

**ARTICLE 373**  
**Bicycles**

<b>373.01</b>	<b>Compliance; code application to bicycles.</b>	<b>373.06</b>	<b>Carrying articles.</b>
<b>373.02</b>	<b>Obedience to traffic rules; exceptions.</b>	<b>373.07</b>	<b>Lights and reflector on bicycle; signal device; brakes; protective helmets.</b>
<b>373.03</b>	<b>Riding upon seats; number of persons.</b>	<b>373.08</b>	<b>Reckless operation, control, course and speed.</b>
<b>373.04</b>	<b>Attaching bicycle or sled to vehicle.</b>	<b>373.99</b>	<b>Penalty.</b>
<b>373.05</b>	<b>Riding on roadways and bicycle paths.</b>		

**CROSS REFERENCES**

See sectional histories for similar State law  
Authority to regulate bicycle operation - See W. Va.  
Code 17C-2-8(a)(8)  
Bicycle defined - see TRAF. 301.03  
Moped equipment and operation - see TRAF. 345.29

**373.01 COMPLIANCE; CODE APPLICATION TO BICYCLES.**

- (a) No person shall do any act forbidden or fail to perform any act required in this article.
  
- (b) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this Traffic Code.
  
- (c) These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any street or highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein.  
(WVaC 17C-11-1)

**373.02 OBEDIENCE TO TRAFFIC RULES; EXCEPTIONS.**

Every person riding a bicycle 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 this Traffic Code, except as to special regulations in this article and except as to those provisions of this Traffic Code which by their nature can have no application.  
(WVaC 17C-11-2)

**373.03 RIDING UPON SEATS; NUMBER OF PERSONS.**

- (a) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.
- (b) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.  
(WVaC 17C-11-3)

**373.04 ATTACHING BICYCLE OR SLED TO VEHICLE.**

No person riding upon any bicycle, coaster, skateboard, roller-skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.  
(WVaC 17C-11-4)

**373.05 RIDING ON ROADWAYS AND BICYCLE PATHS.**

- (a) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- (b) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.
- (c) Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.  
(WVaC 17C-11-5)

**373.06 CARRYING ARTICLES.**

No person operating a bicycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars.  
(WVaC 17C-11-6)

**373.07 LIGHTS AND REFLECTOR ON BICYCLE; SIGNAL DEVICE; BRAKES; PROTECTIVE HELMETS.**

- (a) Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type approved by the Department of Motor Vehicles which shall be visible from all distances from fifty (50) feet to three hundred (300) feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred (500) feet to the rear may be used in addition to the red reflector.
- (b) No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred (100) feet, except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.
- (c) Every bicycle shall be equipped with a brake, which will enable the operator to make the braked wheels skid on dry, level, clean pavement. (WVaC 17-C-11-7)

(d) No person under the age of eighteen shall operate or be a passenger on any bicycle unless he is wearing securely fastened on his head by either neck or chin strap, a protective helmet that is designed to deflect blows, resist penetration and spread impact forces, which protective helmets shall meet or exceed the specifications or ANSI Z90.4.

(Passed 6-13-93)

The Municipality will follow West Virginia State Code WVAC 17-C-11A-1 regarding the Child Bicycle Safety Act.

(Passed 5-14-02)

**373.08 RECKLESS OPERATION; CONTROL, COURSE AND SPEED.**

No person shall operate a bicycle:

(a) 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 while in the lawful use of the streets or sidewalks or any other public or private property;

(b) Without exercising reasonable and ordinary control over such bicycle;

(c) In a weaving or zigzag course unless such irregular course is necessary for safe operation in compliance with law;

(d) Without both hands upon the handle grips except when necessary to give the required hand and arm signals, or as provided in Section 373.06;

(e) At a speed greater than is reasonable and prudent under the conditions then existing.

**373.99 PENALTY.**

(EDITOR'S NOTE: See Section 303.99 for general Traffic Code penalty.)