



Legislation Text

File #: 13-0509, **Version:** 1

TITLE:

Request to Approve a Town Code Amendment Relating to Bicycling on Town Streets

PURPOSE: The Board of Aldermen is asked to consider an ordinance amending Subsection 6-37(3) of the Town Code relating to the lateral position of a bicycle on a roadway.

DEPARTMENT: Planning, Town Clerk, Town Attorney

CONTACT INFORMATION: Jeff Brubaker - 918-7329; Tina Moon - 918-7325; Cathy Wilson - 918-7309

INFORMATION: At the October 4, 2011, Board of Aldermen meeting, the Board received a public comment requesting an amendment to the Town Code that would conform the Code to State law as it affects travel by bicyclists on Town streets.

Currently, Subsection 6-37(3) of Chapter 6 of the Town Code reads:

Except on a street or portion thereof designated with a shared lane marking, bicyclists using a roadway shall ride as far to the right as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction. On a street or portion thereof designated with a shared lane marking, bicyclists must ride in the direction of traffic, upon the right half of the roadway, and may travel in any lateral position within the right half of the roadway. (Amend. 9/21/2010)

The current Section 6-37 is included in *Attachment B*.

Currently, N.C. General Statute, § 20-146(b) states:

(b) Upon all highways any vehicle proceeding at less than the legal maximum speed limit shall be driven in the right-hand lane then available for thru traffic, or as close as practicable to the right-hand curb or edge of the highway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn.

This statute is included in *Attachment C*.

The primary difference between the two provisions is that the Town Code requires that bicyclists “shall ride as far to the right as practicable” on any street not including a shared lane marking, regardless of the speed at which they are traveling. The state statute limits the applicability of the requirement to vehicles traveling less than the speed limit.

N.C. General Statute § 20-4.01 (49) defines bicycles as vehicles.

Prior to the follow-up agenda item being brought to the Board, the citizen asked if the item could be delayed for the time being. The item is now being brought back to the Board for consideration.

FISCAL & STAFF IMPACT: No fiscal and staff impact is expected to accrue from adopting the ordinance.

RECOMMENDATION: Staff recommend that the Board consider the ordinance in Attachment A.