

ORDINANCE NO.
FILE OF CITY COUNCIL
BILL NO. 14 -2025

February 5 2025

INTRODUCED BY

Councilpersons Gerlach, Zucal, Napoli, Hendricks, Affa, Mota, Santos and the
Administration

AN ORDINANCE

Amending the Administrative Code, Chapter 177, Bicycles, by bringing the code into compliance with the Pa. State vehicle code, updating the definition of bicycle to pedalcycle to be consistent with the Pa. Vehicle Code, repealing chapters 177-3 through 177-7 (advise the police department to direct bike owners to register their bikes in a national data base), repealing various sections of the code that are superseded by the PA Vehicle Code and amending Chapter 319, Hamilton Street Regulations, updating the term bicycles to pedalcycles.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE. That Chapter 177, Bicycles, of the City Code, is hereby amended to read as follows:

Chapter 177 PEDALCYCLES ~~BICYCLES~~

§ 177-1. Definitions.

§ 177-2. Secured and lost pedalcycles

§ 177-3. Driving on right side of roadway.

§ 177-4 Riding on roadways and pedalcycle paths.

§ 177-5. Trick riding.

§ 177-6. Lamps and other equipment on pedalcycles.

§ 177-7. Violations and penalties.

~~§ 177-3. Owner to register with Chief of Police.~~

~~§ 177-4. Registration; tag; fees.~~

~~§ 177-5. Cancellation of registration; removal of tags.~~

~~§ 177-6. Report of change of ownership or dismantling.~~

~~§ 177-7. Impounding by police for improper registration.~~

~~§ 177-8. Keeping to right.~~

~~§ 177-9. Trick riding.~~

~~§ 177-10. Brakes; warning device.~~

~~§ 177-11. Violations and penalties.~~

[HISTORY: Adopted by the City Council of the City of Allentown as Article 541 of the 1962 Codified Ordinances. Amendments noted where applicable.]

§ 177-1. Definitions. [Amended 2-19-1975 by Ord. No. 12123; 6-10-2002 by Ord. No. 13984]

As used in this chapter, the following terms shall have the meanings indicated:

~~BICYCLE — A vehicle propelled solely by human-powered pedals. The term does not mean a three-wheeled human-powered pedal-driven vehicle with a main driving wheel 20 inches in diameter or under and primarily designed for children six years of age or younger.~~

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

Pedalcycle with electric assist - A vehicle weighing not more than 100 pounds with two or three wheels more than 11 inches in diameter, manufactured or assembled with an electric motor system rated at not more than 750 watts and equipped with operable pedals and capable of a speed not more than 20 miles per hour on a level surface when powered by the motor source only. The term does not include a device specifically designed for use by persons with disabilities. § 3514. Operation of pedalcycles with electric assist. No person under 16 years of age shall operate a pedalcycle with electric assist.

§ 177-2. Secured and lost pedalcycles ~~bicycles~~. [Amended 2-19-1975 by Ord. No. 12123; 10-16-1997 by Ord. No. 13609]

A. Secured pedalcycles ~~bicycles~~. A pedalcycles ~~bicycles~~ is defined as a "secured pedalcycle ~~bicycle~~ " when it is made inoperable by application to the pedalcycle ~~bicycle~~ of a lock device which utilizes a key, combination lock or other such mechanism.

B. Lost pedalcycles ~~bicycles~~ . A pedalcycle ~~bicycle~~ is defined as a "lost pedalcycle ~~bicycle~~" when it is found unsecured on any public alley, street, parkway, thoroughfare, public school property, park property, City property or any other public property in the City.

C. Handling of lost pedalcycles ~~bicycles~~.

(1) A lost and found pedalcycle ~~bicycle~~ collection and retrieval area shall be designated by the Chief of the Police Department or their designee.

(2) Any lost pedalcycle ~~bicycle~~ shall be removed by the law enforcement officer or other person designated by the Chief of the Police Department to the lost and found area.

(3) The lost pedalcycle ~~bicycle~~ shall be returned to its owner upon proof of ownership satisfactory to the Chief of the Police Department or his designee, within 90 days of the date the bicycle is taken into possession; after said period, the Department may dispose of said pedalcycle ~~bicycle~~ according to applicable law.

~~§ 177-3. Owner to register with Chief of Police. [Amended 11-29-1938 by Ord. No. 4080; 10-16-1997 by Ord. No. 13609]~~

~~Every owner or operator of any bicycle shall file with the Chief of Police a complete description of such bicycle upon a blank form to be provided for the purpose, which filing shall constitute a registration of such bicycle. Such registration shall be serially numbered and be kept on file in the office designated by the Chief of Police as a public record.~~

~~§ 177-4. Registration; tag; fees.~~

~~A.—— Immediately upon the registration of a bicycle, the Chief of Police, or someone designated by him, shall affix an identification tag, serially numbered to correspond with the registration of the bicycle. The tag shall thereafter remain affixed to the bicycle unless removed by the Police Bureau for cause, or for reregistration. [Amended 10-16-1997 by Ord. No. 13609]~~

~~B.—— No person shall use or operate a bicycle upon any of the public alleys, streets, parkways, thoroughfares, park property and City property in the City without being registered by obtaining a license after registering with the Chief of Police or his designee, unless the bicycle owner provides sufficient proof upon request that he is not a resident of the City. [Amended 2-19-1975 by Ord. No. 12123; 10-16-1997 by Ord. No. 13609]~~

~~C.—— The Chief of Police shall, annually, publish a list of dates, times and where bicycle owners can get bicycles registered. [Amended 6-10-2002 by Ord. No. 13984]~~

~~§ 177-5. Cancellation of registration; removal of tag. [Amended 11-29-1938 by Ord. No. 4080]~~

~~The Chief of Police shall have the authority to cancel the registration of and remove the identification tag from any bicycle being operated upon any street or public place in the City in an unsafe manner, or in violation of any state law or local ordinance. Such cancellation of registration and removal of tag shall be in addition to other penalties provided hereunder.~~

~~§ 177-6. Report of change of ownership or dismantling. [Amended 4-18-1945 by Ord. No. 5278]~~

~~Within 48 hours after any bicycle registered hereunder shall have changed ownership or been dismantled and taken out of operation, such information shall be reported to the Chief of Police by the person in whose name the bicycle has been registered.~~

~~§ 177-7. Impounding by police for improper registration. [Amended 7-3-1962 by Ord. No. 9843; 6-10-2002 by Ord. No. 13984]~~

~~Any bicycle being ridden, used or found on the streets of the City without a registration tag, or with an altered or mutilated serial number, shall be considered as not being properly registered and shall be taken up and impounded by the Bureau of Police until the person claiming ownership shall establish his right of ownership.~~

§ 177-38. Driving on right side of roadway. ~~Keeping to right.~~ [Amended 11-29-1938 by Ord. No. 4080 ; 10-16-1997 by Ord. No. 13609; 8-18-2005 by Ord. No. 14311]

~~The rider of a bicycle upon a street or roadway shall ride as near as practicable within five feet of the right-hand curb or edge of the roadway, except when passing a standing or other vehicle or making a left-hand turn at an intersection, and at all times shall obey the traffic laws of the Commonwealth of Pennsylvania and the City of Allentown.~~

(1) Upon all roadways, any pedalcycle operating in accordance with the state laws, proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into an alley, private road or driveway.

(2) This subsection does not apply to: (i) A pedalcycle using any portion of an available roadway due to unsafe surface conditions. (ii) A pedalcycle using a roadway that has a width of not more than one lane of traffic in each direction. (Feb. 2, 2012, P.L.27, No.3, eff. 60 days)

§ 177-48 Riding on roadways and pedalcycle paths.

(a) General rule. -- Except as provided in subsections (b) and (c), every person operating a pedalcycle upon a highway shall obey the applicable rules of the road as contained in this title.

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

roadway. All turns shall be made in accordance with section 3331 (relating to required position and method of turning)

(c) Slower than prevailing speeds. --A pedalcycle operated at slower than prevailing speed shall be operated in accordance with the provisions of section 3301 (relating to driving on right side of roadway) unless it is unsafe to do so.

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

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

§ 177-59. Trick riding. [Amended 11-29-1938 by Ord. No. 4080]

No operator of any bicycle shall carry any other person upon the bar, handle or other part of any bicycle and no other person shall so ride upon any bicycle. No operator of a bicycle shall do trick riding such as riding the same without having his hands on the handlebars.

§ 177-610. Lamps and other equipment on pedalcycles. ~~Brakes; warning device.~~
[Amended 11-29-1938 by Ord. No. 4080; 10-16-1997 by Ord. No. 13609; 6-10-2002 by Ord. No. 13984]

~~Every bicycle shall be equipped with brakes in good condition and lights, if operated during darkness.~~

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

lamps worn by the operator of a pedalcycle shall comply with the requirements of this subsection if the lamp or lamps can be seen at the distances specified.

(b) Audible signal devices. --A pedalcycle may be equipped with a device capable of giving a signal audible for a distance of at least 100 feet except that a pedalcycle shall not be equipped with nor shall any person use upon a pedalcycle any siren.

(c) Brakes. --Every pedalcycle shall be equipped with a braking system which will stop the pedalcycle in 15 feet from an initial speed of 15 miles per hour on a dry, level and clean pavement. (Dec. 15, 1995, P.L.655, No.72, eff. 60 days; Dec. 21, 1998, P.L.1126, No.151, eff. 60 days).

§ 177-744. Violations and penalties. [Amended 11-29-1938 by Ord. No. 4080; 8-18-2005 by Ord. No. 14311]

~~Any person violating the provisions of this chapter shall be fined not more than \$25 and, in default of payment of fine and costs, imprisoned not more than 10 days. For all sections of this chapter, except § 177-8, the fine shall be \$50.~~

Any person violating any provision of this subchapter is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$10.

Responsibility of parent or guardian. The parent of any child and the guardian of any ward shall not authorize or knowingly permit the child or ward to violate any of the provisions of this title relating to the operation of pedalcycles.

SECTION TWO: That Chapter 319, Hamilton Street Regulations, **§ 393-14 Bicycles.** be amended by updating the term bicycles to pedalcycles and to read as follows;

§ 393-14. Pedalcycles Bicycles. [Amended 7-18-2012 by Ord. No. 15005]

- A. In the Core Business District, pedalcycles ~~bicycles~~ may be ridden in the street but shall not be ridden on the sidewalk at any time. Pedalcycles ~~bicycles~~ may be walked on the sidewalk in the Core Business District. The location and boundaries of the Core Business District are delineated in § 393-2.
- B. Pedalcycles ~~bicycles~~ shall be parked in the bicycle racks when racks are provided.

- C. Pedalcycles ~~bicycles~~ operated by on-duty police officers and Allentown Parking Authority personnel are exempt from any prohibiting provisions of this chapter.

SECTION THREE: That this Ordinance takes effect ten (10) days after final passage.

SECTION FOUR: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.