an authorized speed limit of more than forty-five (45) miles per hour shall ride as near to the right side of the roadway as practicable and shall not ride more than single file.

(5) No person who rides upon a moped shall attach himself, herself, or the moped to any other vehicle on a roadway.

(6) Mopeds shall not be operated on the sidewalks. (Ref. 60-6,313 RS Neb.)

**§5-620 MOPEDS; EQUIPMENT; FOOTRESTS; HANDLEBARS.** Any moped which carries a passenger shall be equipped with footrests for such passenger. No person shall operate any moped with handlebars more than fifteen inches (15") above the mounting point of the handlebars.

**§5-621 MOPEDS; EQUIPMENT; HELMETS.** Commencing January 1, 1989, a person shall not operate or be a passenger on a motorcycle or moped on any highway, as defined in Section §39-602 RS Neb., unless such person is wearing a protection helmet of the type and design manufactured for use by operators of such vehicles and unless such helmet is secured properly on his or her head with a chin strap while the vehicle is in motion. All such protective helmets shall be designed to reduce injuries to the

user resulting from head impacts and shall be designed to protect the user by remaining on the user's head, deflecting blows, resisting penetration, and spreading the force of impact. Each such helmet shall consist of lining, padding, visor, and chin strap and shall meet or exceed the standards established in the United States Department of Transportation's Federal Motor Vehicle-Safety Standard No. 218.49 C.F.R. 571.218, for motorcycle helmets. (*Amended by Ord. No. 1070, 2/21/89; 1442, 02/02/99*)