

ORDINANCE NO. 120, 2015
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING THE FORT COLLINS TRAFFIC CODE AND ADDING TO IT
A NEW PART 21 REGULATING BICYCLES

WHEREAS, bicycles are vehicles pursuant to the Fort Collins Traffic Code and the State of Colorado; and

WHEREAS, City staff has been tasked by the City of Fort Collins 2014 Bicycle Master Plan to increase ridership and to improve the safety of bicycle use in the City; and

WHEREAS, the current bicycle provisions are dispersed throughout the Traffic Code making the provisions difficult to find and potentially confusing; and

WHEREAS, City staff has recommended that the Fort Collins Traffic Code be amended to include all bicycle laws in a separate part to make it easier both for the citizens and law enforcement officers to locate such laws and better ensure the health, safety and welfare of the citizens of Fort Collins; and

WHEREAS, the City Council has the authority to enact ordinances that are necessary and proper to provide for the health, safety and welfare of the inhabitants of the City not inconsistent with the laws of this State; and

WHEREAS, the City Council has determined that these proposed amendments to the City Code are in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS AS FOLLOWS:

Section 1. That Section 221 of the Fort Collins Traffic Code is hereby amended to read as follows:

221. Personal mobility device equipment.

- (1) No other provision of this Part 2 and no provision of Part 3 of this Traffic Code shall apply to an EPAMD or to equipment for use on an EPAMD except those provisions in this Traffic Code made specifically applicable to such a vehicle.
- (2) Every EPAMD in use at the times described in Section 204 shall be equipped with a lamp on the front emitting a white light visible from a distance of at least five hundred (500) feet to the front.
- (3) Every EPAMD shall be equipped with a red reflector of a type approved by the State Department of Revenue, which shall be visible for six

hundred (600) feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle.

- (4) Every EPAMD when in use at the times described in Section 204 shall be equipped with reflective material of sufficient size and reflectivity to be visible from both sides for six hundred (600) feet when directly in front of lawful lower beams of head lamps on a motor vehicle or, in lieu of such reflective material, with a lighted lamp visible from both sides from a distance of at least five hundred (500) feet.
- (5) An EPAMD or its rider may be equipped with lights or reflectors in addition to those required by Subsections (2) to (4) of this Section.

Section 2. That Section 224 of the Fort Collins Traffic Code is hereby amended to read as follows:

224. Horns or warning devices.

...

- (3) No low-power scooter shall be equipped with, nor shall any person use upon such a vehicle, a siren or whistle.

...

Section 3. That Subsection (3) of Section 802 of the Fort Collins Traffic Code is hereby amended to read as follows:

802. Pedestrians right-of-way in crosswalks.

...

- (3) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a moving vehicle that is so close as to constitute an immediate hazard.

...

Section 4. That Section 1401 of the Fort Collins Traffic Code is hereby amended to read as follows:

1401. Reckless driving.

A person who drives any motor vehicle or low-power scooter in such a manner as to indicate either a wanton or a willful disregard for the safety of persons or property is guilty of reckless driving.

Section 5. That Section 1402 of the Fort Collins Traffic Code is hereby amended to read as follows:

1402. Careless driving.

A person who drives a motor vehicle or low-power scooter in a careless and imprudent manner, without due regard for the width, grade, curves, corners, traffic and use of the streets and highways and all other attendant circumstances, is guilty of careless driving.

Section 6. That Section 1412 of the Fort Collins Traffic Code is hereby deleted in its entirety.

Section 7. That the Fort Collins Traffic Code is hereby amended by the addition of a new Section 1505 which reads in its entirety as follows:

1505. Sidewalks Restricted.

Low-power scooters are restricted at all times from riding upon and along a sidewalk, or across a highway or street upon or along a cross-walk, except when the low-power scooter operator has dismounted the low-power scooter and is walking the low-power scooter under human power.

Section 8. That the Fort Collins Traffic Code is hereby amended by the addition of a new Part 21 which reads in its entirety as follows:

PART 21 – OPERATION OF BICYCLES, ELECTRIC ASSISTED BICYCLES AND OTHER HUMAN-POWERED VEHICLES.

2101. General Provisions.

- (1) Every person riding a bicycle or electrical assisted bicycle upon a roadway where bicycle and electrical assisted bicycle travel is permitted shall be granted all of the rights and shall be subject to all of the duties and penalties applicable to the driver of a vehicle as set forth in this Traffic Code, except those provisions of this Traffic Code that, by their very nature, can have no application. Said riders shall also comply with special rules set forth in this Part and when using streets and highways within the City, shall be subject to local ordinances regulating the operation of bicycles and electrical assisted bicycles as provided in Section 42-4-111, C.R.S. Whenever the word *vehicle* is used in any of the driving rules set forth in this Traffic Code that are applicable to bicycle or electrical assisted bicycle riders, such term shall include bicycles and electrical assisted bicycles.

- (a) These regulations not in conflict with the Rules and Regulations promulgated by Colorado State University pursuant to Sections 23-5-106 and 107, C.R.S. shall apply on the campus of the University.
- (b) The parent of any child or guardian of any ward shall not authorize or knowingly permit any child or ward to violate any provision of this Part.

2102. Reckless and Careless Riding.

- (1) A person who drives any bicycle or electrical assisted bicycle in such a manner as to indicate either a wanton or a willful disregard for the safety of persons or property is guilty of reckless riding. A person convicted of reckless riding of a bicycle or electrical assisted bicycle shall not be subject to the provisions of Section 42-2-127, C.R.S.
- (2) A person who drives a bicycle or electrical assisted bicycle in a careless and imprudent manner, without due regard for the width, grade, curves, corners, traffic and use of the streets and highways and all other attendant circumstances, is guilty of careless riding. A person convicted of careless riding of a bicycle or electrical assisted bicycle shall not be subject to the provisions of Section 42-2-127, C.R.S.

2103. Left Place of Safety

No person shall suddenly leave a curb or other place of safety and ride a bicycle or electrical assisted bicycle into the path of a moving vehicle that is so close as to constitute an immediate hazard.

2104. Lane Usage.

- (1)
 - (a) Persons riding bicycles upon a roadway shall not ride more than two (2) abreast except on paths or parts of roadway set aside for the exclusive use of bicycles.
 - (b) Persons riding bicycles two (2) abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane.
- (2)
 - (a) Any person operating a bicycle upon a roadway at less than the normal speed of traffic shall ride in the right-hand lane, subject to the following conditions:
 - (I) If the right-hand lane then available for traffic is wide enough to be safely shared with overtaking vehicles, a bicyclist shall ride far enough to the right as is reasonably

prudent to facilitate the movement of such overtaking vehicle unless other conditions make it unsafe to do so.

(II) A bicyclist may use a lane other than the right-hand lane when:

- (A) preparing for a left turn at an intersection or into a private roadway or driveway;
- (B) overtaking a slower vehicle; or
- (C) taking reasonably necessary precautions to avoid hazards or road conditions.

(III) Upon approaching an intersection where right turns are permitted and there is a dedicated right-turn lane, a bicyclist may ride on the left-hand portion of the dedicated right-turn lane even if the bicyclist does not intend to turn right.

(b) A bicyclist shall not be expected or required to:

- (I) ride over or through hazards at the edge of a roadway, including but not limited to fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards or narrow lanes; or
- (II) ride without a reasonable safety margin on the right-hand side of the roadway.

(c) A person operating a bicycle upon a one-way roadway with two (2) or more marked traffic lanes may ride as near to the left-hand curb or edge of such roadway as is reasonably prudent, subject to the following conditions:

(I) If the left-hand lane then available for traffic is wide enough to be safely shared with overtaking vehicles, a bicyclist shall ride as far to the left as is reasonably prudent to facilitate the movement of such overtaking vehicles unless other conditions make it unsafe to do so.

(II) A bicyclist shall not be expected or required to:

- (A) ride over or through hazards at the edge of a roadway, including but not limited to fixed or moving objects, parked or moving vehicles,

bicycles, pedestrians, animals, surface hazards or narrow lanes; or

- (B) ride without a reasonable safety margin on the left-hand side of the roadway.

2105. Turns.

- (1) (a) Except as otherwise provided in this Subsection (1), every person riding a bicycle or electrical assisted bicycle shall signal his or her intention to turn or stop in accordance with the provisions of Section 903; except that a person riding a bicycle or electrical assisted bicycle may signal a right turn with the right arm extended horizontally.
- (b) A signal of intention to turn right or left when required shall be given continuously during not less than the last one hundred (100) feet traveled by the bicycle or electrical assisted bicycle before turning and shall be given while the bicycle or electrical assisted bicycle is stopped waiting to turn. A signal by hand and arm need not be given continuously if the hand is needed in the control or operation of the bicycle or electrical assisted bicycle.
- (2) (a) A person riding a bicycle or electrical assisted bicycle intending to turn left shall follow a course described in Sections 901(1), 903 and 1007 or may make a left turn in the manner prescribed in Paragraph (b) of this Subsection (2).
- (b) A person riding a bicycle or electrical assisted bicycle intending to turn left shall approach the turn as closely as practicable to the right-hand curb or edge of the roadway. After proceeding across the intersecting roadway to the far corner of the curb or intersection of the roadway edges, the bicyclist shall stop, as much as practicable, out of the way of traffic. After stopping, the bicyclist shall yield to any traffic proceeding in either direction along the roadway that the bicyclist had been using. After yielding and complying with any official traffic control device or police officer regulating traffic on the highway along which the bicyclist intends to proceed, the bicyclist may proceed in the new direction.
- (c) Notwithstanding the provisions of Paragraphs (a) and (b) of this Subsection (2), the City Traffic Engineer may cause official traffic control devices to be placed on roadways and thereby require and direct that a specific course be traveled and operators of bicycles or electrical assisted bicycles shall obey the directions of every such device.

2106. Sidewalks and Trails.

- (1) A person riding a bicycle or electrical assisted bicycle upon and along a recreational trail shall yield the right-of-way to any pedestrian using the recreational trail and shall give an audible signal or verbal warning before overtaking and passing any such pedestrian.
- (2)
 - (a) A person riding a bicycle or electrical assisted bicycle upon and along a sidewalk or pathway or across a roadway upon and along a crosswalk shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian. A person riding a bicycle in a crosswalk shall do so in a manner that is safe for pedestrians.
 - (b) A person shall not ride a bicycle or electrical assisted bicycle upon and along a sidewalk or across a roadway upon and along a crosswalk where such use of bicycles or electrical assisted bicycles is prohibited by official traffic control devices or local ordinances. A person riding a bicycle or electrical assisted bicycle shall dismount before entering any crosswalk where required by official traffic control devices or ordinance.
 - (c) A person riding or walking a bicycle or electrical assisted bicycle upon and along a sidewalk or across a roadway upon and along a crosswalk shall have all the rights and duties applicable to a pedestrian under the same circumstances, including but not limited to the rights and duties granted and required by Section 802.
 - (d) Motorized bicycles are restricted at all times from riding upon and along a sidewalk, or across a highway or street upon or along a crosswalk, except when the motorized bicycle operator has dismounted the motorized bicycle and is walking the motorized bicycle under human power.
- (3) The rider of an electrical assisted bicycle shall not use the electrical motor on a bike or pedestrian path or on a recreational trail unless otherwise authorized by the City Code.

2107. Lights, Reflectors and Equipment.

- (1) Every bicycle or electrical assisted bicycle in use at the times described in Section 204 shall be equipped with a lamp on the front emitting a white light visible from a distance of at least five hundred (500) feet to the front.

- (2) Every bicycle or electrical assisted bicycle shall be equipped with a red reflector of a type approved by the State Department of Revenue, which shall be visible for six hundred (600) feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle.
- (3) Every bicycle or electrical assisted bicycle when in use at the times described in Section 204 shall be equipped with reflective material of sufficient size and reflectivity to be visible from both sides for six hundred (600) feet when directly in front of lawful lower beams of head lamps on a motor vehicle or, in lieu of such reflective material, with a lighted lamp visible from both sides from a distance of at least five hundred (500) feet.
- (4) Every bicycle or electrical assisted bicycle shall be equipped with a brake or brakes that will enable its rider to stop the bicycle or electrical assisted bicycle within twenty-five (25) feet from a speed of ten (10) miles per hour on dry, level, clean pavement.
- (5) A bicycle or electrical assisted bicycle or its rider may be equipped with lights or reflectors in addition to those required by Subsections (1) through (3) of this Section.
- (6) No bicycle or electrical assisted bicycle shall be equipped with, nor shall any person use upon such a vehicle, a siren or whistle.

2108. Parking.

- (1)
 - (a) A person may park a bicycle or electrical assisted bicycle on a sidewalk unless prohibited or restricted by an official traffic control device or local ordinance.
 - (b) A bicycle or electrical assisted bicycle parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.
 - (c) A bicycle or electrical assisted bicycle may be parked on the road at any angle to the curb or edge of the road at any location where parking is allowed.
 - (d) A bicycle or electrical assisted bicycle may be parked on the road abreast of another such bicycle or electrical assisted bicycle near the side of the road or any location where parking is allowed in such a manner as does not impede the normal and reasonable movement of traffic.

- (e) In all other respects, bicycles or electrical assisted bicycles parked anywhere on a highway shall conform to the provisions of Part 12 of this Traffic Code regulating the parking of vehicles.

2109. Riding Behavior.

- (1) A person riding a bicycle or electrical assisted bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.
- (2) No bicycle or electrical assisted bicycle shall be used to carry more persons at one (1) time than the number for which it is designed and equipped.
- (3) No person riding upon any bicycle or electrical assisted bicycle shall attach the same or himself or herself to any motor vehicle upon a roadway.
- (4) A bicycle or electrical assisted bicycle shall not be equipped with, nor shall any person use upon a bicycle or electrical assisted bicycle, any siren or whistle.
- (5) A person operating a bicycle or electrical assisted bicycle shall keep at least one (1) hand on the handlebars at all times.

2110. Regulatory.

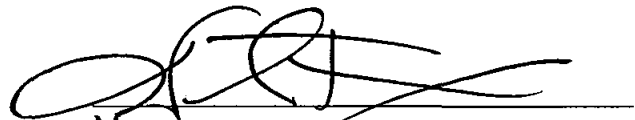
- (1) A person engaged in the business of selling bicycles or electrical assisted bicycles at retail shall not sell any bicycle or electrical assisted bicycle unless the bicycle or electrical assisted bicycle has an identifying number permanently stamped or cast on its frame.
- (2) For the sake of uniformity of bicycle or electrical assisted bicycle safety rules throughout the State, the Colorado Department of Revenue, in cooperation with the Colorado Department of Transportation, shall prepare and make available to all local jurisdictions for distribution to bicycle and electrical assisted bicycle riders therein a digest of state regulations explaining and illustrating the rules of the road, equipment requirements and traffic control devices that are applicable to such riders and their bicycles or electrical assisted bicycles. The City Traffic Engineer may supplement this digest with a leaflet describing any additional regulations of a local nature that apply within their respective jurisdictions.
- (3) Where suitable bike paths, horseback trails or other trails have been established on the right-of-way or parallel to and within one-fourth (1/4) mile of the right-of-way of heavily traveled streets and highways, the Colorado Department of Transportation may, subject to the provisions of

Section 43-2-135, C.R.S., by resolution or order, and the City Traffic Engineer may, where suitable bike paths, horseback trails or other trails have been established on the right-of-way or parallel to it within four hundred fifty (450) feet of the right-of-way of heavily traveled streets, by ordinance, determine and designate, upon the basis of an engineering and traffic investigation, those heavily traveled streets and highways upon which shall be prohibited any bicycle, animal rider, animal-drawn conveyance or other class or kind of nonmotorized traffic which is found to be incompatible with the normal and safe movement of traffic, and, upon such a determination, the Colorado Department of Transportation or the City shall erect appropriate official signs giving notice thereof; except that with respect to controlled access highways, the provisions of Section 42-4-1010(3), C.R.S., shall apply. When such official signs are so erected, no person shall violate any of the instructions contained thereon.

Introduced, considered favorably on first reading, and ordered published this 15th day of September, A.D. 2015, and to be presented for final passage on the 6th day of October, A.D. 2015.



ATTEST:


Mayor

Wanda Winkelmann
City Clerk

Passed and adopted on final reading on the 6th day of October, A.D. 2015.



ATTEST:


Mayor

Wanda Winkelmann
City Clerk