

**ORD2539-2018**  
**Summary of Changes in Title 21 - Traffic Code**

**2101.04 - Bicycle.**

"Bicycle" means a every device, other than a device designed solely for use as a play vehicle by a child, propelled solely by human power upon which a person may operate ~~ride~~ having either two (2) or more wheels, any of which is more than fourteen (14) inches in diameter.

**2101.041 - Bikeway.**

"Bikeway" means a facility that explicitly provides for bicycle and mobility device travel. A bikeway may vary from a completely separated facility to simple signed streets as follows:

(a) "Shared-use path" (Class I Bikeway) means a bikeway outside the traveled way and physically separated from motorized vehicular traffic by an open space or barrier and either within the street or highway right-of-way or within an independent alignment. A shared-use path also may be used by pedestrians, including skaters, joggers, users of manual and motorized wheelchairs, users of mobility devices and other authorized motorized and non-motorized users.

(b) "Bike lane" (Class II Bikeway) is a marked lane contiguous to a travel lane within a roadway for the exclusive or semi-exclusive operation of bicycles and mobility devices in the same direction as the adjacent travel lane. The bike lane is physically separated from motor vehicle traffic by painted lines, pavement coloration, curbing, parked vehicles or other barriers. (c) "Bike route" (Class III Bikeway) utilizes existing streets and roads. No separation of motor vehicle and bicycle and mobility device traffic is provided as only signs are present to indicate the course of the bike route.

(c) "Bike Boulevards and Sharrows" (Class III Bikeway) utilize existing streets and roads with no separation of motor vehicle and bicycle and/or mobility device traffic provided. Pavement markings or signage is present to indicate the course of the bikeway only.

**2101.042 - Bike crossing.**

"Bike crossing" means any portion of a roadway at an intersection or elsewhere, distinctly indicated for bicycle or mobility device crossing by lines or other markings on the surface and signs.

**2101.061 - Children's non-motorized vehicle**

"Children's non-motorized vehicle" means any child's wheeled device, including a bicycle that is under thirty (30) inches of handlebar height and operating at less than five (5) miles per hour, that is operator-propelled by human power in, upon, or by which any person may be transported upon a street, highway, sidewalk, or public or private property used for vehicular or

pedestrian travel or parking; except that "non-motorized vehicle" does not include any wheelchair, any personal assistive mobility device, or any device that is used exclusively upon stationary rails or tracks. "Non-motorized vehicle" would include, but is not limited to, children's bicycles with or without training wheels, roller skates, in-line skates, rollerblades, skateboards, unicycles, tricycles, quad cycles scooters.

#### **2101.115 – E-Bike.**

"E-Bike" means a two-wheeled device that has handlebars, a seat, and pedals designed to be operated similar to a bicycle, and is powered by electricity. The electricity is stored on board in a rechargeable battery.

#### **2101.116 – E-Scooter.**

"E-scooter" means a two-wheeled device that has handlebars, a floor board, designed to be stood upon when operating and is powered by electricity. The electricity is stored on board in a rechargeable battery.

#### **2101.165 - Holidays.**

Holidays shall include the following specific days of the year: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, ~~Columbus Day~~, Veterans' Day, Thanksgiving Day and Christmas Day.

#### **2101.186 – Mobility Device.**

"Mobility device" means a small motorized or electronic device, such as an e-scooter, e-bike or other similar device as determined by the Director of Public Service. A mobility device does not include those designed solely for use by a child, or those used as assistive mobility devices by persons with disabilities.

#### **2101.195 - Motorized bicycle or moped.**

"Motorized bicycle" or "moped" means ~~any vehicle having either two tandem wheels or one wheel in front and two (2) wheels in the rear,~~ a vehicle that is capable of being pedaled and is equipped with a helper motor of not more than fifty (50) cubic centimeters piston displacement which produces no more than one (1) brake horsepower and is capable of propelling the vehicle at a speed of no greater than twenty (20) miles per hour on a level surface.

#### **2101.375 Snowmobile**

"Snowmobile" means any self-propelled vehicle designed primarily for use on snow or ice, and steered by skis, runners, or caterpillar treads.

#### **2101.51 - Vehicle.**

"Vehicle" means every device, including a motorized or non-motorized bicycle, in, upon or by which any person or property may be transported or drawn upon a street or highway, except that "vehicle" does not include any motorized wheelchair, any electric personal assistive mobility device, or any device that is used exclusively upon stationary rails or tracks, or any other device that is moved by human power. This includes bicycles, e-bikes, e-scooters, motorized bikes, motor vehicles and snowmobiles.

### **2101.59 – Shared Mobility Device Vendors.**

"Shared mobility device vendors" means an entity approved by the Director of Public Service, or designee, to use/occupy the public right-of-way for offering mobility devices, such as a bicycle, a scooter, or electric bike or any other mobility device as determined by the Director of Public Service, to subscribers on a fee basis subscription.

### **2105.125 - Sidewalks and bikeways.**

The Director of Public Service is empowered to promulgate rules and regulations for the approval of site plans and capital improvement projects in order to provide for sidewalks and bikeways to increase pedestrian, ~~and~~ bicycle and mobility device safety, accessibility and the efficiency of pedestrian, ~~and~~ bicycle and other mobility device travel. Standards for such sidewalks and bikeways shall be at the discretion of the Director of Public Service.

### **2105.19 - Bike lanes, bike routes, bike parking and bike crossings.**

The Public Service Director shall:

- (a) Mark roadway pavement with painted lines, pavement coloration, symbols, curbing or other barriers to establish bikeways and bicycle parking on streets ~~according to the Bicentennial Bikeways Plan~~ as he or she may deem advisable in the interest of public safety;
- (b) Mark by appropriate signs, bikeways and bicycle parking on streets ~~according to the Bicentennial Bikeways Plan~~ as he or she may deem necessary in the interest of public safety; and
- (c) Mark by markings on the pavement and appropriate signs, bike crossings at such places on streets ~~according to the Bicentennial Bikeways Plan~~ as he or she may deem necessary in the interest of public safety.
- (d) The foregoing authority shall apply equally to other mobility devices.

### **2109.06 - Freeway use prohibited by pedestrians, bicycles, mobility device and animals.**

- (a) No person, unless otherwise directed by a police officer, shall:
  - (1) As a pedestrian, occupy any space within the limits of the right-of-way of a freeway, except: in a rest area, on a facility that is separated from the roadway and shoulders of the freeway and is designed and appropriately marked for pedestrian use, in the performance of public works or official duties, as a result of an emergency caused by an accident or breakdown of a motor vehicle, or to obtain assistance;
  - (2) Except in the performance of public works or official duty, occupy any space within the limits of the right-of-way of a freeway, with an animal-drawn vehicle; a ridden or led animal; herded animals; a pushcart; a bicycle or mobility device, except on a facility that is separated from the roadway and shoulders of the

freeway and is designed and appropriately marked for bicycle or mobility device use; a bicycle with motor attached; a motor driven cycle with a motor which produces not to exceed five brake horsepower; an agricultural tractor; or farm machinery;

(b) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded guilty to one (1) predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one (1) year of the offense, the offender previously has been convicted of two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

### **2131.03 - Overtaking, passing to left; driver's duties.**

- (a) The following rules govern the overtaking and passing of vehicles proceeding in the same direction:
- (1) The operator of a vehicle overtaking another vehicle proceeding in the same direction shall, except as provided in subsection (a)(3), signal to the vehicle to be overtaken, shall pass to the left thereof at a safe distance, and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.
  - (2) Except when overtaking and passing on the right is permitted, the operator of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle at the latter's audible signal, and the operator shall not increase the speed of the operator's vehicle until completely passed by the overtaking vehicle.
  - (3) The operator of a vehicle overtaking and passing another vehicle proceeding in the same direction on a divided street or highway as defined in [Section 2131.31](#), a limited access highway as defined in Section 5511.02 of the Ohio Revised Code or a highway with four (4) or more traffic lanes, is not required to signal audibly to the vehicle being overtaken and passed.
  - (4) When overtaking a bicycle or mobility device, the safe distance in subsection (a)(1) shall be no less than six (6) feet for the operator of a commercial trailer, commercial truck, semitrailer, trailer, or bus, except as provided in subsection (a)(5).
  - (5) When overtaking a bicycle or mobility device, the safe distance in subsection (a)(1) shall be no less than three (3) feet for a bus operated by a transit agency that has implemented a training program that promotes safe bus operation and any other motor vehicle except as provided in subsection (a)(4).
- (b) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded guilty to one (1) predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one (1) year of the offense, the offender previously has been convicted of two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

#### **2131.08 - Driving within lanes or continuous lines of traffic.**

- (a) Whenever any roadway has been divided into two (2) or more clearly marked lanes for traffic, or whenever traffic is lawfully moving in two (2) or more substantially continuous lines in the same direction, the following rules apply:
  - (1) A vehicle shall be driven, as nearly as is practicable, entirely within a single lane or line of traffic and shall not be moved from such lane or line until the driver has first ascertained that such movement can be made with safety.
  - (2) Upon a roadway which is divided into three (3) lanes and provides for two (2) way movement of traffic, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or when preparing for a left turn, or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is posted with signs to give notice of such allocation.
  - (3) Official signs may be erected directing specified traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway, and drivers of vehicles shall obey the directions of such signs.
  - (4) Official traffic control devices may be installed prohibiting the changing of lanes on sections of roadway and drivers of vehicles shall obey the directions of every such device.
  - (5) Except as provided in [Section 2173.105](#), the driver of a motor vehicle shall not drive upon any on-street path or lane designated by official signs or markings for the exclusive use of bicycles or mobility devices or otherwise drive or place the vehicle in such a manner as to impede bicycle or mobility device traffic on such path or lane.
- (b) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded guilty to one (1) predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one (1) year of the offense, the offender previously has been convicted of two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

#### **2131.14 - Signals before changing course, turning or stopping.**

- (a) No person shall turn a vehicle or move right or left upon a street or highway unless and until such person has exercised due care to ascertain that the movement can be made with reasonable safety nor without giving an appropriate signal in the manner hereinafter provided.

When required, a signal of intention to turn or move right or left shall be given continuously during not less than the last one hundred (100) feet traveled by the vehicle before turning, except that in the case of a person operating a bicycle or mobility device, the signal shall be made not less than one time but is not required to be continuous. A bicycle or mobility device operator is not required to make a signal if the bicycle is in a designated turn lane, and a signal shall not be given when the operator's hands are needed for the safe operation of the bicycle or mobility device.

No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give a signal.

Any stop or turn signal required by this section shall be given either by means of the hand and arm, or by signal lights that clearly indicate to both approaching and following traffic intention to turn or move right or left, except that any motor vehicle in use on a street or highway shall be equipped with, and the required signal shall be given by, signal lights when the distance from the center of the top of the steering post to the left outside limit of the body, cab, or load of such motor vehicle exceeds twenty-four (24) inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen (14) feet, whether a single vehicle or a combination of vehicles.

The signal lights required by this section shall not be flashed on one side only on a disabled vehicle, flashed as a courtesy or "do pass" signal to operators of other vehicles approaching from the rear, nor be flashed on one side only of a parked vehicle except as may be necessary for compliance with this section.

- (b) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded guilty to one (1) predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one (1) year of the offense, the offender previously has been convicted of two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

#### **2131.15 - Hand and arm signals.**

- (a) Except as provided in division of this section, all signals required by this Traffic Code, when given by hand and arm shall be given from the left side of the vehicle in the following manner, and such signals shall indicate as follows:
  - (1) Left turn: Hand and arm extended horizontally;
  - (2) Right turn: Hand and arm extended upward;
  - (3) Stop or decrease speed: Hand and arm extended downward.
- (b) As an alternative to division (a)(2) of this section, a person operating a bicycle or mobility device may give a right turn signal by extending the right hand and arm horizontally and to the right side of the bicycle or mobility device.



- (c) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded guilty to one (1) predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one (1) year of the offense, the offender previously has been convicted of two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

### **2131.43 – Prohibitions against earphones**

- (a) No person shall operate a motor vehicle, bicycle or mobility device while wearing earphones over, or earplugs in, both ears. As used in this section, "earphones" means any headset, radio, tape player, or other similar device that provides the listener with radio programs, music, or other recorded information through a device attached to the head and that covers all or a portion of both ears. "Earphones" does not include speakers or other listening devices that are built into protective headgear.
- (b) This section does not apply to:
1. Any person wearing a hearing aid;
  2. Law enforcement personnel while on duty;
  3. Fire Department personnel and emergency medical service personnel while on duty;
  4. Any person engaged in the operation of equipment for use in the maintenance or repair of any highway;
  5. Any person engaged in the operation of refuse collection equipment.
- (c) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded guilty to one (1) predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one (1) year of the offense, the offender previously has been convicted of two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

## **Chapter 2173 - BICYCLES, MOTORCYCLES, AND MOBILITY DEVICES ~~AND CHILDREN'S NON-MOTORIZED VEHICLES~~**

### **2173.01 - Code application to bicycles and mobility devices, ~~and children's non-motorized vehicles.~~**

- (A) The provisions of this Traffic Code that are applicable to bicycles and mobility devices apply whenever a bicycle or mobility device is operated upon any street or highway or upon any shared-use path within the public right-of-way as defined in section 910.01 (P) of the Columbus City Code or easement adjacent thereto or however specifically provided for in Chapter 2173.

- (B) The provisions of this Traffic Code, ~~except those that by their nature are inapplicable~~ shall apply to bicycles and mobility devices ~~except those which by their nature are not applicable~~, and any person operating a bicycle or mobility devices on a street shall comply with all operational rules and traffic control devices applicable to vehicular traffic, whenever possible.
- (C) Except as provided in division (E) of this section, a bicycle or mobility device operator who violates any section of the Traffic Code that is applicable to bicycles and mobility devices may be issued a ticket, citation, or summons by a law enforcement officer for the violation in the same manner as the operator of a motor vehicle would be cited for the same violation. A person who commits any such violation while operating a bicycle or mobility device shall not have any points assessed against the person's driver's license, commercial driver's license, temporary instruction permit, or probationary license under Chapter 4510 of the Ohio Revised Code.
- (D) Except as provided in division (E) of this section, in the case of a violation of any section of the Traffic Code by a bicycle operator, a mobility device operator or by a motor vehicle operator when the Trier of fact finds that the violation by the motor vehicle operator endangered the lives of bicycle riders or mobility device operators at the time of the violation, the court, notwithstanding any provision of the Revised Code or the Columbus City Code to the contrary, may require the bicycle operator, mobility device operator or motor vehicle operator to take and successfully complete a ~~bicycling~~ skills course approved by the court in addition to or in lieu of any penalty otherwise prescribed for that violation.
- (E) Divisions (C) and (D) of this section do not apply to violations of Section 2133.01 of the Columbus City Traffic Code.

#### **~~2173.015 – Definitions.~~**

~~(A) For purposes of this Chapter:~~

~~(1) "Snowmobile" means any self-propelled vehicle designed primarily for use on snow or ice, and steered by skis, runners, or caterpillar treads.~~

~~(2) "Children's non-motorized vehicle" means any child's wheeled device, including a bicycle that is under thirty (30) inches of handlebar height and operating at less than five (5) miles per hour, that is operator propelled by human power in, upon, or by which any person may be transported upon a street, highway, sidewalk, or public or private property used for vehicular or pedestrian travel or parking; except that "non-motorized vehicle" does not include any wheelchair, any personal assistive mobility device, or any device that is used exclusively upon stationary rails or tracks. "Non-motorized vehicle" would include, but is not limited to, children's bicycles with or without training wheels, roller skates, in-line skates, rollerblades, skateboards, unicycles, tricycles,~~



~~quad cycles scooters.~~

(3) "Operate" means to cause or have caused movement of a vehicle or a non-motorized vehicle.

**2173.02 - Rules for bicycles, motorcycles, mobility devices, and snowmobiles, ~~and children's non-motorized vehicles.~~**

- (A) A person operating or riding upon a bicycle, motorcycle or mobility device with a permanent and regular seat attached thereto shall not ride other than upon or astride such seat, nor carry any other person upon the same other than upon a separate firmly attached and regular seat thereon. A person operating a mobility device without a permanent and regular seat attached thereto shall not ride other than standing upon the footboard. ~~A person operating a bicycle shall not ride other than upon or astride the permanent and regular seat attached thereto, and a person operating a motorcycle shall not ride other than upon the permanent and regular seat attached thereto. , nor carry any other person upon \_\_such bicycle or motorcycle other than upon a firmly attached and regular seat thereon, nor shall any person ride upon a bicycle, or motorcycle other than upon such a firmly attached and regular seat.~~

A person shall ride upon a motorcycle only while sitting astride the seat, facing forward, with one leg on each side of the motorcycle.

No person operating a bicycle or a mobility device shall carry any package, bundle, or article that prevents the driver from keeping at least one (1) hand upon the handle bars.

No person operating a mobility device should do so on any streets if the posted speed limit is over 35 mph unless in a dedicated bike lane or shared use path.

No person operating a mobility device shall exceed a speed at greater than 20 miles per hour.

No person under the age of sixteen (16) shall operate a mobility device upon any street or highway or any public or private property used by the public for purposes of vehicular travel or parking except on a shared use path.

No person operating a bicycle, mobility device or motorcycle shall carry more persons ~~at one (1) time~~ than the number for which it is designed and equipped, nor shall any person operate a motorcycle on a street or highway when the handle bars or grips are more than fifteen (15) inches higher than the seat or saddle for the operator.

No person shall operate or be a passenger on a snowmobile or motorcycle without using safety glasses or other protective eye device. No person who is under the age of eighteen (18) years, or who holds a motorcycle operator's endorsement or license bearing a "novice" designation that is currently in effect as provided in Section

4507.13 of the Ohio Revised Code shall operate a motorcycle on a highway, or be a passenger on a motorcycle, unless wearing a protective helmet on the person's head, and no other person shall be a passenger on a motorcycle operated by such a person unless similarly wearing a protective helmet. The helmet, safety glasses, or other protective eye device shall conform with regulations prescribed and promulgated by the Ohio Director of Public Safety. The provisions of this paragraph or a violation thereof shall not be used in the trial of any civil action. Nothing in this section shall be construed as prohibiting the carrying of a child over the age of one (1) year but under the age of eighteen (18) years in a seat or trailer that is designed for carrying children and is firmly attached to the bicycle.

- (B) (1) No person under the age of eighteen (18) shall operate a bicycle, or mobility device ~~or children's non-motorized vehicle~~ within the City without wearing a protective helmet on the person's head, with the chin strap fastened under the person's chin. Such helmet shall be fitted to the size of the operator's head and shall meet or exceed the standards set forth by the U.S. Consumer Product Safety Commission (CPSC).

No person the age of one (1) or older but under the age of eighteen (18) shall ride as a passenger on a bicycle, or mobility device ~~or non-motorized vehicle~~ equipped with a firmly attached passenger seat or astride a regular seat on a tandem bicycle, within the City without wearing a protective helmet on the person's head, with the chin strap fastened under the person's chin. Such helmet shall be fitted to the size of the operator's head and shall meet or exceed the standards set forth by the U.S. Consumer Product Safety Commission (CPSC). Failure to wear a protective helmet as required in this division shall not be considered to be comparative or contributory negligence on the part of the parent, guardian, custodian, person having custody or control, or person in loco parentis of a child nor on the part of the child nor shall such failure be admissible in any civil action.

(2) No person, who is the parent, guardian, custodian, person having custody or control, or person in loco parentis of a child under eighteen (18) years of age shall authorize or knowingly permit such child to violate any provision of this division.

- (C) (1) Except as otherwise provided in this division, whoever violates division (A) of this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded guilty to one (1) predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one (1) year of the offense, the offender previously has been convicted of two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

(2) Whoever violates division (B) of this section shall be fined no more than twenty-five dollars (\$25.00).

(D) The Director of Public Safety and the Chief of Police shall be responsible for enforcing division (B) of this section, and shall, as in all other enforcement actions, be afforded discretion and professional judgment in determining the appropriate enforcement action, including a verbal or written warning or the issuances of a summons.

~~(E) All fines collected for violations of division (B) of this section shall be deposited into the Bicycle Safety Fund.~~

### **2173.03 - Attaching bicycle, ~~or sled~~ to vehicle.**

(A) No person riding upon any motorcycle, bicycle, mobility device, coaster, roller skates, sled, or toy vehicle shall attach the same or him/herself to any vehicle upon a roadway. No operator shall knowingly permit any person riding upon any motorcycle, bicycle, mobility device, coaster, roller skates, sled or toy vehicle to attach the same or self to any vehicle while it is moving upon a roadway. This section does not apply to the towing of a disabled vehicle.

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded guilty to one (1) predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one (1) year of the offense, the offender previously has been convicted of two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

### **2173.04 – Bicycle and mobility device to be ridden ~~near right side of~~ in the roadway; riding bicycles and motorcycles abreast.**

(A) Every person operating a bicycle or mobility device upon a roadway shall ride in any bike lane or traffic lane ~~as near to the right side of the roadway as~~ where practicable, obeying all traffic rules applicable to vehicles and exercising due care when passing a standing vehicle or one proceeding in the same direction.

(B) Persons riding bicycles, mobility devices, or motorcycles upon a roadway shall ride not more than two (2) abreast in a single lane, except on shared-use paths or parts of roadways set aside for the exclusive use of bicycles, mobility device or motorcycles.

~~(C) This section does not require a person operating a bicycle or to ride at the edge of the roadway or within a marked bike lane when it is unreasonable or unsafe to do so. Conditions that may require riding away from the edge of the roadway or outside of a~~

~~marked bike lane include when necessary to avoid fixed or moving objects, parked or moving vehicles, surface hazards, or if it otherwise is unsafe or impracticable to do so, including if the lane is too narrow for the bicycle or and an overtaking vehicle to travel safely side by side within the lane.~~

(~~D~~C) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted or pleaded guilty to one (1) predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one (1) year of the offense, the offender previously has been convicted of two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

**2173.05 - Signal devices on bicycle and mobility device; brake.**

(A) Every bicycle or mobility device when in use at the times specified in Section 2137.02 of the Columbus City Code, shall be equipped with the following:

- (1) A lamp mounted on the front of either the bicycle, mobility device or the operator that shall emit a white light visible from a distance of at least five hundred (500) feet to the front and three hundred (300) feet to the sides. A generator-powered lamp that emits lights only when the bicycle or mobility device is moving may be used to meet this requirement.
- (2) A red reflector on the rear that shall be visible from all distances from one hundred (100) feet to six hundred (600) feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle;
- (3) A lamp emitting either flashing or steady red light visible from a distance of five hundred (500) feet to the rear ~~shall may~~ shall be used in addition to the red reflector. If the red lamp performs as a reflector in that it is visible as specified in division (A)(2) of this section, the red lamp may serve as the reflector and a separate reflector is not required.

(B) Additional lamps and reflectors may be used in addition to those required under division (A) of this section, except that red lamps and red reflectors shall not be used on the front of the bicycle or mobility device and white lamps and white reflectors shall not be used on the rear of the bicycle or mobility device.

(C) A bicycle or mobility device may be equipped with a device capable of giving an audible signal, except that a bicycle or mobility device shall not be equipped with nor shall any person use upon a bicycle or mobility device any siren ~~or whistle~~.

(D) Every bicycle or mobility device shall be equipped with an adequate brake when used

on a street, highway or shared-use path.

- (E) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded guilty to one (1) predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one (1) year of the offense, the offender previously has been convicted of two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

#### **2173.06 - Lights and reflector on bicycle; brakes.**

(Repealed by Ord. 2120-2003.)

#### **2173.07 - Bicycle or mobility device yields right-of-way to pedestrians.**

- (A) Any person who may lawfully operate a bicycle, or mobility device ~~or children's non-motorized vehicle~~ upon a sidewalk or shared-use path consistent with Section 2173.10 of the Columbus City Code shall:

(1) Yield the right-of-way to a pedestrian upon a sidewalk or shared-use path or a crosswalk.

(2) Give a timely and audible signal before overtaking and passing a pedestrian upon the sidewalk or shared-use path.

- (B) Any person operating a bicycle or mobility device upon a roadway shall give a timely and audible signal before overtaking and passing a pedestrian upon the roadway.

~~(C) This section does not require a person operating a bicycle to ride on the right side of the roadway when it is unreasonable or unsafe to do so.~~

~~(C)~~ Nothing in this section requires a bicycle or mobility device operator to use a marked bike lane.

~~(D)~~ Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded guilty to one (1) predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one (1) year of the offense, the offender previously has been convicted of two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

### **2173.08 - Reckless operation; control, course and speed.**

(A) No person shall operate a bicycle, or mobility device ~~or child's non-motorized vehicle~~:

(1) Without due regard for the safety and rights of pedestrians and drivers and occupants of all other vehicles, and so as to endanger the life, limb or property of any person while in the lawful use of the streets or sidewalks or any other public or private property;

(2) Without exercising reasonable and ordinary control over such bicycle or mobility device;

(3) In a weaving or zigzag course unless such irregular course is necessary for safe operation or in compliance with law;

(4) Without keeping at least one hand upon the handle grips;

(5) At a speed greater than is reasonable and prudent under the conditions then existing.

(B) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded guilty to one (1) predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one (1) year of the offense, the offender previously has been convicted of two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

### **2173.09 - Parking of bicycle or mobility device.**

(a) No person shall park a bicycle or mobility device upon a sidewalk in such a manner so as to unduly interfere with pedestrian traffic. ~~or upon a roadway so as to unduly interfere with vehicular traffic.~~ This includes ADA ramps, areas departing to and from buildings and at transit stops.

(b) No person shall park a bicycle or mobility device upon any street including parking spots and loading zones or as to unduly interfere with vehicular traffic.

~~(c)~~ Whoever violates this section is guilty of a minor misdemeanor.

### **2173.10 - Riding bicycles or mobility devices on sidewalks.**

(a) No person shall operate a bicycle or mobility device upon a sidewalk, except when necessary to go on or off adjacent properties or to park, ~~for children's non-motorized~~

~~vehicles as defined in Section 2173.015(A)(2), for and at locations that the Columbus City Council designateds as bikeways or shared-use paths.~~

(b) This section shall not apply to:

(1) A police officer, Division of Fire personnel, or Parking Violation Bureau personnel when such personnel are riding a bicycle in the performance of official duties.

(2) Security guards employed by a special improvement district organized under Chapter 1710 of the Ohio Revised Code and certified through the International Police Mountain Biking Association, the Law Enforcement Bicycle Association, or an equivalent bicycle or mobility device training as determined by the Director of Public Safety, when such personnel are riding a bicycle or mobility device in the performance of official duties.

(3) Children's non-motorized vehicles as defined in 2101.061.

(c) Whoever violates this section is guilty of a minor misdemeanor.

**2173.105 - Driving motor vehicles and riding motorcycles on sidewalks, shared-use paths or bike lanes.**

(a) No person shall operate a motor vehicle or motorcycle upon a sidewalk or shared-use path except for:

(1) Motor vehicles under control of a local jurisdiction used for maintenance or repair activities.

(b) No person shall operate a motor vehicle or motorcycle in a bike lane except for:

(1) Motor vehicles under control of a local jurisdiction used for maintenance or repair activities;

(2) Motor vehicles used to lawfully load and unload passengers or freight;

(3) Motor vehicles accessing a legal on-street parking space;

(4) Motor vehicles safely merging right with bicycle and mobility device operators in a marked bike lane, employing appropriate speed and distance allowances, before turning right onto a street or driveway;

(c) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded guilty to one (1) predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one



(1) year of the offense the offender previously has been convicted of two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

#### **2173.11 - Impounding for violations.**

Whenever any bicycle or mobility device ~~is shall be~~ operated by any person, ~~including minors under the age of twenty one (21) years,~~ in violation of any of the provisions of this chapter, such bicycle or mobility device may be seized by any member of the police department and impounded for not more than thirty (30) days in a pound which shall be established by the chief of police for such purpose. ~~Such bicycle or mobility device, so impounded, shall be surrendered upon order of the police chief to the parent or guardian of any minor without charge after full explanation to such parent or guardian of the reason for such impounding, and after the expiration of the impounding period. A complete record of each such impounding shall be kept in the office of the chief of police.~~

#### **2173.12 - Right-of-way bike crossings.**

- (a) If neither vehicular traffic nor bicycle or mobility device traffic at a "bike crossing" is controlled by a stop or yield sign, or a traffic signal, the operator of a bicycle or mobility device shall yield the right-of-way at bike crossings to all vehicles on the road or street unless otherwise directed by a police officer.
- (b) Whoever violates this section is guilty of a minor misdemeanor.

#### **2173.13 - Motorized bicycle operation, equipment and license.**

- (a) No person shall operate a motorized bicycle upon any street or highway or any public or private property used by the public for purposes of vehicular travel or parking, unless all the following conditions are met:
  - (1) The person is fourteen (14) or fifteen (15) years of age and holds a valid probationary motorized bicycle license issued after the person has passed the test provided for in Section 4511.521 of the Ohio Revised Code, or the person is sixteen (16) years of age or older and holds either a valid commercial driver's license issued under Chapter 4506 of the Ohio Revised Code, or a driver's license issued under Chapter 4507 of the Ohio Revised Code, or a valid motorized bicycle license issued after the person has passed the test provided for in Section 4511.521 of the Ohio Revised Code, except that if a person is sixteen (16) years of age, has a valid probationary motorized bicycle license and desires a motorized bicycle license, the person is not required to comply with the testing requirements provided for in Section 4511.521 of the Ohio Revised Code;
  - (2) The motorized bicycle is equipped in accordance with the rules adopted under division (B) of Section 4511.521 of the Ohio Revised Code and is in proper working order;

- (3) The person, if under eighteen (18) years of age, is wearing a protective helmet on the person's head with the chin strap properly fastened and the motorized bicycle is equipped with a rear-view mirror.
- ~~(4) The person operates the motorized device bicycle when practicable within three (3) feet of the right edge of the roadway obeying all traffic rules applicable to vehicles.~~
- (b) No person operating a motorized bicycle shall carry another person upon the motorized bicycle.
- (c) The protective helmet and rear-view mirror required by division (a)(3) of this section shall conform to the rules adopted by the Ohio Director of Public Safety under division (B) of Section 4511.521 of the Ohio Revised Code.
- (d) Whoever violates this section is guilty of a minor misdemeanor.