



APPENDIX E

SAMPLE ORDINANCE

Bicycle and Pedestrian Ordinance

CHAPTER <<insert number>>. - BICYCLES. –

ARTICLE 1. - GENERAL PROVISIONS.

§ <<insert number>> - DEFINITIONS.

In this chapter:

- (1) CHILD means a person younger than 17 years of age who has not been married or had the disabilities of minority removed for general purposes.
- (2) BICYCLIST means a person operating a bicycle.
- (3) PARENT means the natural or adoptive parent or court-appointed guardian or conservator of a child.

§ <<insert number>> - APPLICABILITY.

This chapter applies when a person operates a bicycle on a street or bicycle path.

ARTICLE 2. - BICYCLE TRAFFIC REGULATIONS.

§ <<insert number>> - APPLICABILITY OF VEHICLE TRAFFIC RULES.

Bicyclists shall comply with the requirements of this title imposed on a driver of a vehicle, to the extent that the requirements may be applied to operation of a bicycle.

§ <<insert number>> - OBEDIENCE TO TRAFFIC-CONTROL DEVICES.

- (A) A bicyclist shall obey the instruction of official traffic signals, signs, and other traffic-control devices applicable to vehicles, unless otherwise directed by a police officer.
- (B) Unless a bike lane is specifically designated otherwise, a bicyclist riding in a bike lane may not travel in the opposite direction of adjacent motor vehicles in the roadway.
- (C) A bicyclist shall obey traffic signs that prohibit a right, left, or "U" turn, except when the bicyclist dismounts from the bicycle to make the turn. A bicyclist who dismounts shall obey regulations applicable to pedestrians.

§ <<insert number>> - USE OF SIDEWALKS RESTRICTED.

- (A) A person may walk, run, or ride a bicycle on a sidewalk, pathway, or path.

§ <<insert number>> - EXITING FROM ALLEY, DRIVEWAY, OR BUILDING.

A bicyclist exiting from an alley, driveway, or building shall yield the right-of-way to a pedestrian on a sidewalk or sidewalk area, or to a vehicle on a roadway.

§ <<insert number>> - PARKING.

- (A) A person may not park a bicycle:

- (1) in a manner that obstructs pedestrian or vehicle traffic; or

- (2) in a space designated as a vehicle parking place or between two designated vehicle parking places.
- (B) A person may not attach or secure a bicycle to public or private property in a manner that may damage, impair, or render the property unusable.
- (C) A person may park a bicycle:
 - (1) against a street curb;
 - (2) in a bicycle rack on a sidewalk; or
 - (3) against a building.

§ <<insert number>> - RIDING RESTRICTIONS.

- (A) Except as otherwise directed by a traffic-control device or a police officer, a bicyclist shall ride:
 - (1) in the right-most lane available to vehicle traffic where vehicles are prohibited from parking along the right curb;
 - (2) in the center of the lane where vehicles are permitted to park along the right curb; or
 - (3) in the right-hand portion of an unlaned street.
- (B) A bicyclist may not ride a bicycle between vehicles traveling or standing in the same direction within marked lanes of a roadway.

§ <<insert number>> - RIDING ON RESTRICTED OR PROHIBITED STREETS.

A bicyclist may not ride a bicycle on a street where bicycle riding is prohibited or on a street during the hours that bicycle riding is prohibited on the street.

ARTICLE 3. - BICYCLE HELMETS.

§ <<insert number>> - HELMET REQUIRED.

- (A) A child may not operate or ride on a bicycle, sidecar, trailer, child carrier, seat, or other device attached to a bicycle unless the child is wearing a helmet.
- (B) A parent may not permit a child to operate or ride on a bicycle, sidecar, trailer, child carrier seat, or other device attached to a bicycle unless the child is wearing a helmet.
- (C) Under this section, a helmet must:
 - (1) be properly fitted and securely fastened to the child's head with the straps securely tightened;
 - (2) not be structurally damaged; and
 - (3) conform to the standards of the American National Standards Institute, the American Society for testing and Materials, the Snell Memorial Foundation, or a federal agency with regulatory jurisdiction over bicycle helmets at the time of the manufacture of the helmet.

§ <<insert number>> - APPROVAL OF STANDARDS.

- (A) The Woodlands Township Board approves the bicycle helmet standards promulgated by the American National Standards Institute, the American Society for Testing and Materials, and the Snell Memorial Foundation.
- (B) The Township clerk shall file a copy of the standards in effect on <<insert date>> in the clerk's office.

OPTIONAL ITEMS FOR FURTHER CONSIDERATION

§ <<insert number>> - PENALTY; ENFORCEMENT.

- (A) A person commits an offense if the person performs an act prohibited by this article or fails to perform an act required by this article.
- (B) An offense under this article is a Class C misdemeanor punishable by a fine not to exceed:
 - (1) <<insert dollar amount>> on a first conviction; and
 - (2) <<insert dollar amount>> on a subsequent conviction.
- (C) The court may dismiss a charge against a person for an offense under Section <<insert number>> (*Helmet Required*) on receiving proof that the defendant acquired a helmet for the child who was operating or riding a bicycle in violation of Section <<insert number>> (*Helmet Required*) on or before the 30th day after the citation was issued.
- (D) To promote the use of helmets, The Township Board encourages the court to consider deferred dispositions under Article 45.051 (*Suspension of Sentence and Deferral of Final Disposition*) of the Texas Code of Criminal Procedure where appropriate.

§ <<insert number>> - CIVIL ACTIONS.

- (A) The city council adopts this article to encourage bicycle safety through the use of helmets and through the promotion of educational efforts.
- (B) The city council does not intend this article to be used in a manner to prejudice a person, child, or parent in a civil action arising out of a bicycle accident. The council encourages construction of this article accordingly.