

**CHAPTER 3**

**BICYCLES**

**PART 1**

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**PART 1**

**LICENSING AND REGULATION**

**§3-101. Definitions.**

As used in Part, the word “bicycle” shall mean any device propelled by human power upon which any person may ride, having two tandem wheels. “Street” shall mean and include public streets, highways, thoroughfares, boulevards, and alleys. “Borough” shall mean the Borough of Mechanicsburg, Pennsylvania.

(Ord. 634, 1/13/1960, §1; as amended by Ord. 758, 10/23/1967, §1)

**§3-102. Bicycles to be Licensed and Registered.**

No person shall ride or use a bicycle upon any street in the Borough unless the same shall first have been licensed and registered, as hereinafter provided. Provided: the requirement for licensing and registration shall not apply to any bicycle owned by a non-resident of the Borough, normally kept outside the Borough limits, and operated in the Borough only incidentally or in transit through the Borough.

(Ord. 634, 1/13/1960, §2; as amended by Ord. 758, 10/23/1967, §2)

**§3-103. Registration.**

Every owner of a bicycle, upon the effective date [April 1, 1960] of this Part, shall register with the Police Department of the Borough of Mechanicsburg, at Police Headquarters, his name and address, the manufacturing number, style and general description of the bicycle. In the event the owner is a minor, the parent, guardian or person caring for the minor shall make this registration on the minor’s behalf.

(Ord. 634, 1/13/1960, §3)

**§3-104. License Tags and Registration Cards.**

The Chief of Police of the Borough shall provide numerical license tags, and corresponding registration cards, said tags being suitable for mounting on the frame or saddle of a bicycle, and it shall be the duty of the Chief of Police to issue each owner a tag and registration card upon the payment of the license fee hereinafter provided. The owner shall attach said tag to the rear of the saddle of the bicycle in a clearly visible position, and said tag shall remain attached to the bicycle at all times. The Chief of Police shall maintain a record of all registrations and transfers. The operator of any bicycle shall produce the registration card upon the demand of any police officer of the Borough.

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(Ord. 634, 1/13/1960, §4)

### **§3-105. Procedure upon Sale or Transfer of Bicycle.**

Within three days after the date of the sale or transfer of any bicycle it shall be the duty of the seller to report said sale or transfer to the Police Department, and the purchaser or transferee shall apply for a registration card in his name. The Chief of Police shall issue said card upon the payment of the fee hereinafter provided.

(Ord. 634, 1/13/1960, §5)

### **§3-106. Dismantling or Reduction to Junk.**

Any person who dismantles or reduces to junk any bicycle shall report same to the Police Department.

(Ord. 634, 1/13/1960, §6)

### **§3-107. Unlawful Acts/Assignment of Identification Number.**

It shall be unlawful for any person to wilfully or maliciously remove, destroy, mutilate or alter the number on any bicycle frame, and it shall be unlawful for any person to remove, destroy, mutilate or alter any license tag or registration card; provided, however, that if any bicycle does not have a serial number stamped on the frame, or if such number is illegible, then the Chief of Police shall stamp an identification on such frame of the bicycle.

(Ord. 634, 1/13/1960, §7)

### **§3-108. License Fee/Transfer or Replacement Fee.**

The license fee for the registration, tag and card shall be \$1, payable at the time of registration, and said registration card and tag shall be permanent. In the event the bicycle is sold or transferred, or the registration card or tag is lost or destroyed, a registration card, and/or tag, shall be issued upon the payment of a fee of 50¢.

(Ord. 634, 1/13/1960, §8)

### **§3-109. Authority to Impound Under Certain Circumstances.**

If any bicycle is found on a public street of the Borough without a proper license tag, or with a mutilated or altered serial number, or no serial number stamped on the frame, it

shall be prima-facie evidence that the bicycle is being operated without proper registration, and it shall be impounded by the Police Department.

(Ord. 634, 1/13/1960, §9)

**§3-110. Unlawful Operation.**

It shall be unlawful for the operator of any bicycle upon any street to:

- A. Ride without both hands upon the handlebars;
- B. Operate the bicycle in a reckless manner;
- C. Carry any other person upon such bicycle;
- D. cling to any other moving vehicle;
- E. Operate such bicycle unless the same shall be equipped with a bell or other lawful audible signal in good working order;
- F. Propel such bicycle to the left of or abreast of any other moving bicycle, except in passing such other bicycle; or
- G. Operate such bicycle in violation of any provision of any ordinance of the Borough applicable to motor vehicles or of any provision of the Vehicle Code of Pennsylvania. It shall also be unlawful to operate any bicycle upon any sidewalk within the Borough.

(Ord. 634, 1/13/1960, §10; as amended by Ord. 758, 10/23/1967, §3)

**§3-111. Inspection.**

The Police Department of the Borough may at any time require delivery of any bicycle for inspection of brakes or other parts, and shall refuse to register any bicycle found mechanically imperfect, and, in the case of any bicycle previously registered, may suspend such registration pending correction of any mechanical defect.

(Ord. 634, 1/13/1960, §11; as amended by Ord. 758, 10/23/1967, §4)

**§3-112. Disposition of Impounded Bicycles.**

In the event that any bicycle is found, as set forth in §3-109, the Police Department shall take possession of such bicycle and shall hold the same until proper ownership is proven.

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(Ord. 634, 1/13, 1960, §12; as amended by Ord. 758, 10/23/1967, §5)

### **§3-113. Penalty.**

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$300 and costs or, to undergo imprisonment for a term not to exceed 30 days. Provided: any violation of any provision of this ordinance which shall also constitute a violation of a specific provision of any of the laws of Pennsylvania shall be prosecuted under the law and not under this ordinance.

(Ord. 634, 1/13/1960, §13; as amended by Ord. 758, 10/23/1967, §6; and by Ord. 925, 4/19/1983)

### **§3-114. Severability.**

Should any section, clause or provision of this Part be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part declared to be so invalid.

(Ord. 634, 1/13/1960, §14)