

CHAPTER 1

BICYCLES AND SKATEBOARDS

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10-1-1: DEFINITIONS:

For the purposes of this Chapter, a bicycle is defined as any two- (2-) wheeled vehicle having a tandem arrangement of the wheels and having cranks, levers, or pedals for its propulsion by the feet. (227)

For the purposes of this Chapter, a skateboard is defined as a platform mounted on wheels that is propelled by human power, and skateboarding is defined as the use of a skateboard. (2547)

For the purposes of this Chapter, a motorized skateboard is defined as a self-propelled device which has a motor, a deck on which a person may ride, and has at least two (2) wheels in contact with the ground and which is not otherwise defined in Arizona Revised Statutes, Title 28, as amended, as a "motor vehicle," "motorcycle," "motor-driven cycle," or "motorized wheelchair." (3688)

The term owner shall mean any person who holds legal title to a bicycle; or if the bicycle is the subject of a lease or an agreement for the conditional sale thereof, with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee; or if a mortgagor of a vehicle is entitled to possession, then such lessee, conditional vendee, or mortgagor shall be deemed the owner. (227)

10-1-2: REGISTRATION OF BICYCLES:

Every owner of a bicycle, before the same shall be operated on any of the public thoroughfares of the Municipality, and every purchaser of a bicycle obtained from a City auction, shall apply for the registration thereof. Registration shall be accomplished through utilization of the Mesa Police Department's operation I.D. procedures. (227,1665)

10-1-3: FEES:

No fees shall be required for the registration of bicycles. (357,1665)

10-1-4: DATE OF REGISTERING BICYCLE:

Before January 1 of each year, all bicycles must be registered in compliance with this Chapter, and all persons becoming the owners of a new or rebuilt bicycle must immediately after acquiring such ownership comply with the provisions hereof. (227,1665)

10-1-5: RENTAL AGENCIES:

A rental agency shall not rent or offer any bicycle for rent unless the bicycle is licensed and a license plate is attached thereto as provided herein and such bicycle is equipped with the lamps and other equipment required in this Chapter. (227,1665)

10-1-6: BICYCLE DEALERS:

Every person engaged in the business of buying or selling new or secondhand bicycles shall make a report to the Chief of Police of every bicycle purchased or sold by such dealer, giving the name and address of the person from whom purchased or to whom sold, a description of such bicycle by name or make, the frame number thereof, and the number of license plate, if any, found thereon. (227,1665)

10-1-7: TRAFFIC LAWS APPLICABLE TO PERSONS RIDING BICYCLES:

Every person riding a bicycle upon a roadway in the City shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this State declaring rules of the road applicable to vehicles or by the traffic laws of this City applicable to the driver of a vehicle except as to special regulations herein and except as to those provisions of law which by their nature can have no application. (227,1665)

10-1-8: OBEDIENCE TO TRAFFIC-CONTROL DEVICES:

Any person operating a bicycle shall obey the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles unless otherwise directed by a Police officer. (227,1665)

Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make such turn, in which event such person shall then obey the regulations applicable to pedestrians. (227,1665)

10-1-9: RIDING ON ROADWAYS AND BICYCLE PATHS:

Every person operating a bicycle upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction. (227,1665)

Persons riding bicycles upon a roadway shall not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. (227, 1665)

10-1-10: SPEED:

No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing. (227,1665)

10-1-11: EMERGING FROM ALLEY OR DRIVEWAY:

The operator of a bicycle emerging from an alley, driveway, or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area and upon entering the roadway, shall yield the right-of-way to all vehicles approaching on said roadway. (227,1665)

10-1-12: CLINGING TO VEHICLES:

No person riding upon any bicycle shall attach the same or himself to any vehicle upon a roadway. (227,1665)

10-1-13: CARRYING ARTICLES:

No person operating a bicycle shall carry any package, bundle, or article which prevents the rider from keeping at least one (1) hand upon the handlebars. (227,1665)

10-1-14: PARKING:

No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb in such manner as to afford the least obstruction to pedestrian traffic. (227, 1665)

10-1-15: RIDING ON SIDEWALKS:

When signs are erected giving notice thereof, no person shall ride a bicycle, skateboard, motorized skateboard, or scooter upon a sidewalk within a Pedestrian Overlay Area (POA). The Development Services Manager is authorized to erect signs on any sidewalk within a POA prohibiting the riding of bicycles, skateboards, motorized skateboards, or scooters thereon by any person. The boundaries of the POA are the east side of Country Club Drive to the west side of Centennial Way, the south side of 1st Street to the north side of 1st Avenue. The centerline of the aforementioned streets shall be construed to be the boundaries. (227,1286,1665,1968,3847)

10-1-16: LAMPS AND OTHER EQUIPMENT ON BICYCLES:

Every bicycle, when in use at nighttime, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet (500') to the front and with a red reflector on the rear of a type which shall be visible from all distances from fifty feet (50') to three hundred feet (300') to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet (500') to the rear may be used in addition to the red reflector. (227,1665)

No bicycle shall be equipped with nor shall any person use upon a bicycle any siren or whistle. (860,1665)

Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement. (227,1665)

10-1-17: SKATEBOARDING:

Skateboarding is prohibited upon the stairways, handicap access ramps, and other appurtenances of the Mesa City Council Chambers, the City Hall (Municipal) Building, and all other municipal buildings within the City. (2547)

10-1-18: MOTORIZED SKATEBOARDS:**(A) Obedience to Traffic Laws: (3688)**

1. Except as to those provisions of law which by their nature can have no application, any person operating a motorized skateboard on a roadway or on any shoulder adjoining a roadway shall be granted all the rights and shall be subject to all the duties applicable to the driver of a vehicle by both: (3688)
 - (a) The laws of this State declaring rules of the road applicable to vehicles; and (3688)
 - (b) The traffic laws of the City applicable to the driver of a vehicle. (3688)
2. This Section shall not be construed to require the licensing or registration of motorized skateboards; the licensing of motorized skateboard operators or the carrying of insurance covering accidents involving motorized skateboards. (3688)

(B) Responsibilities of Parents, Guardians, and Custodians: (3688)

1. The parent, guardian, or legal custodian of any minor or ward shall not authorize or knowingly permit such minor or ward to violate any of the provisions of this Article. (3688)
2. No minor shall operate a motorized skateboard on any City right-of-way, including streets, roadways, and alley ways, unless the minor possesses at all times while operating the motorized skateboard a written consent of the minor's parent or legal guardian. The written consent shall be signed by the parent or legal guardian, whose signature shall be notarized, and shall contain the following: (3688)
 - (a) The name and date of birth of the minor. (3688)
 - (b) The residence address of the minor and parent/guardian. (3688)
 - (c) The residence and work telephone number of the parent/guardian. (3688)
 - (d) The following statement: (3688)

I am the parent/guardian of the minor named herein and hereby authorize said minor to operate a motorized skateboard in the City of Mesa. I have read and discussed with said minor the applicable laws of the State of Arizona and of this City regarding the operation of motorized skateboards and have assured myself that said minor understands these regulations. (3688)

(C) Operation Prohibited in Certain Areas and at Certain Times: (3688)

1. No person shall operate a motorized skateboard on any sidewalk except for use in crossing such sidewalk to gain access to any public or private road or driveway. (3688)
2. No person shall operate a motorized skateboard in any City parking structure or City park, except for use on public roadways within such park on which a motorized skateboard is otherwise allowed. (3688)
3. No person shall operate a motorized skateboard on any public property that has been posted or designated by the owner of such property as an area in which the operation of motorized skateboards is prohibited. (3688)
4. No person shall operate a motorized skateboard on any private property of another, or any public property which is not held open to the public for vehicle use, without the written permission of the owner, or the owner's authorized agent. (3688)
5. No person shall operate a motorized skateboard on any public roadway having a speed limit established greater than thirty (30) miles per hour. (3688)
6. No person shall operate a skateboard on a City right-of-way, including streets, roadways, and alley ways, except during daylight and in no event before seven (7:00) A.M. or after eight (8:00) P.M. (3688)

(D) General Operating Restrictions: (3688)

1. No child under the age of fourteen (14) shall operate a motorized skateboard. (3688)
2. No person shall operate a motorized skateboard in excess of the posted speed limit or at a speed greater than is reasonable and prudent under the circumstances then existing. (3688)
3. A person operating a motorized skateboard, approaching a sidewalk, bicycle path, bicycle lane, or multiuse path in order to cross such, shall yield the right-of-way to all other users. (3688)
4. No person operating a motorized skateboard shall allow passengers when the motorized skateboard is in operation or motion. (3688)
5. No person operating or riding upon a motorized skateboard shall attach themselves or the motorized skateboard in any manner to any other vehicle. (3688)
6. No person shall operate a motorized skateboard while carrying any package, bundle, or article which prevents the operator from keeping both hands upon the steering mechanism at all times. (3688)
7. No person operating a motorized skateboard shall transport extra fuel in a separate container or alter the fuel reservoir from the original manufacturer's design. This includes the prohibition of physically attaching fuel packs or containers to the operator's person. (3688)

8. No person shall operate a motorized skateboard in a manner causing excessive, unnecessary, or offensive noise which disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to a reasonable person of normal sensitivity. (3688)

(E) Required Safety Equipment: (3688)

1. No person shall operate a motorized skateboard at any time when there is not sufficient light to render clearly discernible persons and vehicles at a distance of five hundred feet (500') ahead. (3688)
2. No person shall operate a motorized skateboard unless it is equipped with a brake which enables the operator to make a braked wheel(s) skid on pavement. (3688)
3. A person under the age of eighteen (18) years operating a motorized skateboard on a roadway shall at all times wear a protective helmet on his or her head in an appropriate and safely secured manner. The helmet shall meet minimum standards of testing and safety inspection as approved by the bicycle industry. (3688)
4. No person shall operate a motorized skateboard without wearing footwear. The footwear must have a sole and completely cover the feet and toes. (3688)
5. A person operating a motorized skateboard shall wear, at all times, protective glasses or goggles or a transparent face shield of a type approved for motorcycle or motor-drive cycle use. (3688)

10-1-19: VIOLATION OF PROVISION OF CHAPTER; FAILURE OR REFUSAL TO DO OR PERFORM REQUIRED ACT:

No person shall fail to register any bicycle owned by such persons, and no person shall violate any of the provisions of Title 10, Chapter 1 of the Mesa City Code providing for registration and regulation of all bicycles operated in the Municipality. (227,1665,1771,3688)

10-1-20: PARENT OR GUARDIAN LIABILITY: (3688)

The parent of any minor or the guardian having custody or control of any minor shall not authorize or knowingly permit the minor to violate any of the provisions of this Chapter. If a fine is imposed upon a minor who is found to be in violation of this Ordinance (3688, pertaining to motorized skateboards), the parents or legal guardian having custody or control of the minor shall be jointly and severally liable with the minor for payment of the fine whether or not the parents or guardian knew of, or anticipated, a violation of this Ordinance. (3688)

10-1-21: PENALTY:

A violation of any provision of this Chapter of the Mesa City Code shall be a civil traffic offense punishable by a fine not to exceed three hundred dollars (\$300.00). (2547,3688)