

**CITY OF XENIA, OHIO  
ORDINANCE 2022 – 14**

**AMENDING CHAPTER 444 AND REPEALING CHAPTER 446 OF THE XENIA CITY CODE**

**WHEREAS**, this Council’s Legislative Review and Government Affairs Committee met on April 28, 2022, to review proposed amendments to Chapter 444 of the City of Xenia Traffic Code;

**WHEREAS**, the Legislative Review and Government Affairs Committee voted unanimously to recommend that Council make certain amendments to Chapter 444;

**WHEREAS**, City staff has also recommended the repeal of Chapter 446, which contains only one section which is outdated; and

**WHEREAS**, this Council deems it to be in the best interests of the City of Xenia and its inhabitants to make the recommended changes, amendments, renumbering and retitling to Chapter 444 of the Traffic Code and to repeal Chapter 446 of the Traffic Code.

**NOW, THEREFORE, THE CITY OF XENIA HEREBY ORDAINS**, a majority of the members of Council present concurring, that:

**Section 1.** Chapter 444 of the City of Xenia Traffic Code is hereby retitled “Bicycles; Motorcycles; Mopeds; Mobility Devices.” Sections 444.01 to 444.11 and 444.99 of Chapter 444 are hereby amended as shown in the attached Exhibit A. Sections 444.12 to 444.21 and 444.90 are hereby enacted, as shown in the attached Exhibit A.

**Section 2.** Existing Chapter 444 is hereby repealed.

**Section 3.** Chapter 446, including Section 446.11, is hereby repealed in its entirety, as shown in the attached Exhibit B.

**Section 4.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including ORC 121.22.


**Section 5.** This Ordinance shall be effective on June 25, 2022.

Introduced: May 12, 2022

Adopted: May 26, 2022

Attest:

  
Michelle D. Johnson  
City Clerk

  
Wesley E. Smith  
President, Xenia City Council

CHAPTER 444  
Bicycles; Motorcycles; Mopeds; Mobility Devices

|        |   |        |  |
|--------|---|--------|--|
| 444.01 | Application of Traffic Code to Bicycles<br>And Electric Bicycles      | 444.12 | Driving Through a Safety Zone  |
| 444.02 | Equipment of Bicycles and Electric<br>Bicycles                        | 444.13 | Reckless Operation   |
| 444.03 | Equipment of Motorized Bicycles or Mopeds                             | 444.14 | General Operation of Bicycles and<br>Electric Bicycles   |
| 444.04 | Equipment of Motorcycles, Motor-Driven<br>Cycles or Motor Scooters    | 444.15 | General Operation of Motorcycles   |
| 444.05 | Driving on Streets or Roadways  | 444.16 | General Operation of Low-Speed<br>Micromobility Devices  |
| 444.06 | Duties at Intersection with Ambiguous or<br>Nonworking Traffic Signal | 444.17 | General Operation of Personal Assistive<br>Mobility Devices  |
| 444.07 | Use of Signals  | 444.18 | Lighted Lights Required  |
| 444.08 | Driving or Parking on Sidewalks                                       | 444.19 | Lights on Slow-Moving Vehicles   |
| 444.09 | Driving on Bike Paths   | 444.20 | Prohibitions against Attaching Bicycles<br>Electric Bicycles, Sleds, or Other Items to<br>Vehicles |
| 444.10 | Driving on Bike Lanes or Shared<br>Use Paths                          | 444.21 | Personal Delivery Devices  |
| 444.11 | Driving on Hiking Paths, Pedestrian-<br>Only Paths, or In Parks       | 444.90 | Definitions  |
|        |   | 444.99 | Penalties  |

CROSS REFERENCES  
See Section Histories for Similar State Law

---

444.01 CODE APPLICATION OF TRAFFIC CODE TO BICYCLES AND ELECTRIC BICYCLES.

(a) **Applicability.** The provisions of this Traffic Code ~~that which~~ are applicable to bicycles **and electric bicycles**, apply whenever a bicycle **or electric bicycle** is operated upon any **street or road**~~highway~~ **within this City** or upon any path set aside for the ~~exclusive~~ use of bicycles.

(b) **Violations; No Points to be Assessed.** Except as provided in **division** ~~subsection~~ (d) of this section, a bicycle operator **or electric bicycle operator** who violates any provisions of this Traffic Code described in **division** ~~subsection~~ (a) of this section that is applicable to bicycles **or electric bicycles** 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 electric bicycle** shall not have any points assessed against the person’s driver’s license, commercial driver’s license, temporary instruction permit, or probationary license under ORC 4510.036.

(c) **Court-Ordered Bicycling Skills Course.** Except as provided in **division** ~~subsection~~ (d) of this section, in the case of a violation of any provision of this Traffic Code described in **division** ~~subsection~~ (a) of this section by a bicycle operator, **electric bicycle 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 at the time of the violation, the court, notwithstanding any provision of **this Traffic** ~~the Ohio Revised Code~~ to the contrary, may require the bicycle operator, **electric bicycle 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 by this Traffic Code ~~or the Ohio Revised Code~~ for that violation.

(d) **Exception.** ~~Divisions subsection~~ (b) and (c) of this section do not apply to violations of ORC 4511.19, or a substantially equivalent municipal ordinance.  
(ORC 4511.52)

~~(e) Every person operating a bicycle shall obey the instructions of official traffic control devices and signals applicable to vehicles, unless otherwise directed by a police officer.~~

~~(f) The provisions of this Traffic Code are applicable to bicycles, except those which by their nature are not applicable.~~

**444.02** ~~444.05~~ **EQUIPMENT OF BICYCLES AND ELECTRIC BICYCLES.**  
**LIGHTS, SIGNAL DEVICES, BRAKES ON BICYCLES.**

(a) **Required Equipment.** Every bicycle or electric bicycle operated upon a street or roadway within this City, when in use at the times specified in Section 444.18 of this Traffic Code ~~Ohio R.C. 4513.03~~ or a substantially equivalent state statute ~~municipal ordinance~~ shall be equipped with all of the following.

- (1) A lamp mounted on the front of either the bicycle or electric bicycle or the operator that shall emit a white light visible from a distance of at least five hundred feet (500') to the front and three hundred feet (300') to the sides. A generator-powered lamp that emits light only when the bicycle or electric bicycle 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 feet to six hundred feet (100' – 600') ~~100 feet to 600 feet~~ to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle;
- (3) A lamp emitting either flashing or steady red light visible from a distance of five hundred feet (500') to the rear 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 subsection~~ (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.** Additional lamps and reflectors may be used in addition to those required under ~~division subsection~~ (a) of this section, except that red lamps and red reflectors shall not be used on the front of the bicycle or electric bicycle and white lamps and white reflectors shall not be used on the rear of the bicycle or electric bicycle.

(c) **Bicycle Horns.** A bicycle or electric bicycle may be equipped with a device capable of giving an audible signal, except that a bicycle or electric bicycle shall not be equipped with, nor shall any person use upon, a bicycle or electric bicycle any siren or whistle.

(d) **Brakes.** Every bicycle and electric bicycle shall be equipped with an adequate brake when used on a street or road~~highway~~ within this City.

(e) **Penalties.** Except as otherwise provided in this ~~division 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 pled ~~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.  
(ORC 4511.56)

444.03 EQUIPMENT OF MOTORIZED BICYCLES OR MOPEDS.

(a) Brakes. Every motorized bicycle or moped shall be equipped with brakes meeting the rules adopted by the Ohio Director of Public Safety under ORC 4511.521.

(ORC 4513.20(A)(3))

(b) Additional Requirements. The requirements of division (a) of this section are in addition to the requirements of Section 444.05(d).

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

(ORC 4513.99(B))

444.04 EQUIPMENT OF MOTORCYCLES AND MOTOR-DRIVEN CYCLES OR MOTOR SCOOTERS.

(a) Motorcycles.

(1) Headlights: Every motorcycle shall be equipped with at least one (1) and not more than two (2) headlights.

(ORC 4513.04)

(2) Brakes: Every motorcycle, when operated upon a street or roadway in this City, shall be equipped with at least one (1) adequate brake, which may be operated by hand or foot.

(ORC 4513.20(A)(2))

(3) Mufflers:

A. Every motorcycle with an internal combustion engine shall at all times be equipped with a muffler that is in good working order and in constant operation to prevent excessive or unusual noise, and no person shall use a muffler cutout, bypass, or similar device upon a motorcycle on a street or roadway within this City. Every motorcycle muffler shall be equipped with baffle plates.

B. No person shall own, operate or have in the person's possession any motorcycle equipped with a device for producing excessive smoke or gas, or so equipped as to permit oil or any other chemical to flow into or upon the exhaust pipe or muffler of such motorcycle, or equipped in any way to produce or emit smoke or dangerous or annoying gases from any portion of such motorcycle, other than the ordinary gases emitted by the exhaust of an internal combustion engine under normal operation.

(ORC 4513.22)

(4) Rearview Mirrors: Every motorcycle shall be equipped with a mirror so located as to reflect to the operator a view of the street or roadway to the rear of such motorcycle. Operators of motorcycles shall have a clear and unobstructed view to the front and to both sides of their motorcycles and shall have a clear view to the rear of their motorcycles by mirror.

(ORC 4513.23)

(5) Directional Signals: No person shall operate any motorcycle manufactured or assembled on or after January 1, 1968, unless the vehicle is equipped with electrical or mechanical directional signals.

(ORC 4513.261)

(6) Stop Lights: Every motorcycle shall be equipped with at least one (1) stop light. Stop lights shall be mounted on the rear of the vehicle, actuated upon application of the service brake, and may be incorporated with other rear lights. Such stop lights, when

actuated, shall emit a red light visible from a distance of five hundred feet (500') to the rear.  
(ORC 4513.071)

**(b) Motor-Driven Cycles or Motor Scooters.**

**(1) Directional Signals: No person shall operate any motor-driven cycle or motor scooter manufactured or assembled on or after January 1, 1968, unless the vehicle is equipped with electrical or mechanical directional signals.**  
**(ORC 4513.261)**

**(2) Stop Lights: Every motor-driven cycle or motor scooter shall be equipped with at least one (1) stop light. Stop lights shall be mounted on the rear of the vehicle, actuated upon application of the service brake, and may be incorporated with other rear lights. Such stop lights, when actuated, shall emit a red light visible from a distance of five hundred feet (500') to the rear.**  
**(ORC 4513.071)**

**(c) Penalties. Whoever violates this section is guilty of a minor misdemeanor.**  
**(ORC 4513.04; 4513.071; 4513.22; 4513.23; 4513.261; 4513.99(A))**

444.05 **DRIVING ON STREETS OR ROADWAYS.**

**(a) Bicycles and Electric Bicycles.**

~~444.04 RIDING ON RIGHT SIDE OF ROADWAY; RIDING ABREAST.~~

**(1)** ~~(a)~~ Every person operating a bicycle or electric bicycle upon a street, roadway, or any public or private property used by the public for the purpose of vehicular travel or parking shall ride as near to the right side of the roadway as practicable, obeying all traffic rules applicable to vehicles, and exercising due care when passing a standing vehicle or one proceeding in the same direction. ~~(e)~~ This division does not require a person operating a bicycle or electric bicycle to ride at the edge of the roadway when it is unreasonable or unsafe to do so. Conditions that may require riding away from the edge of the roadway 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 electric bicycle and an overtaking vehicle to travel safely side-by-side within the lane.

**(2)** Persons riding bicycles or electric bicycles ~~or motoreycles~~ upon a roadway shall ride not more than two **(2)** abreast in a single lane, except on paths or parts of roadways set aside for the exclusive use of bicycles ~~or motoreycles~~.  
**(ORC 4511.55)**

~~(e)~~ ~~Persons operating bicycles on streets or sidewalks shall ride in single file, except that they may ride not more than two abreast on streets divided into two or more lanes of traffic moving in the same direction, provided that such operators do not occupy more than the right hand lane.~~

**(b) Motorcycles. Persons riding motorcycles upon a street, roadway, or any public or private property used by the public for the purpose of vehicular travel or parking shall ride not more than two (2) abreast in a single lane.**  
**(ORC 4511.55)**

**(c) Motor-Driven Cycles and Motor Scooters.**

**(1) No person shall operate a motor-driven cycle or motor scooter upon any street, roadway or public or private property used by the public for the purpose of vehicular travel or**

parking having an established speed limit greater than forty-five miles per hour (45 mph).

- (2) This section does not prohibit a person operating a motor-driven cycle or motor scooter from proceeding across an intersection of a street or roadway having a speed limit greater than forty-five miles per hour (45 mph).  
(ORC 4511.214)

(d) Motorized Bicycles or Mopeds. ~~444.11 OPERATION OF MOTORIZED BICYCLES.~~ (a) No person shall operate a motorized bicycle or moped upon a ~~street, road~~ highway or any public or private property used by the public for purposes of vehicular travel or parking unless all of 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 ORC 4511.521; this section, or the person is sixteen (16) years of age or older and holds either a valid commercial driver's license issued under ORC Chapter 4506., or a driver's license issued under ORC Chapter 4507., or a valid motorized bicycle license issued after the person has passed the test provided for in ORC 4511.521 this section, 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 ORC 4511.521; this section.
  - (2) The motorized bicycle or moped is equipped in accordance with the rules adopted by the Ohio Director of Public Safety under subsection (b) of ~~this section~~ 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 or moped is equipped with a rearview mirror. The protective helmet and rearview mirror required by this division shall, on and after January 1, 1985, conform to the rules adopted by the Ohio Director of Public Safety;
  - (4) The person operates the motorized bicycle when practicable within three feet (3') of the right edge of the roadway obeying all traffic rules applicable to vehicles; ~~and~~.
  - (5) The person operating the motorized bicycle or moped is not carrying another person upon the motorized bicycle or moped.  
(ORC 4511.521)
- ~~(b) The Director of Public Safety, subject to Ohio R.C. Chapter 119, shall adopt and promulgate rules concerning protective helmets, the equipment of motorized bicycles, and the testing and qualifications of persons who do not hold a valid driver's or commercial driver's license. The test shall be as near as practicable to the examination required for a motorcycle operator's endorsement under Ohio R.C. 4507.11. The test shall also require the operator to give an actual demonstration of the operator's ability to operate and control a motorized bicycle by driving one under the supervision of an examining officer.~~
- ~~(c) Every motorized bicycle license expires on the birthday of the applicant in the fourth year after the date it is issued, but in no event shall any motorized bicycle license be issued for a period longer than four years.~~
- ~~(d) No person operating a motorized bicycle shall carry another person upon the motorized bicycle.~~
- ~~(e) The protective helmet and rearview mirror required by subsection (a)(3) of this section shall, on and after 1-1-1985, conform with rules adopted by the Director under subsection (b) of this section.~~
- ~~(f) Each probationary motorized bicycle license or motorized bicycle license shall be laminated with a transparent plastic material.~~
- ~~(g) Whoever violates subsection (a), (d), or (e) of this section is guilty of a minor misdemeanor.~~

**(e) Low-Speed Micromobility Devices.**

- (1) No person shall operate a low-speed micromobility device upon any street, roadway or public or private property used by the public for the purpose of vehicular travel or parking having an established speed limit greater than forty-five miles per hour (45 mph).**
- (2) This section does not prohibit a person operating a low-speed micromobility device from proceeding across an intersection of a street or roadway having a speed limit greater than forty-five miles per hour (45 mph).**
- (3) Except as otherwise provided in this section, those sections of the Traffic Code that by their nature could apply to a low-speed micromobility device do apply to that device and the person operating it whenever it is operated upon any street, roadway or public or private property used by the public for the purpose of vehicular travel or parking. (ORC 4511.514)**

**(f) Electric Personal Assistive Mobility Devices.**

- (1) No person shall operate an electric personal assistive mobility device upon any street, roadway or public or private property used by the public for the purpose of vehicular travel or parking having an established speed limit greater than forty-five miles per hour (45 mph).**
- (2) This section does not prohibit a person operating an electric personal assistive mobility device from proceeding across an intersection of a street or roadway having a speed limit greater than forty-five miles per hour (45 mph).**
- (3) Except as otherwise provided in this section, those sections of the Traffic Code that by their nature could apply to an electric personal assistive mobility device do apply to that device and the person operating it whenever it is operated upon any street, roadway or public or private property used by the public for the purpose of vehicular travel or parking. (ORC 4511.512)**

**(g) Motorized Wheelchairs and Personal Delivery Devices. No person shall operate a motorized wheelchair or personal delivery device upon any street or roadway or any public or private property used by the public for the purpose of vehicular travel. (Ord. 2022-14. Adopted \*\*/\*\*/22)**

**(h) Penalties.**

- (1) ~~(d)~~ Except as otherwise provided in this ~~division (h)(1) subsection~~, whoever violates ~~division subsection~~ (a) or (b) 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 pled guilty to one (1) predicate motor vehicle or traffic offense, whoever violates ~~division subsection~~ (a) or (b) of 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 ~~division subsection~~ (a) or (b) of this section is guilty of a misdemeanor of the third degree. **If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under Section 444.99(b) of this Traffic Code.** (ORC 4511.55)**
- (2) Except as otherwise provided in this division (h)(2), whoever violates division (c) 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 pled guilty to one (1) predicate motor vehicle or traffic offense, whoever violates division (c) 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 or pled guilty to two (2) or more predicate motor vehicle or traffic offenses, whoever violates division (c) this section is guilty of a misdemeanor of the third degree.

(ORC 4511.214)

(3) Whoever violates division (d) of this section is guilty of a minor misdemeanor.

(ORC 4511.521)

(4) Whoever violates division (e) of this section is guilty of a minor misdemeanor. Unless a mens rea is otherwise specified in this section, an offense established under this section is a strict liability offense and ORC 2901.20 does not apply. The designation of that offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

(ORC 4511.514)

(5) Whoever violates division (f) of this section is guilty of a minor misdemeanor and shall be punished as follows:

A. The offender shall be fined ten dollars (\$10.00);

B. If the offender previously has been convicted of or pled guilty to a violation of division (f) of this section, or any substantially equivalent State law or municipal ordinance, the court, in addition to imposing the fine required under division (e)(1)A. of this section, shall do one of the following:

(i) Order the impoundment for not less than one (1) day but no more than thirty (30) days of the electric personal assistive mobility device that was involved in the current violation of that division. The court shall order the device to be impounded at a safe indoor location designated by the court and may assess storage fees of not more than five dollars (\$5.00) per day; provided the total storage, processing, and release fees assessed against the offender or the device in connection with the device's impoundment or subsequent release shall not exceed fifty dollars (\$50.00).

(ii) If the court does not issue an impoundment order pursuant to division (e)(1)B.(i) of this section, issue an order prohibiting the offender from operating any electric personal assistive mobility device on the public streets, roadways, sidewalks, bike lanes, bike paths, and shared use paths for not less than one (1) day but not more than thirty (30) days.

(ORC 4511.512)

(6) Whoever violates division (g) of this section is guilty of a minor misdemeanor.

(Ord. 2022-14. Adopted \*\*/\*\*/22)

#### 444.06 DUTIES AT INTERSECTION WITH AMBIGUOUS OR NONWORKING TRAFFIC SIGNAL.

(a) Duty of Drivers. The operator of a bicycle, electric bicycle, motorcycle, motor-driven cycle or scooter, motorized bicycle or moped, low-speed micromobility device, or electric personal assistive device who approaches an intersection where traffic is controlled by traffic control signal shall do all of the following if the signal facing the operator exhibits no colored lights or colored lighted arrows, exhibits a combination of such lights or arrows that fails to clearly indicate the assignment of the right-of-way, or if the signals are otherwise malfunctioning due to the failure of a vehicle detector to detect the presence of the bicycle, electric bicycle, motorcycle, motor-driven cycle or scooter, motorized bike or moped, low-speed micromobility device, or electric personal assistive device:

(1) Stop at a clearly marked stop line but, if none, stop before entering the crosswalk on the near side of the intersection or, if none, stop before entering the intersection;



- (2) Yield the right-of-way to all vehicles in the intersection or approaching on an intersecting road if the vehicle will constitute an immediate hazard during the time the driver is moving across or within the intersection or junction of roadways; and
- (3) Exercise ordinary care while proceeding through the intersection.

**(b) Penalties.**

- (1) 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 pled 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 or pled guilty to two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.
- (2) If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under 444.99(b) of this Traffic Code. (ORC 4511.132)

444.07 **USE OF SIGNALS.**

~~SAFE RIDING REGULATIONS FOR BICYCLES.~~

(a) Turn Signals Required. When operated upon a street, roadway, or any public or private property used by the public for the purpose of vehicular travel or parking, no operator of a bicycle, electric bicycle, motorcycle, motor-driven cycle or scooter, motorized bicycle or moped, low-speed micromobility device, or electric personal assistive mobility device shall turn the vehicle 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 feet (100') feet traveled by the vehicle before turning, except that in the case of a person operating a bicycle, electric bicycle, low-speed micromobility device, or electric personal assistive mobility device the signal shall be made not less than one (1) time but is not required to be continuous. The operator of a bicycle, electric bicycle, low-speed micromobility device, or electric personal assistive mobility device is not required to make a signal if the bicycle, electric bicycle, low-speed micromobility device, or electric personal assistive mobility device 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 vehicle.

~~Whenever a designated usable path for bicycles has been provided adjacent to a street, bicycle riders shall use such path and shall not use the street.~~

(b) Stop Signals Required. No person shall stop or suddenly decrease the speed of a bicycle, electric bicycle, motorcycle, motor-driven cycle or scooter, motorized bicycle or moped, low-speed micromobility device, or electric personal assistive mobility device 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.

~~Whenever a person is riding a bicycle upon a sidewalk or street, such person shall yield the right of way to any pedestrian and shall give an audible signal before attempting to overtake and pass a pedestrian or another bicycle. This audible signal must be given only by bell or other warning device capable of giving an audible signal and shall be given at such a distance and in such a manner as not to startle the person being overtaken and passed.~~

**(c) Appropriate Signals. 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 left or right.**

**(ORC 4511.39)**

~~No person shall ride a bicycle across or through any intersection involving a through street. Such intersections are to be crossed by walking the bicycle across or through the intersection.~~

**(d) Hand and Arm Signals. All signals required by this section, 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.**

**As an alternative to division (d)(2) of this section, a person operating bicycle, electric bicycle, low-speed micromobility device, or electric personal assistive mobility device may give a right turn signal by extending the right hand and arm horizontally and to the right side of the vehicle.**

**(ORC 4511.40)**

~~Whenever a person is riding a bicycle upon a sidewalk, the person, before overtaking and passing a blind person carrying a white or metallic cane, shall dismount and overtake or pass on foot.~~

**(e) Penalties.**

- (1) 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 pled 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 or pled guilty to two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.**

- (2) If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under 444.99(b) of this Traffic Code.**

**(ORC 4511.39; 4511.40)**

~~When a bicycle is operated on the street, the operator shall give hand signals before turning, changing lanes or stopping. Such signals shall conform with Ohio R.C. 4511.40, or a substantially equivalent municipal ordinance.~~

~~(f) Every rider of a bicycle shall exercise due care to avoid colliding with any pedestrian or any vehicle upon any roadway, sidewalk or bicycle path, or endangering the life, limb or property of any person while in the lawful use of the streets, sidewalks or any other private or public property.~~

~~(g) No person shall operate a bicycle at a speed greater than is reasonable and proper under the conditions then existing.~~

~~(h) The operator of a bicycle emerging from or turning into an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alley, driveway or building, yield the right of way to all pedestrians approaching on such sidewalk area. Upon entering the street, such operator shall yield the right of way to all vehicles approaching on such street.~~

~~(i) No person shall operate a bicycle 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.~~

~~(j) No person shall operate a bicycle without exercising reasonable and ordinary control over such bicycle.~~

~~(k) No person shall operate a bicycle in a weaving or zigzag course unless such irregular course is necessary for safe operation in compliance with law.~~

~~(l) No person shall operate a bicycle without both hands upon the handle grips, except when necessary to give the required hand and arm signals, or as provided in § 444.02(a).~~

~~(m) No person shall engage in trick riding or operate a bicycle without both hands upon the handle grips except when necessary to give the hand signals required herein.~~

444.08 444.06 **DRIVING OR PARKING ON RIDING BICYCLES UPON SIDEWALKS.**

(a) **Bicycles and Electric Bicycles.**

**(1) Bicycles and electric bicycles, if the motor is not engaged, may be driven upon any sidewalk and sidewalk area, except as otherwise posted. Bicycles and electric bicycles may only be parked upon a sidewalk or sidewalk area in a manner that does not interfere with pedestrian traffic.**

**(2) A law enforcement officer, or other person sworn to enforce this Traffic Code, may use an electric bicycle with the motor engaged on any sidewalk or sidewalk area while in the performance of the officer's duties.**

**(ORC 4511.711)**

The use of bicycles on sidewalks, in public parks or on other public ways is permitted, except for certain areas which are posted as prohibited in order to assure pedestrian safety.

**(b) Motorcycles, Motor-Driven Cycles or Scooters, Motorized Bicycles or Mopeds. No motorcycle, motor-driven cycle or scooter, motorized bicycle, or moped may be driven upon any sidewalk or sidewalk area, except upon a permanent or duly-authorized temporary driveway, and no motorcycle, motor-driven cycle or scooter, or motorized bicycle or moped may be parked upon any sidewalk or sidewalk area at any time.**

**(ORC 4511.711)**

Every person operating a bicycle on a sidewalk within the city shall comply with all traffic rules applicable to pedestrians and shall give due regard and the right of way to pedestrians using the sidewalk.

**(c) Low-Speed Micromobility Devices. Low-speed micromobility devices may be driven upon any sidewalk and sidewalk area, except as otherwise posted. Low-speed micromobility devices may only be parked upon a sidewalk or sidewalk area in a manner that does not interfere with pedestrian traffic.**

**(ORC 4511.514)**

Pedestrians shall have the right of way against any person operating a bicycle on a sidewalk within the city. Any injury to a pedestrian resulting from the operation or parking of a bicycle on a sidewalk shall be the legal responsibility of the operator of the bicycle. If such person is a minor under 18 years of age, the legal responsibility for such injury shall be imputed to the parent or adult person permitting the minor to operate a bicycle, who shall be jointly and severally liable with the minor for any damage caused by the use of a bicycle on a sidewalk.

**(d) Electric Personal Assistive Mobility Devices. Electric personal assistive mobility devices may be driven upon any sidewalk and sidewalk area, except as otherwise posted. Electric personal assistive mobility devices may only be parked upon a sidewalk or sidewalk area in a manner that does not interfere with pedestrian traffic.**

**(ORC 4511.512)**

**(e) Motorized Wheelchairs. Motorized wheelchairs may be driven upon any sidewalk or sidewalk area. Every person operating a motorized wheelchair upon a sidewalk or sidewalk area shall have all of the rights and duties applicable to pedestrians under the Traffic Code, except those provisions which by their nature can have no application.**

**(ORC 4511.491)**

**(f) Personal Delivery Devices. An eligible entity may operate a personal delivery device on sidewalks and crosswalks so long as all of the following requirements are met:**

- (1) The personal delivery device is operated in accordance with all regulations, if any, established by the City;**
- (2) A personal delivery device operator is actively controlling or monitoring the navigation and operation of the personal delivery device;**
- (3) The eligible entity maintains an insurance policy that includes general liability coverage of not less than one hundred thousand dollars (\$100,000) for damages arising from the operation of the personal delivery device by the eligible entity and any agent of the eligible entity; and**
- (4) The device is equipped with all of the following:**
  - A. A marker that clearly identifies the name and contact information of the eligible entity operating the personal delivery device and a unique identification number;**
  - B. A braking system that enables the personal delivery device to come to a controlled stop; and**
  - C. If the personal delivery device is being operated between sunset and sunrise, a light on both the front and rear of the personal delivery device that is visible in clear weather from a distance of at least five hundred feet (500') to the front and rear of the personal delivery device when directly in front of low beams of headlights on a motor vehicle.**

**(ORC 4511.513)**

**(g) Authority of Public Safety Director. The City's Public Safety Director is hereby authorized to make and issue, by administrative directive, rules and regulations regarding the use of City sidewalks, and parking thereon, by bicycles, electric bicycles, low-speed mobility devices, electric personal assistive mobility devices, motorized wheelchairs, and personal delivery devices and shall assure appropriate signage is posted regarding such rules and regulations.**

**(Ord. 2022-14. Adopted \*\*/\*\*/22)**

**(h) Penalties.**

- (1) Except as otherwise provided in this division (h)(1), whoever violates division (a), of this section, or any rule or regulation of the Public Safety Director promulgated pursuant to division (g) 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 pled guilty to one (1) predicate motor vehicle or traffic offense, whoever violates division (a) of this section or any rule or regulation of the Public Safety Director promulgated pursuant to division (g) of 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 or pled guilty to two (2) or more predicate motor vehicle or traffic offenses, whoever violates division (a) of this section or any rule or regulation of the Public Safety Director promulgated pursuant to division (g) of this section, is guilty of a misdemeanor of the third degree. If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under 444.99(b) of this Traffic Code.**

**(ORC 4511.711)**

- (2) Except as otherwise provided in this division (h)(2), whoever violates division (b) 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 pled guilty to one (1) predicate motor vehicle or traffic offense, whoever violates division (b) of 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 or pled guilty to two (2) or more predicate motor vehicle or traffic offenses, whoever violates division (b) of this section is guilty of a misdemeanor of the third degree.**  
**(Ord. 2022-14. Adopted \*\*/\*\*/22)**
- (3) Whoever violates division (c) of this section is guilty of a minor misdemeanor. Unless a mens rea is otherwise specified in this section, an offense established under this section is a strict liability offense and ORC 2901.20 does not apply. The designation of that offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.**  
**(ORC 4511.514)**
- (4) Whoever violates division (d) of this section is guilty of a minor misdemeanor and shall be punished as follows:**  
**A. The offender shall be fined ten dollars (\$10.00);**  
**B. If the offender previously has been convicted of or pled guilty to a violation of division (d) of this section, or any substantially equivalent State law or municipal ordinance, the court, in addition to imposing the fine required under division (e)(1)A. of this section, shall do one of the following:**  
**(i) Order the impoundment for not less than one (1) day but no more than thirty (30) days of the electric personal assistive mobility device that was involved in the current violation of that division. The court shall order the device to be impounded at a safe indoor location designated by the court and may assess storage fees of not more than five dollars (\$5.00) per day; provided the total storage, processing, and release fees assessed against the offender or the device in connection with the device's impoundment or subsequent release shall not exceed fifty dollars (\$50.00).**  
**(ii) If the court does not issue an impoundment order pursuant to division (e)(1)B.(i) of this section, issue an order prohibiting the offender from operating any electric personal assistive mobility device on the public streets, roadways, sidewalks, bike lanes, bike paths, and shared use paths for not less than one (1) day but not more than thirty (30) days.**  
**(ORC 4511.512)**
- (5) Except as otherwise provided in this division (h)(5), whoever violates division (f) 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 pled guilty to one (1) predicate motor vehicle or traffic offense, whoever violates division (f) of 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 or pled guilty to two (2) or more predicate motor vehicle or traffic offenses, whoever violates division (f) of this section is guilty of a misdemeanor of the third degree.**  
**(ORC 4511.99)**

**PARKING; LOCKS.**

- (a) No person shall park a bicycle upon a sidewalk in such a manner as to interfere with pedestrian traffic or damage the property of another.**

~~(b) No person shall park a bicycle upon a roadway in such a manner as to interfere with vehicular traffic.~~

~~(c) No bicycle shall remain unlocked when parked upon any public way or place.~~

444.09 **DRIVING ON BIKE PATHS.**  
**PARENT'S RESPONSIBILITY.**

**(a) Prohibitions. No person shall operate any motor vehicle, snowmobile, all-purpose vehicle, motorcycle (including autocycle, cab-enclosed motorcycle, and motor-driven cycle or scooter), motorized bicycle or moped, class 3 electric bicycle, or personal delivery device upon any bike path. Statutory reference: ORC 4511.522; 4511.713**

**(b) Permitted Vehicles. Bicycles, class 1 electric bicycles, class 2 electric bicycles, electric personal assistive mobility devices, low-speed micromobility devices, and motorized wheelchairs are permitted upon bike paths, unless otherwise posted.**

**(c) Authority of the Public Safety Director. The City's Public Safety Director is hereby authorized to make and issue, by administrative directive, rules and regulations regarding the use of bike paths by bicycles, class 1 electric bicycles, class 2 electric bicycles, low-speed mobility devices, electric personal assistive mobility devices, and motorized wheelchairs and shall assure appropriate signage is posted regarding such rules and regulations.**

**(d) Penalties.**

**(1) Except as otherwise provided in this division (d)(1), whoever violates division (a) of this section and who is operating a class 3 electric bicycle at the time of the offense is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pled 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 division (a) of this section is guilty of a misdemeanor of the third degree. The offense established under this division (d)(1) is a strict liability offense and strict liability is a culpable mental state for the purposes of ORC 2901.20. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.**

**(ORC 4511.522)**

**(2) Except as otherwise provided in this division (d)(2), whoever violates division (a) of this section and is operating a motor vehicle, snowmobile, all-purpose vehicle, motorcycle or motorized bicycle or moped at the time of the offense is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pled guilty to one (1) predicate motor vehicle or traffic offense, whoever violates division (a) 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 or pled guilty to two (2) or more predicate motor vehicle or traffic offenses, whoever violates division (a) this section is guilty of a misdemeanor of the third degree. If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under 444.99(b) of this Traffic Code.**

**(ORC 4511.713)**

**(3) Whoever violates any rule or regulation issued by the Public Safety Director pursuant to division (c) of this section is guilty of a minor misdemeanor.**

**(Ord. 2022-14. Adopted \*\*/\*\*/22)**

No parent of any child or guardian of any ward shall authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter.

444.10 **DRIVING ON BIKE LANES AND SHARED USE PATHS.**

~~SUSPENSION OF RIDING PRIVILEGES; IMPOUNDING OF BICYCLES.~~

**(a) Prohibitions. No person shall operate any motor vehicle, snowmobile, all-purpose vehicle, motorcycle (including auticycle, cab-enclosed motorcycle, and motor-driven cycle or scooter), class 3 electric bicycle, motorized wheelchair, or personal delivery device upon any bike lane or shared use path.**

**Statutory reference: ORC 4511.522**

**(b) Permitted Vehicles. Bicycles, class 1 electric bicycles, class 2 electric bicycles, motorized bicycles and moped, electric personal assistive mobility devices, and low-speed micromobility devices are permitted upon any bike lane or shared use path.**

**Statutory reference: ORC 4511.512; 4511.514; 4511.521; 4511.522**

**(c) Penalties.**

**(1) Except as otherwise provided in this division (c)(1), whoever violates division (a) of this section and who is operating a class 3 electric bicycle at the time of the offense is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pled 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 division (a) of this section is guilty of a misdemeanor of the third degree. The offense established under this division (d)(1) is a strict liability offense and strict liability is a culpable mental state for the purposes of ORC 2901.20. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.**

**(ORC 4511.522)**

**(2) Except as otherwise provided in this division (d)(2), whoever violates division (a) of this section and is operating a motor vehicle, snowmobile, all-purpose vehicle, motorcycle, motorized wheelchair, or personal delivery device at the time of the offense is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pled guilty to one (1) predicate motor vehicle or traffic offense, whoever violates division (a) 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 or pled guilty to two (2) or more predicate motor vehicle or traffic offenses, whoever violates division (a) this section is guilty of a misdemeanor of the third degree.**

**(Ord. 2022-14. Adopted \*\*/\*\*/22)**

In addition to the penalties provided in § 444.99, a court may prohibit any person who violates or fails to comply with any of the provisions of this chapter relating to bicycles from riding a bicycle for a period not to exceed three months. In addition, any person violating or failing to comply with any of the provision of this chapter relating to bicycles may be punished by having his or her bicycle impounded for a period not exceeding 90 days.

**444.11 DRIVING ON HIKING PATHS, PEDESTRIAN-ONLY PATHS, OR IN PARKS.**

**(a) Hiking Paths.** No electric bicycles, regardless of the bicycle's class, motorcycles, motorized bicycles or mopeds, electric personal assistive mobility devices, low-speed micromobility devices, motorized wheelchairs, or personal delivery devices may be operated upon paths that are intended to be used primarily for mountain biking, hiking, equestrian use, or other similar uses, or any other single track or natural surface trail that has historically been reserved for nonmotorized use.

Statutory reference: ORC 4511.522

**(b) Pedestrian-Only Paths.** No bicycles, including electric bicycles regardless of the bicycle's class, motorcycles, motorized bicycles or mopeds, electric personal assistive mobility devices, low-speed micromobility devices, or personal delivery devices may be operated upon any path reserved for pedestrians only.

**(c) Park Regulations.** Nothing in this section affects or shall be construed to affect any rule of the State Director of Natural Resources or the City governing the operation of vehicles on lands under the control of the Director or City, as applicable. The City may prohibit the use of any vehicle within or upon any City park. Such prohibition shall be posted and enforced as a park regulation.

**(d) Penalties.** Whoever violates division (a) or (b) of this section is guilty of a minor misdemeanor.

(Ord. 2022-14. Adopted \*\*/\*\*/22)

**444.12 DRIVING THROUGH A SAFETY ZONE.**

**(a) Prohibitions.** No bicycle, electric bicycle, motorcycle, motorized bicycle or moped, electric personal assistive mobility device, low-speed micromobility device, or personal delivery device shall at any time be driven through or within a safety zone.

**(b) Penalties.**

**(1)** 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 pled 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 or pled guilty to two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

**(2)** If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under 444.99(b) of this Traffic Code.  
(ORC 4511.60)

**444.13 RECKLESS OPERATION.**

**(a) Prohibitions.** No person shall operate a bicycle, electric bicycle, motorcycle, motorized bicycle or moped, electric personal assistive mobility device, low-speed micromobility device, motorized wheelchair, or personal delivery device:

**(1)** Without due regard for the safety and rights of pedestrians and drivers and occupants of all other vehicles so as to endanger the life, limb, or property of any person while that person is in the lawful use of the streets, bike paths, sidewalks or any other public or private property used by the public for the purpose of vehicular travel or parking.



- ~~(2) Without exercising reasonable and ordinary control over such vehicle.~~
- ~~(3) In a weaving or zigzag course, unless such irregular course is necessary for safe operation in compliance with law.~~
- ~~(4) Without both hands upon the handle grips, except when necessary to give the required hand and arm signals under Section 444.07 of this Traffic Code.~~
- ~~(5) At a speed greater than is reasonable and prudent under the conditions then existing.~~

(b) Penalties. 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 pled 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 or pled guilty to two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.  
(Ord. 2022-14. Passed \*\*/\*\*/22)

444.14 444.02 GENERAL OPERATION OF BICYCLES AND ELECTRIC BICYCLES.  
RIDING UPON SEATS; CARRYING PACKAGES; MOTORCYCLE HANDLE BARS; HELMETS  
AND GLASSES.

(a) For purposes of this section, ~~SNOWMOBILE~~ has the same meaning as given that term in Ohio R.C. 4519.01.

(b) Rules for Operation of Bicycles and Electric Bicycles.

- (1) No person operating a bicycle or electric bicycle shall ride other than upon or astride the permanent and regular seat attached thereto or carry any other person upon such bicycle or electric bicycle other than upon a firmly attached and regular seat thereon, and no person shall ride upon a bicycle or electric bicycle other than upon such a firmly attached and regular seat.
- ~~(2) No person operating a motorcycle shall ride other than upon or astride the permanent and regular seat or saddle attached thereto, or carry any other person upon such motorcycle other than upon a firmly attached and regular seat or saddle thereon, and no person shall ride upon a motorcycle other than upon such a firmly attached and regular seat or saddle.~~
- ~~(3) No person shall ride upon a motorcycle that is equipped with a saddle other than while sitting astride the saddle, facing forward, with one leg on each side of the motorcycle.~~
- ~~(4) No person shall ride upon a motorcycle that is equipped with a seat other than while sitting upon the seat.~~
- ~~(5) No person operating a bicycle or electric bicycle shall carry any package, bundle, or article that prevents the driver from keeping at least one hand upon the handlebars.~~
- (4) (6) No bicycle or electric bicycle motorcycle shall be used to carry more persons at one time than the number for which it is designed and equipped. No motorcycle shall be operated on a highway when the handlebars rise higher than the shoulders of the operator when the operator is seated in the operator's seat or saddle.
- (5) Nothing in this division shall be construed as prohibiting the carrying of a child in a seat or trailer that is designed for carrying children and is firmly attached to the bicycle or electric bicycle.  
(ORC 4511.53)

(b) Additional Rules for the Operation of Electric Bicycles.

- (1) No person under sixteen (16) years of age shall operate a class 3 electric bicycle; however, a person under sixteen (16) years of age may ride as a passenger on a class 3 electric bicycle that is designed to accommodate passengers.

- (2) No person shall operate or be a passenger on a class 3 electric bicycle unless the person is wearing a protective helmet that meets the standards established by the consumer product safety commission or the American society for testing and materials.
- (3) Divisions (b)(1) and (b)(2) do not apply to a law enforcement officer, or other person sworn to enforce this Traffic Code, using an electric bicycle while in the performance of the officer's duties.  
(ORC 4511.522)

(c) Penalties.

- (1) Except as otherwise provided in this division (c)(1), 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 pled guilty to one (1) predicate motor vehicle or traffic offense, whoever violates division (a) of 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 division (a) of this section is guilty of a misdemeanor of the third degree.  
(ORC 4511.53)
- (2) A. Except as otherwise provided in this division (c)(2), whoever violates division (b) 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 pled guilty to one (1) predicate motor vehicle or traffic offense, whoever violates division (a) of 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 division (a) of this section is guilty of a misdemeanor of the third degree.  
B. The offenses established under division (c)(2)A. of this section are strict liability offenses and strict liability is a culpable mental state for purposes of ORC 2901.20. The designation of these offenses as strict liability offenses shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.  
(ORC 4511.522)
- ~~(1) Except as provided in division (c)(3) of this section, no person shall operate or be a passenger on a snowmobile or motorcycle without using safety glasses or other protective eye device. Except as provided in division (c)(3) of this section, no person who is under the age of 18 years, or who holds a motorcycle operator's endorsement or license bearing a "novice" designation that is currently in effect as provided in R.C. § 4507.13, 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 rules adopted 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.~~
- ~~(2) A. Except as provided in division (c)(3) of this section, no person shall operate a motorcycle with a valid temporary instruction permit and temporary instruction permit identification card issued by the Registrar of Motor Vehicles pursuant to R.C. § 4507.05 unless the person, at the time of such operation, is wearing on the person's head a protective helmet that conforms with rules adopted by the Ohio Director of Public Safety.~~
- ~~— B. No person shall operate a motorcycle with a valid temporary instruction permit and temporary instruction permit identification card issued by the Registrar of Motor Vehicles pursuant to R.C. § 4507.05 in any of the following circumstances:~~

- ~~1. At any time when lighted lights are required by R.C. § 4513.03(A)(1);~~
  - ~~2. While carrying a passenger;~~
  - ~~3. On any limited access highway.~~
- (3) ~~Divisions (c)(1) and (c)(2)A. of this section do not apply to a person who operates or is a passenger in an autocycle or cab enclosed motorcycle when the occupant compartment top is in place enclosing the occupants.~~

~~(d) Nothing in this section shall be construed as prohibiting the carrying of a child in a seat or trailer that is designed for carrying children and is firmly attached to the bicycle.~~

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

#### **444.15 GENERAL OPERATION OF MOTORCYCLES.**

##### **(a) Rules for Operation of Motorcycles.**

###### **(1) Riding:**

- A. No person operating a motorcycle shall ride other than upon or astride the permanent and regular seat or saddle attached thereto, or carry any other person upon such motorcycle other than upon a firmly attached and regular seat or saddle thereon, and no person shall ride upon a motorcycle other than upon such a firmly attached and regular seat or saddle.**
  - B. No person shall ride upon a motorcycle that is equipped with a saddle other than while sitting astride the saddle, facing forward, with one leg on each side of the motorcycle.**
  - C. No person shall ride upon a motorcycle that is equipped with a seat other than while sitting upon the seat.**
- (2) Number of Passengers: No motorcycle shall be used to carry more persons at one time than the number for which it is designed and equipped.**
  - (3) "Low-Rider" Handlebars Prohibited: No motorcycle shall be operated on a street or other street or other roadway when the handlebars rise higher than the shoulders of the operator when the operator is seated in the operator's seat or saddle.**
  - (4) Safety Glasses: No person shall operate or be a passenger on a motorcycle without using safety glasses or other protective eye device that conforms to the rules prescribed by the Ohio Director of Public Safety. This division (a)(4) does not apply to a person operating an autocycle or cab-enclosed motorcycle when the occupant compartment top is in place enclosing the occupants.**
- ###### **(5) Helmets:**
- A. Except as provided in division (a)(5)C. of this section, 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 ORC 4507.13, shall operate a motorcycle on a street or roadway, or be a passenger on a motorcycle, unless wearing a United States Department of Transportation-approved 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 shall conform to the rules 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.

- B. No person shall operate a motorcycle with a valid temporary instruction permit and temporary instruction permit identification card issued by the Registrar of Motor Vehicles pursuant to ORC 4507.05 unless the person, at the time of such operation, is wearing on the person's head a protective helmet that has been approved by the United States Department of Transportation and that conforms to the rules adopted by the Ohio Director of Public Safety.
  - C. Division (a)(5)A. of this section do not apply to a person operating an autocycle or cab-enclosed motorcycle when the occupant compartment top is in place enclosing the occupants.
- (6) Temporary Instruction Permits: No person shall operate a motorcycle with a valid temporary instruction permit and temporary instruction permit identification card issued by the Registrar of Motor Vehicles pursuant to ORC 4507.05 in any of the following circumstances:
- A. At any time when lighted lights are required by ORC 4513.03;
  - B. While carrying a passenger; or
  - C. On any limited access highway or heavily congested roadway.

(b) Penalties. 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 pled 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 or pled guilty to two (2) or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree. (ORC 4511.53)

#### 444.16 GENERAL OPERATION OF LOW-SPEED MICROMOBILITY DEVICES.

- (a) Prohibitions. No operator of a low-speed micromobility device shall do any of the following:
- (1) Fail to yield the right-of-way to all pedestrians at all times;
  - (2) Fail to give an audible signal before overtaking and passing a pedestrian;
  - (3) Operate the device at night unless the device or its operator is equipped with or wearing both of the following:
    - A. A lamp pointing to the front that emits a white light visible from a distance of not less than five hundred feet (500'); and
    - B. A red reflector facing the rear that is visible from all distances from one hundred feet to six hundred feet (100' – 600') when directly in front of lawful lower beams or head lamps on a motor vehicle.
  - (4) No person who is under sixteen (16) years of age shall rent a low-speed micromobility device.
  - (5) No person shall knowingly rent a low-speed micromobility device on behalf of a person who is under sixteen (16) years of age.
  - (6) No person shall operate a low-speed micromobility device at a speed greater than twenty miles per hour (20 mph).
- (b) Penalties.
- (1) Whoever violates division (a) of this section is guilty of a minor misdemeanor.
  - (2) Unless a mens rea is otherwise specified in this section, an offense established under this section is a strict liability offense and ORC 2901.20 does not apply. The designation of that offense as a strict liability offense shall not be construed to imply that any other

offense, for which there is no specified degree of culpability, is not a strict liability offense.  
(ORC 4511.514)

**444.17 OPERATION OF ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES.**

**(a) Prohibitions. No operator of an electric personal assistive mobility device shall do any of the following:**

- (1) Fail to yield the right-of-way to all pedestrians and human-powered vehicles at all times.**
- (2) Fail to give an audible signal before overtaking and passing a pedestrian.**
- (3) Operate the device at night unless the device or its operator is equipped with or wearing both of the following:**
  - A. A lamp pointing to the front that emits a white light visible from a distance of not less than five hundred feet (500’); and**
  - B. A red reflector facing the rear that is visible from all distances from one hundred feet to six hundred feet (100’ – 600’) when directly in front of lawful lower beams of head lamps on a motor vehicle.**
- (4) Operate the device on any portion of a street or roadway that has an established speed limit of fifty-five miles per hour (55 mph) or more.**
- (5) Operate the device upon any path set aside for the exclusive use of pedestrians or other specialized use when an appropriate sign giving notice of the specialized use is posted on the path.**
- (6) If under eighteen (18) years of age, operate the device unless wearing a protective helmet on the person’s head with the chin strap properly fastened.**
- (7) If under sixteen (16) years of age, operate the device unless, during the operation, the person is under the direct visual and audible supervision of another person who is eighteen (18) years of age or older and is responsible for the immediate care of the person under sixteen (16) years of age.**
- (8) No person who is under fourteen (14) years of age shall operate an electric personal assistive mobility device.**

**(b) Restriction on Sellers. No person shall distribute or sell an electric personal assistive mobility device unless the device is accompanied by a written statement that is substantially equivalent to the following: “WARNING: TO REDUCE THE RISK OF SERIOUS INJURY, USE ONLY WHILE WEARING FULL PROTECTIVE EQUIPMENT – HELMET, WRIST GUARDS, ELBOW PADS, AND KNEE PADS.”**

**(c) Penalties.**

- (1) Whoever violates division (a) of this section is guilty of a minor misdemeanor and shall be punished as follows:**
  - A. The offender shall be fined ten dollars (\$10.00);**
  - B. If the offender previously has been convicted of or pled guilty to a violation of division (b) of this section, or any substantially equivalent State law or municipal ordinance, the court, in addition to imposing the fine required under division (e)(1)A. of this section, shall do one of the following:**
    - (i) Order the impoundment for not less than one (1) day but no more than thirty (30) days of the electric personal assistive mobility device that was involved in the current violation of that division. The court shall order the device to be impounded at a safe indoor location designated by the court and may assess storage fees of not more than five dollars (\$5.00) per day; provided the total storage, processing, and release fees assessed against the**

offender or the device in connection with the device's impoundment or subsequent release shall not exceed fifty dollars (\$50.00).

(ii) If the court does not issue an impoundment order pursuant to division (e)(1)B.(i) of this section, issue an order prohibiting the offender from operating any electric personal assistive mobility device on the public streets, roadways, sidewalks, and paths and portions of roadways set aside for the exclusive use of bicycles for not less than one (1) day but not more than thirty (30) days.

(2) Whoever violates division (b) of this section is guilty of a minor misdemeanor. (ORC 4511.512)

#### 444.18 LIGHTED LIGHTS REQUIRED.

(a) Lighted Lights. Every bicycles, electric bicycle, motorcycle, motorized bicycle or moped, electric personal assistive mobility device, or low-speed micromobility device operated upon a street or roadway within this City shall display lighted lights and illuminating devices during all of the following times:

(1) The time from sunset to sunrise;

(2) At any other time when, due to insufficient natural light or unfavorable atmospheric conditions, persons, vehicles, and substantial objects on the street or roadway are not discernable at a distance of one thousand feet (1000') ahead;

(b) Penalties. Whoever violates this section is guilty of a minor misdemeanor. (ORC 4513.03)

#### 444.19 LIGHTS ON SLOW-MOVING VEHICLES.

(a) Lights Required. All vehicles, other than bicycles, not specifically required to be equipped with lamps or other lighting devices under this Traffic Code or equivalent State statute shall, at the times specified in 444.18(a), be equipped with at least one (1) lamp displaying a white light visible for a distance of not less than one thousand feet (1000') to the front of the vehicle, and also shall be equipped with two (2) lamps displaying red light visible from a distance of not less than one thousand feet (1000') to the rear of the vehicle or, as an alternative, one (1) lamp displaying a red light visible from a distance of not less than one thousand feet (1000') to the rear and two (2) red reflectors visible from all distances of six hundred feet to one hundred feet (600' – 100') to the rear when illuminated by the lawful lower beams of headlamps. Lamps and reflectors required or authorized by this section shall meet standards adopted by the Ohio Director of Public Safety.

(b) Penalties. Whoever violates this section is guilty of a minor misdemeanor. (ORC 4513.11)

#### 444.20 444.03 PROHIBITIONS AGAINST ATTACHING BICYCLES, ELECTRIC BICYCLES, SLEDS, AND MOTORCYCLES TO OTHER ITEMS TO VEHICLES.

(a) Prohibitions.

(1) No person riding upon any bicycle, electric bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway.

(2) No operator shall knowingly permit any person riding upon any bicycle, electric bicycle, coaster, roller skates, sled, or toy vehicle to attach the same or himself or herself to any vehicle while it is moving upon a roadway.

(b) (3) Exception. This section does not apply to the towing of a disabled vehicle.

**(c) ~~(b)~~ Penalties.** Except as otherwise provided in this **division** ~~subsection~~, whoever violates **division (a)** this section is guilty of a minor misdemeanor. If, within one **(1)** year of the offense, the offender previously has been convicted of or pled guilty to one **(1)** predicate motor vehicle or traffic offense, whoever violates **division (a) of** 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 **division (a) of** this section is guilty of a misdemeanor of the third degree. (ORC 4511.54)

#### **444.21 PERSONAL DELIVERY DEVICES.**

##### **(a) Prohibitions.**

- (1) No personal delivery device operator shall allow a personal delivery device to do any of the following:**
  - A. Fail to comply with traffic or pedestrian control devices and signals;**
  - B. Unreasonably interfere with pedestrians or traffic;**
  - C. Transport any hazardous material that would require a permit issued by the Ohio Public Utilities Commission; or**
  - D. Operate on a street or roadway, except when crossing the street or roadway within a crosswalk.**
- (2) A personal delivery device has all of the rights and obligations applicable to a pedestrian under the same circumstances, except that a personal delivery device shall yield the right-of-way to human pedestrians on sidewalks and crosswalks.**
- (3) No person shall operate a personal delivery device unless the person is authorized to do so under this section and complies with the requirements of this section.**
- (4) An eligible entity is responsible for both of the following:**
  - A. Any violation of this section that is committed by a personal delivery device operator; and**
  - B. Any other circumstance, including a technological malfunction, in which a personal delivery device operates in a manner prohibited by division (b)(1) of this section. (ORC 4511.513)**

**(b) Penalties.** 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 pled 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 or pled guilty to two **(2)** or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree. (ORC 4511.99)

#### **444.90 DEFINITIONS.**

**For the purposes of this chapter, the following definitions shall apply. For any term in this chapter which is not specifically defined in this section, the definitions contained in ORC 4511.01 or 4501.01, as applicable, shall apply.**

**(a) Autocycle. “Autocycle” means a three-wheeled motorcycle that is manufactured to comply with federal safety requirements for motorcycles and that is equipped with safety belts, a steering wheel, and seating that does not require the operator to straddle or sit astride to ride the motorcycle. (ORC 4501.01)**

**(b) Bicycle.** **“Bicycle” means every device, other than a device that is designed solely for use as a play vehicle by a child, that is propelled solely by human power upon which a person may ride, and that has two (2) or more wheels, any of which is more than fourteen inches (14”) in diameter.**  
**(ORC 4511.01)**

**(c) Bike Lane.** **“Bike lane” means a portion of the street or roadway set aside for the exclusive use of bicycles.**

**(d) Bike Path.** **“Bike path” means a trail or other area not within the road right-of-way that is reserved exclusively for the use of bicycles and pedestrians.**

**(e) Cab-Enclosed Motorcycle.** **“Cab-enclosed motorcycle” means a motor vehicle with motive power having a seat or saddle for the use of the operator, designed to travel on not more than three (3) wheels in contact with the ground, and having an occupant compartment top or an occupant compartment top that is installed.**  
**(ORC 4501.01)**

**(f) Distracted.** **“Distracted means doing either of the following while operating a vehicle (autocycle, bicycle, electric bicycle, motor-driven cycle, motor scooter, motorcycle, motorized bike or moped):**

- (1) Using a handheld electronic wireless communications device, as defined in ORC 4511.204, except when utilizing any of the following:**
  - A. The device’s speakerphone function;**
  - B. A wireless technology standard for exchanging data over short distances;**
  - C. A “voice-operated or hands-free” device that allows the person to use the electronic wireless communications device without the use of either hand except to activate, deactivate, or initiate a feature or function; or**
  - D. Any device that is physically or electronically integrated into the vehicle.**
- (2) Engaging in any activity that is not necessary to the operation of the vehicle and impairs, or reasonably would be expected to impair, the ability of the operator to drive the vehicle safely.**  
**(ORC 4511.991)**

**(g) Driver or Operator.** **“Driver” or “Operator” means every person who drives or is in actual physical control of a vehicle.**  
**(ORC 4511.01)**

**(h) Electric Bicycle.** **“Electric bicycle” means a “class 1 electric bicycle,” a “class 2 electric bicycle,” or a “class 3 electric bicycle, as defined in this division.**

- (1) “Class 1 electric bicycle” means a bicycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts (750W) that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of twenty miles per hour (20 mph).**
- (2) “Class 2 electric bicycle” means a bicycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts (750W) that may provide assistance regardless of whether the rider is pedaling and is not capable of providing assistance when the bicycle reaches the speed of twenty miles per hour (20 mph).**
- (3) “Class 3 electric bicycle” means a bicycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts (750W) that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of twenty-eight miles per hour (28 mph). (ORC 4511.01)**



**(i) Electric Personal Assistive Mobility Device.** **“Electric Personal Assistive Mobility Device” means a self-balancing two (2) non-tandem wheeled device that is designed to transport only one (1) person, has an electric propulsion system of an average of seven hundred fifty watts (750W), and, when ridden on a paved level surface by an operator who weighs one hundred seventy pounds (170 lbs.), has a maximum speed of less than twenty miles per hour (20 mph).**  
**(ORC 4501.01)**

**(j) Eligible Entity.** **“Eligible Entity” means a corporation, partnership, association, firm, sole proprietorship or other entity engaged in business.**  
**(ORC 4511.513)**

**(k) Low-Speed Micromobility Device.** **“Low-speed micromobility device” means a device weighing less than one hundred pounds (100 lbs.) that has handlebars, is propelled by an electric motor or human power, and has an attainable speed on a paved level service of not more than twenty miles per hour (20 mph) when propelled by the electric motor.**  
**(ORC 4511.01)**

**(l) Motor-Driven Cycle or Motor Scooter.** **“Motor-Driven Cycle or Motor Scooter” means any vehicle designed to travel on not more than three (3) wheels in contact with the ground, with a seat for the driver and floor pad for the driver’s feet, and is equipped with a motor with a piston displacement between fifty and one hundred cubic centimeters (50 – 100 cm<sup>3</sup>) piston displacement that produces not more than five (5) brake horsepower and is capable of propelling the vehicle at a speed greater than twenty miles per hour (20 mph) on a level surface.**  
**(ORC 4501.01)**

**(m) Motorcycle.** **“Motorcycle” means every motor vehicle, other than a tractor, having a seat or saddle for the use of the operator and designed to travel on not more than three (3) wheels in contact with the ground including, but not limited to, motor vehicles known as “motor-driven cycle,” “motor scooter,” “autocycle,” “cab-enclosed motorcycle,” or “motorcycle” without regard to weight or brake horsepower.**  
**(ORC 4511.01)**

**(n) Motorized Bicycle or Moped.** **“Motorized Bicycle” or “Moped” means any vehicle having either two (2) tandem wheels or one (1) wheel in the front and two (2) wheels in the rear that may be pedaled and that is equipped with a helper motor of not more than fifty cubic centimeters (50 cm<sup>3</sup>) piston displacement that produces no more than one brake horsepower (1 bhp) and is capable of propelling the vehicle at a speed of no greater than twenty miles per hour (20 mph) on a level surface. “Motorized bicycle” or “moped” does not include an electric bicycle.**  
**(ORC 4501.01; 4511.01)**

**(o) Motorized Wheelchair.** **“Motorized wheelchair” means any self-propelled vehicle designed for, and used by, a handicapped person that is incapable of a speed in excess of eight miles per hour (8 mph).**  
**(ORC 4511.01)**

**(p) Operate.** **“Operate” means to cause or have caused movement of a vehicle, electric personal assistive mobility device, low-speed micromobility device, or personal delivery device.**  
**(ORC 4511.01)**

**(q) Pedestrian.** **“Pedestrian” means any natural person afoot. “Pedestrian” includes a personal delivery device unless the context clearly suggests otherwise. (ORC 4511.01)**

**(r) Personal Delivery Device.** **“Personal Delivery Device” means an electrically powered device to which all of the following apply:**

- (1) The device is intended primarily to transport property and cargo on sidewalks and crosswalks;**
- (2) The device weighs less than five hundred (500 lbs.), excluding any property and cargo being carried by the device;**
- (3) The device has a maximum speed of ten miles per hour (10 mph); and**
- (4) The device is equipped with technology that enables the operation of the device with active control or monitoring by a person, without active control or monitoring by a person, or both with or without active control or monitoring by a person.**  
**(ORC 4511.513)**

**(s) Personal Delivery Device Operator.** **“Personal Delivery Device Operator” means an agent of an eligible entity who exercises direct physical control over, or monitoring of, the navigation and operation of a personal delivery device. “Personal Delivery Device Operator” does not include, with respect to a delivery or other service rendered by a personal delivery device, the person who requests the delivery or service. “Personal Delivery Device Operator” also does not include a person who only arranges for and dispatches a personal delivery device for a delivery or other service.**  
**(ORC 4511.513)**

**(t) Safety Zone.** **“Safety Zone” means the area or space officially set apart within a roadway for the exclusive use of pedestrians and protected or marked or indicated by adequate signs as to be plainly visible at all times.**  
**(ORC 4511.01)**

**(u) Shared-Use Path.** **“Shared-Use Path” means a bikeway outside the traveled way and physically separated from motorized vehicular traffic by an open space or barrier and either within the roadway right-of-way or within an independent alignment.**  
**(ORC 4511.01)**

**(v) Sidewalk.** **“Sidewalk” means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.**  
**(ORC 4511.01)**

**(w) Vehicle.** **“Vehicle” means every device, including a motorized bicycle and an electric bicycle, in, upon, or by which any person or property may be transported or drawn upon a roadway, street, or other public roadway, except that “vehicle” does not include any motorized wheelchair, any electric personal assistive mobility device, any low-speed micromobility device, any personal delivery device, any device that is moved by power collected from overhead electric trolley wires or that is used exclusively upon stationary rails or tracks, or any device, other than a bicycle, that is moved by human power.**  
**(ORC 4511.01)**

#### 444.99 **PENALTIES PENALTY.**

**(a) Penalties.** **Any person who violates any provision of this chapter for which no penalty is otherwise provided is guilty of a minor misdemeanor.**  
**(Ord. 2022-14. Adopted \*\*/\*\*/22)**

Any person 18 years of age or older who violates any of the provisions of this chapter, for which no penalty is otherwise provided, may be cited by the Police Division. Whoever violates any of such provisions is guilty of a minor misdemeanor.

**(b) Enhanced Penalty for Distracted Driving. If an offender violates Section 444.05(a), 444.05(b), 444.06, 444.07, 444.08(a), 444.09(a) or 444.12 of this chapter while distracted and the distracting activity is a contributing factor to the commission of the violation, the offender is subject to the applicable penalty for the violation and, notwithstanding ORC 2929.28 or any equivalent provision of this Traffic Code, is subject to an additional fine of not more than one hundred dollars (\$100) as follows:**

- (1) **Subject to Ohio Traffic Rule 13, if a law enforcement officer issues an offender a ticket, citation, or summons for a violation for any of the aforementioned Sections that indicates that the offender was distracted while committing the violation, the offender may enter a written plea of guilty and waive the offender's right to contest the ticket, citation, or summons in a trial provided that the offender pays the total amount of the fine established for the violation and pays the additional fine of one hundred dollars (\$100). In lieu of payment of the additional fine of one hundred dollars (\$100), the offender instead may elect to attend a distracted driving safety course established by the Ohio Director of Public Safety. If the offender attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully completed the course. The offender shall be required to pay the total amount of the fine established for the violation, but shall not be required to pay the additional fine of one hundred dollars (\$100), so long as the offender submits to the court both the offender's payment in full and such written evidence.**

~~Any person under 18 years of age who violates any of the provisions of this chapter, for which no penalty is otherwise provided, will first be issued a warning citation. Notification by mail to the parents or guardian of the juvenile will be made by the Police Division, if possible. The notification shall explain the nature of the violation and that subsequent violations must be prevented by the parent or legal guardian.~~

- (2) **If the offender appears in person to contest the ticket, citation, or summons in a trial and the offender pleads guilty to or is convicted of the violation, the court, in addition to all other penalties provided by law, may impose the applicable penalty for the violation and may impose the additional fine of not more than one hundred dollars (\$100). If the court imposes upon the offender the applicable penalty for the violation and an additional fine of not more than one hundred dollars (\$100), the court shall inform the offender that, in lieu of payment of the additional fine of not more than one hundred dollars (\$100), the offender instead may elect to attend the distracted driving safety course described in division (b)(1) of this section. If the offender elects the course option and attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully completed the course. The offender shall be required to pay the total amount of the fine established for the violation, but shall not be required to pay the additional fine of not more than one hundred dollars (\$100), so long as the offender submits to the court the offender's payment and such written evidence.**

**(ORC 4511.991)**

~~A second violation by a person under 18 years of age will result in the offender and his or her parent or guardian being summoned to appear at Police Headquarters for a hearing with the Police Division Juvenile Officer or his or her designee. The outcome of the hearing, if the offense is proven, may result in the impounding of a bicycle by the Police Division for a period not to exceed 90 days, subject to the provisions of § 446.11. A record of such impounding shall be kept by the Division.~~

- (3) ~~No violation of any of the provisions of this chapter by any person under 18 years of age shall be considered a criminal offense, nor shall the same be made a matter of court record.~~

~~(c) Whenever a bicycle, being operated by any person under 18 years of age, is found by a police officer to be in violation of any of the provisions of this chapter, in such officer's presence, such bicycle may be seized immediately by such officer, at his or her discretion, and impounded forthwith and placed in the custody of the Police Division. In such event, a hearing shall be held as provided in this section within a reasonable time thereafter, or the owner may voluntarily report to the Police Division Juvenile Officer for the purpose of reviewing the alleged violation. Upon satisfactory review of the alleged violation, the Juvenile Officer or his or her designee may release the bicycle to the parent or guardian without further action.~~

~~CHAPTER 446: LICENSING OF BICYCLES AND MOTORIZED BICYCLES~~

~~446.11 IMPOUNDMENT AND SALE OF ABANDONED BICYCLES.~~

~~Whenever any bicycle is impounded under the provisions of this Traffic Code, it shall be surrendered at the expiration of the impoundment period to the owner, if of age, or to the parents or guardian of the owner, if a minor, without any charge being made for storage. If the owner of a bicycle is unknown, or if a bicycle is not reclaimed by the legal owner thereof within six months after the end of the impoundment period, such bicycle shall be sold at public auction, after publication of a notice of the sale at least ten days prior to the date of sale. Proceeds of such sales shall be paid over to the Finance Director to the credit of the General Fund of the city.~~