



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** SO2013-3348

**Type:** Ordinance      **Status:** Passed

**File created:** 5/8/2013      **In control:** City Council

**Final action:** 6/5/2013

**Title:** Amendment of Municipal Code Title 9 by adding new Section 9-52-045 regarding bicyclist and pedestrian safety.

**Sponsors:** Emanuel, Rahm

**Indexes:** Ch. 4 Traffic Definitions & General Provisions, Ch. 24 Right-of-Way, Ch. 40 Driving Rules, Ch. 48 Types of Vehicles-Regulations, Ch. 52 Bicycles-Operation, Ch. 60 Pedestrians' Rights & Duties

**Attachments:** 1. O2013-3348.pdf, 2. SO2013-3348.pdf

Date	Ver.	Action By	Action	Result
6/5/2013	1	City Council	Passed as Substitute	
6/3/2013	1	Committee on Pedestrian and Traffic Safety	Recommended to Pass	
5/8/2013	1	City Council	Referred	

### SUBSTITUTE ORDINANCE

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION I. Title 9 of the Municipal Code of Chicago is hereby amended by adding a new section 9-52-045, by deleting the language struck through and by inserting the language underscored, as follows:

#### 9-4-010 Definitions.

Whenever the following words and phrases are used in Chapter 9-4 through 9-103, they shall have the meanings respectively ascribed to them in this section:

*(Omitted text is unaffected by this ordinance)*

"Bicycle" means every device propelled solely by human power upon which any person may ride, having two tandem wheels and including any device generally recognized as a bicycle though equipped with two front or two rear wheels.

"Bicycle share station" means a station where bicycles are made available for rent to any person of age 16 and older.

"Bicyclist" means a person operating a bicycle.

*(Omitted text is unaffected by this ordinance)*

"Pedestrian" means any person afoot or any "pedestrian with a disability", as that term is defined in Section 5 of the Illinois Pedestrians with Disabilities Safety Act, codified at 625 ILCS 60/5.

*(Omitted text is unaffected by this ordinance)*

**9-4-025 Bicycle Safety Violation-Penalty.**

a) (1) Any person who violates subsection (e) or (f) of Section 9-16-020, subsection (c) of Section 9-36-010, or Section 9-40-060, of this Code, shall be subject to (i) a penalty fine of \$150.00 for each offense.

(2) Any person who violates subsection (e) or (f) of Section 9-16-020, subsection (c) of Section 9-36-010, or Section 9-40-060, of this Code, ~~or,~~ (ii) if when such violation causes a collision between a motor vehicle and a bicycle, shall be subject to a penalty fine of \$500.00~~7~~ for each offense.

b) (1) Any person who violates sections Section 9-40-160 or 9-80-035 of this Code, when such violation interferes with the movement of a bicycle, shall be subject to (t) a penalty fine of \$150.00 for each offense.

(2) Any person who violates Section 9-40-160 of this Code, ~~or,~~ (ii) if when such violation causes a collision between a motor vehicle and a bicycle, shall be subject to a penalty fine of \$500.00~~7~~ for each offense.

c) (1) Any person who violates Section 9-80-035 of this Code, when such violation interferes with the movement of a bicycle, shall be subject to a fine of \$300.00 for each offense.

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(2) Any person who violates Section 9-80-035 of this Code, when such violation causes a collision between a motor vehicle and a bicycle, shall be subject to a fine of \$1000.00 for each offense.

**9-24-030 Crosswalks - Pedestrians to have right- of-way.**

Where stop signs are in place at any ~~plainly marked~~ crosswalk at an intersection or between intersections, pedestrians within or entering the crosswalk at either edge of the roadway shall have the right-of-way over vehicles stopped in obedience to such signs. Drivers of vehicles having so yielded the right-of-way to pedestrians entering or within the nearest crosswalk at an intersection shall also yield the right-of-way to pedestrians within any other crosswalk at the intersection.

**9-40-060 Driving, standing or parking on bicycle paths or lanes prohibited.**

The driver of a vehicle shall not drive, unless entering or exiting a legal parking space, or stand, or park the vehicle upon any on-street path or lane designated by official signs or markings for the use of bicycles, or otherwise drive or place the vehicle in such a manner as to impede bicycle traffic on such path or lane. The driver of a vehicle shall not stand or park the vehicle upon any lane designated by pavement markings for the shared use of motor vehicles and bicycles, or place the vehicle in such a manner as to impede bicycle traffic on such lane; provided, however, the driver of a bus may stop the bus in any such lane (i) at a designated bus stop for the purpose of loading or unloading of passengers, (ii) in case of an emergency; or (iii) as permitted in Section 9-48-050(d) of this Code. In addition to the fine provided in Section 9-4-025 of this Code, any vehicle parked in violation of this section shall be subject to an immediate tow and removal to a city vehicle pound or authorized garage.

**9-40-230 Vehicle Operator's signals - Hand and arm - Manner.**

**(Omitted text is unaffected by this ordinance) 9-48-050 Buses -**

**Stopping, standing and parking.**

*(Omitted text is unaffected by this ordinance)*

(c) When any bus lanes-are is designated and appropriately indicated by signs and markings for shared use by buses and bicycles, it shall be unlawful for the driver of any bus to operate the vehicle on any other portion of the roadway for travel in the direction allowed in the designated lane a driver of a bus shall yield to a bicycle proceeding in the same direction until it is safe to overtake such bicycle.

*(Omitted text is unaffected by this ordinance)*

**9-52-010 Rights and duties.**

a) Every person riding a bicycle bicyclist upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles or by the traffic ordinances of this city applicable to the driver of a vehicle, except as otherwise explicitly provided in this Code, or as to those provisions of laws and ordinances which by their nature can have no application.

b) The regulations in the traffic code applicable to bicycles shall apply whenever a bicycle is operated upon any roadway or public sidewalk or upon any public

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path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

c) Whenever authorized signs are erected indicating that no right or left turn or turn in the opposite direction is permitted, no person operating a bicycle bicyclist shall disobey the direction of any such sign unless he dismounts from the bicycle to make the turn, in which event he shall then obey the regulations applicable to pedestrians.

d) Unless another fine or penalty is specifically provided in this chapter, Every any person who violates any provision of this chapter regulating bicycles shall be fined ~~\$25.00~~ not less than \$50.00 nor more than \$200.00 for each offense.

**9-52-020 Riding bicycles on sidewalks and certain roadways.**

a) No person shall ride a bicycle upon a sidewalk within a business district, unless such sidewalk has been officially designated and marked as a bicycle route, or such sidewalk is used to enter the nearest roadway, intersection or designated bicycle path, or to access a bicycle share station.

b) No person 12 or more years of age shall ride a bicycle upon any sidewalk in any district, unless such sidewalk has been officially designated and marked as a bicycle route, or such sidewalk is used to enter the nearest roadway, intersection or designated bicycle path, or to access a bicycle share station.

c) Bicycles shall not be operated on Lake Shore Drive or on any roadway where the operation of bicycles has been prohibited and signs have been erected indicating such prohibition.

~~(4) Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use~~

**9-52-040 Yielding right-of-way.**

*(Omitted text is unaffected by this ordinance)*

(c) Except as otherwise provided in subsection (e) of this section, any person operating a bicycle bicyclist upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as near as practicable and safe to the right-hand side of the roadway, exercising due care when passing a standing vehicle or one proceeding in the same direction and at all times giving the right of way to other moving vehicles except in the following circumstances:

- 1) when overtaking another bicycle or vehicle proceeding in the same direction: or
- 2) when preparing for a left turn; or
- 3) when reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes that make it unsafe to continue along the right-hand curb or edge. For purposes of this subsection, the term "substandard width lane" means a lane that is too narrow for a bicycle and a vehicle to travel safely side by side within the lane; or
- 4) when approaching a place where a right turn is authorized.

(d) Any bicyclist upon a roadway is permitted to pass on the right side of a slower-moving or standing vehicle or bicycle, but must exercise due care when doing so.

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When approaching a vehicle which has discharged passengers from its right side, a bicyclist must either yield to those pedestrians or pass on the left.

(e) Any person operating a bicycle upon a one-way roadway with two or more marked traffic lanes may ride as near to the left-hand side of such roadway as practicable.

**9-52-045 Bicycle operator's signals - Hand and arm - Manner.**

A bicyclist upon the roadway or upon any public path set aside for the use of bicycles shall give hand and arm signals in the following manner: V Left turn, left hand and arm extended horizontally;

2. Right turn, left hand and arm extended upward, or right hand and arm extended horizontally;
3. Stop or decrease speed, left or right hand and arm extended downward.

**9-52-050 Riding in single file required - Exceptions.**

Persons riding bicycles upon a roadway shall not ride other than single file except on paths or parts of roadways set aside for the exclusive use of bicycles or except when riding two abreast does not impede the normal and reasonable movement of traffic. Persons riding two abreast shall ride within a single lane subject to section 9-52-040 of this Code.

**9-52-110 Use of communication devices while operating a bicycle.**

*(Omitted text is unaffected by this ordinance)*

d) Any person who violates any provision of this section shall be fined not less than \$20.00 nor more than \$50.00 for the first offense, not less than \$50.00 nor more than \$75.00 for the second offense, and not less than \$75.00 nor more than \$100.00 for a third or any subsequent offense.

e) In addition to any fine provided for in this section, if a violation of subsection (b) of this section occurs at the time of a traffic accident, the person operating the bicycle may be fined in an amount not to exceed \$500.00.

**9-60-050 Pedestrian to yield right-of-way when.**

a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk shall yield the right-of-way to all vehicles upon the roadway.

b) The foregoing rules in this section have no application under the conditions stated in Section 9-60-010 when pedestrians are prohibited from crossing at certain designated places.

SECTION II. This ordinance shall take effect ten days after passage and publication.

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