

CHAPTER 3

BICYCLES

Part 1

Use of Skateboards and Pedalcycles

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§101. Definitions.

PEDALCYCLE - a vehicle propelled solely by human-powered pedals or a pedalcycle with electric assist. The term does not mean a three-wheeled human-powered pedal-driven vehicle with a main driving wheel twenty (20") inches in diameter or under and primarily designed for children six years of age or younger.

PEDALCYCLING - the operation of a pedalcycle.

PUBLIC STREETS, ALLEYS, SIDEWALKS, and PARKING LOTS - streets, alleys, sidewalks and parking lots situate within East Buffalo Township, Union County, Pennsylvania, and open to the general public.

SKATEBOARD - a device consisting of a platform mounted on wheels upon which the operator stands, sits, lies or reclines and which is propelled with or without mechanical assistance.

SKATEBOARDING - the operation of a skateboard.

§102. Skateboarding on the Public Streets, Alleys, Sidewalks or Parking Lots. Persons may ride or use a skateboard upon any public street, alley, sidewalk or parking lot in East Buffalo Township, Union County, Pennsylvania, subject to the following regulations:

(1) Prohibited Areas. No skateboarding shall be permitted on any of the Pennsylvania Department of Transportation streets, alleys or parking lots within East Buffalo Township, Union County, Pennsylvania. This prohibition extends to the sidewalks adjacent to the said streets, alleys and parking lots.

(2) Hours of Use. Skateboarding is permitted from one-half (1/2) hour after sunrise or 8:00 a.m., whichever is later, to one-half (1/2) hour before sunset or 8:00 p.m., whichever is earlier.

(3) Compliance With All Laws. It shall be unlawful for the operator of any skateboard to violate any provision of the Pennsylvania State Motor Vehicle Code or any Ordinance of East Buffalo Township, Union County, Pennsylvania, applicable to vehicular traffic, and for any such violation the operator of a skateboard shall be subject to the penalty prescribed in such traffic code or ordinance.

(4) Responsibilities to Pedestrian and Vehicular Traffic. It shall be unlawful for any person to operate a skateboard in such a manner as to interfere with any pedestrian who is exercising due care, or to allow a skateboard and/or its operator to obstruct pedestrian traffic in any manner. All operators of skateboards must yield the right-of-way to any other vehicles and pedestrians on public streets, alleys, sidewalks and/or parking lots.

(5) Yielding of Right-of-Way. All skateboard operators must yield the right-of-way to other pedestrians and vehicular traffic and when doing so must keep to the right-hand side of the street, alley, or sidewalk and skateboard operators must travel in single file and shall not propel themselves abreast or to the side of any other person operating a skateboard except in the instance when one skateboard operator is in the act of passing another skateboard operator.

(6) Protective Wear. All riders of skateboards must wear protective helmets while operating skateboards.

(7) Safe Operation. All skateboards shall be operated in a safe and prudent manner with due regard to the safety of others.

§103. Pedalcycling on the Public Streets, Alleys, Sidewalks or Parking Lots. Persons may ride or use a pedalcycle upon any public street, alley, sidewalk or parking lot in East Buffalo Township, Union County, Pennsylvania, subject to the following regulations:

(1) Use of Seat by Operator. A person propelling a pedalcycle shall not ride other than upon or astride a permanent and regular seat attached to the pedalcycle.

(2) Number of Riders. No pedalcycle shall be used to carry more persons at one time than the number for which the pedalcycle is designed and equipped except that an adult rider may transport a child in a pedalcycle child carrier which is securely attached to the pedalcycle or in a trailer which is towed by a pedalcycle.

(3) Riding on Roadways and Pedalcycle Paths.

(a) Except as provided in subsection (B) and (C), every person operating a pedalcycle upon a highway shall obey the applicable rules of the road as contained in Title 75 of the Pennsylvania Code.

(b) Operation on Shoulder. A pedalcycle may be operated on the shoulder of a highway and shall be operated in the same direction as required of vehicles operated on the roadway.

(c) Slower than Prevailing Speeds. A pedalcycle operated at slower than prevailing speed shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, unless it is unsafe to do so.

(d) One-Way Roadways. Any person operating a pedalcycle upon a roadway which carries traffic in one direction only and has two or more marked traffic lanes may ride as near the left-hand curb or edge of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(e) Limitation on Riding Abreast. Persons riding pedalcycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of pedalcycles.

(4) Articles Carried by Operator. No person operating a pedalcycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars.

(5) Lamps and Reflectors. Every pedalcycle when in use between sunset and sunrise shall be equipped on the front with a lamp which emits a beam of white light intended to illuminate the pedalcycle operator's path and visible from a distance of at least 500 feet to the front, a red reflector facing to the rear which shall be visible at least 500 feet to the rear and an amber reflector on each side. Operators of pedalcycles may supplement the required front lamp with a white flashing lamp, light-emitting diode or similar device to enhance their visibility to other traffic and with a lamp emitting a red flashing lamp, light-emitting diode or similar device from a distance of 500 feet to the rear. A lamp or lamps worn by the operator of a pedalcycle shall comply with the requirements of this subsection if the lamp or lamps can be seen at the distances specified.

(6) Pedalcycles on Sidewalks and Pedalcycle Paths.

(a) Right-Of-Way to Pedestrians. A person riding a pedalcycle upon a sidewalk or pedalcycle path used by pedestrians shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing a pedestrian.

(b) Business Districts. A person shall not ride a pedalcycle upon a sidewalk in the Highway Commercial, General Commercial and Industrial Zoning Districts unless permitted by official traffic-control devices, nor when a usable pedalcycle-only lane has been provided adjacent to the sidewalk.

(7) Parking.

(a) Sidewalks. A person may park a pedalcycle on a sidewalk unless prohibited or restricted by an official traffic-control device and shall not impede the normal and reasonable movement of pedestrian or other traffic.

(b) Roadways. A pedalcycle may be parked on the roadway at any angle to the curb or edge of the roadway at any location where parking is allowed. A pedalcycle may be parked on the roadway abreast of another pedalcycle or pedalcycles near the side of the roadway at any location where parking is allowed. A person shall not park a pedalcycle on a roadway in such a manner as to obstruct the movement of a legally parked motor vehicle.

(8) Pedalcycle Helmets for Certain Persons. A person under 12 years of age shall not operate a pedalcycle or ride as a passenger on a pedalcycle unless the person is wearing a pedalcycle helmet meeting the standards of the American National Standards Institute, the American Society for Testing and Materials, the Snell Memorial Foundation's Standards for Protective Headgear for Use in Bicycling or any other nationally recognized standard for pedalcycle helmet approval. This subsection shall also apply to a person who rides upon a pedalcycle while in a restraining seat attached to a pedalcycle or in a trailer towed by a pedalcycle. This subsection shall not apply to a child under 12 years of age who can produce a statement from the family's church authorities attesting that it is against the tenets of the family's religion to wear a helmet.

§104. Penalties for Violation. Any person who shall violate any of the provisions of this Part shall, in addition to vehicle or traffic ordinance violations, be subject to the following sanctions:

(1) First Offense. The police department servicing East Buffalo Township, Union County, Pennsylvania, is authorized to confiscate the skateboard or pedalcycle and impound the same for a period of two (2) weeks. In addition to the impounding of the skateboard or pedalcycle, the violator's rights of operating a skateboard or pedalcycle in East Buffalo Township, Union County, Pennsylvania, during that period are suspended.

(2) Second Offense. The skateboard or pedalcycle will be impounded for a period of two (2) weeks along with the violator's concomitant suspension of his or her operating privileges and the violator shall be required to pay an impoundment fee of twenty dollars (\$20.00) prior to the return of the skateboard or pedalcycle to the violator.

(3) Third Offense. The skateboard or pedalcycle will be impounded for a period of four (4) weeks, the violator's operating privileges will be suspended for this same period, and the violator will be required to pay an impoundment fee of thirty dollars (\$30.00) prior to the return of the skateboard or pedalcycle to the violator.

(4) If the violator is under eighteen (18) years of age, then he/she must be accompanied by a parent or guardian at the time the skateboard or pedalcycle is returned to the violator.

§105. Building and Use of Pedalcycle or Skateboard Ramps. It shall be unlawful to build and use ramps for the use or purpose of operating a skateboard or pedalcycle, on any public street, alley, sidewalk or parking lot in East Buffalo Township, Union County, Pennsylvania.

(Ordinance 403, adopted September 13, 2021)