

**CHAPTER 102
BICYCLES AND SNOWMOBILES**

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102-1. Adoption of State Laws and Definitions. 1. ADOPTION OF STATE LAWS. Excluding sss. 340.01(5), 346.80(2) and 346.94(1), the city of Milwaukee adopts chs. 340, 341, 342, 343, 345, 346, 347, 348, 349, 350, Wis. Stats., and all subsequent amendments thereto defining and describing regulations with respect to bicycles for which the penalty is a forfeiture only, including but not limited to provisions for stipulation, conditions of deposit for bail, penalties unless another provision for such penalties, provisions for stipulation, conditions of deposit or bail as provided in this chapter.

2. DEFINITIONS. In this chapter:
 a. "Bicycle" means a vehicle propelled by the feet acting upon pedals and having 2 or more wheels, each of which is more than 14 inches in diameter.
 b. "Bicycle dealer" includes any business establishment, shop or store that as part of its trade is involved in the retail selling of new or used bicycles.

102-2. License Required. It shall be unlawful for any resident of the city to operate or use a bicycle, operated alone or in part by muscular power, upon any of the streets, alleys or public highways of the city without first obtaining from the city a license therefor, and unless said bicycle is properly registered and a license sticker is affixed to the frame of such bicycle.

102-3. Application. License application forms and license stickers may be obtained from the city clerk, any police district station, public library or bicycle dealer in the city. Registration

of bicycle licenses shall be available on the city website.

1. REGISTRATION OF LICENSE.
 a. An applicant shall make valid the license sticker provided with the application form by registering on the city website the license number and other information required by the application.

b. The city clerk shall maintain a record of the date of license registration, the name of the person registering the license and the number of licenses registered.

2. PLACEMENT OF STICKER.
 a. The license sticker shall be affixed to the frame of the bicycle in a conspicuous place after the applicant has registered the license pursuant to this section.

b. The license sticker shall remain affixed until removed by the police department for cause.

3. STICKERS NOT TO BE MUTILATED. No person may willfully or maliciously remove, destroy, mutilate or alter the number of any bicycle license sticker registered pursuant to this section.

4. NEW OWNERS TO BE REPORTED TO THE CITY CLERK. a. It shall be the duty of any person who sells, transfers ownership, dismantles or takes out of operation any bicycle previously registered to notify the city clerk in writing within 7 days of such event.

b. Notification to the city clerk shall include the license number and any other information required in the original license application.

c. It shall be the duty of the purchaser or transferee of any bicycle to register the bicycle within 7 days of any purchase or transfer.

102-8. Bicycle Regulations. 2. RIDING ON PUBLIC WAYS. No bicycle shall be operated upon any public sidewalk, pedestrian paths in the public parks, or upon any public school grounds or public playgrounds. This subsection shall not apply to bicycles when operated on school grounds or playgrounds when officially sanctioned functions are in progress; bicycles operated by police officers in the discharge of their official duties; vehicles propelled by the feet acting on pedals and having 2 or more wheels with an overall diameter of 14 inches or more when operated by children of the age of 10 years or under; to

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bicycles operated by deaf persons; or to sidewalks or sidewalk areas where the commissioner of public works, authorized by common council under s. 102-14, has posted signs indicating that the riding of bicycles of wheel diameters greater than 14 inches is permitted on the sidewalk or sidewalk area on that portion of the highway. When operating a bicycle on a sidewalk in accordance with this subsection, every driver shall yield the right-of-way to any pedestrian and shall exercise due care and give an audible signal when passing a bicycle driver or pedestrian proceeding in the same direction.

3. SINGLE FILE. Every person when operating a bicycle upon a highway shall ride such bicycle in single file only, and at no time shall bicycles be operated 2 or more abreast.

4. RACING. No person operating a bicycle upon a public highway shall participate in any race, or speed, or endurance contest with any other vehicle.

5. IN FULL CONTROL. No rider of a bicycle shall remove both hands from the handlebars, or feet from the pedals, or practice any acrobatic or fancy riding on any street.

6. BICYCLE - TRAILER REGULATIONS. No person shall operate a bicycle-trailer combination on any highway or bicycle lane or bicycle way unless such trailer is specifically designed to be hitched to a bicycle and having the following safeguards:

a. The bicycle trailer to be towed must be firmly attached to the framework of the bicycle and be balanced to preclude detrimental effect on the operation of the bicycle.

b. At least 2 red reflectors must be fastened to the rear of the trailer and one amber reflector to each side of the trailer. These reflectors to be 3 inches in diameter, or the equivalent, in retro-reflective material.

c. Overall length of trailer unit from extreme rear of bicycle wheel is not to exceed 40 inches.

d. Overall height of trailer unit including wheels from ground level to the top of carrying container, is not to exceed 36 inches.

e. Maximum width of trailer unit, wheels, axle, container, etc. is not to exceed 36 inches.

f. Trailer unit must be detachable from the bicycle.

102-10. Equipment on Bicycles. All bicycle dealers, including any business that is involved in the retail selling of new or used bicycles, shall insure that all new or used bicycles sold conform to the safety and performance requirements specified in s. 347.489, Wis. Stats.

102-11. Penalty. Any person violating any of the provisions of s. 102-1 may upon conviction thereof be subject to a forfeiture within the range of forfeitures provided by statute for violation of the section. For a conviction for violating any of the provisions of ss. 102-2 to 102-10, a person may be subject to a forfeiture of not less than \$10 nor more than \$25. In incidents involving a violation of s. 102-2, if the owner of the bicycle establishes to the satisfaction of the police department that the bicycle was registered within 5 working days after issuance of the citation, any penalty and costs shall be waived. If the owner of the bicycle does not register the bicycle within 5 working days after issuance of the citation, but establishes to the satisfaction of the court that the bicycle was registered prior to the date of the initial court hearing, any penalty and costs shall be waived by the court. A parent or guardian of any child under 14 years of age who shall authorize or knowingly permit the child to violate s. 102-2 may also be subject to a forfeiture of not less than \$10 nor more than \$25.

102-12. Secondhand Bicycle Dealers. 1. TO MAKE REPORTS. Every person, firm or corporation engaged in the business of buying, selling, exchanging or trading in used or secondhand bicycles, and every person, firm or corporation engaged in the business of buying or selling new bicycles shall make a daily report to the chief of police of all used or secondhand bicycles bought, exchanged or traded in, and of all used or secondhand parts of bicycles bought by each such person, firm or corporation during the preceding day, on forms provided by the police department. Each such report shall specify a full and complete description of such used or secondhand bicycle or used or secondhand bicycle parts, and in addition thereto, wherever available, the serial numbers, factory numbers, frame number, color, type, model, frame size, wheel size, name of brake and other marks of identification, the date of

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purchase or trade, together with the name, address, age, height, and weight of the person or persons selling or trading in such bicycle.

2. PURCHASE FROM MINORS.

It shall be unlawful for any person, firm or corporation engaged in the business of buying secondhand bicycles to purchase any such secondhand bicycle from a minor under 18 years of age.

102-14. Bicycle Riding Permitted on Certain Sidewalks. The commissioner of public works is authorized to mark by appropriate marks and signs that the riding of bicycles by all age groups is permitted on the sidewalk or sidewalk areas of specific portions of highways.

Specific locations of bicycle routes may also be found in the common council proceedings, the official record on file in the city clerk's office, and the code on file in the legislative reference bureau. See also s. 101-21.5 for street routes.

102-20. Operating of Snowmobiles in the City.

1. DEFINITIONS. a. "Alley" has the meaning designated in s. 340.01(2), Wis. Stats.

b. "Fermented malt beverage" has the meaning designated in s. 125.02(6), Wis. Stats.

c. "Head lamp" has the meaning designated in s. 340.01(21), Wis. Stats.

d. "Highway" has the meaning designated in s. 340.01(22), Wis. Stats.

e. "Hours of darkness" has the meaning designated in s. 340.01(23), Wis. Stats.

f. "Intoxicating liquor" has the meaning designated in s. 125.02(8), Wis. Stats.

g. "Narcotic drugs" has the meaning designated in s. 961.01(15), Wis. Stats.

h. "Roadway" has the meaning designated in s. 340.01(54), Wis. Stats.

i. "Snowmobile" has the meaning designated in s. 340.01(58a), Wis. Stats.

j. "State trunk highway" has the meaning designated in s. 340.01(60), Wis. Stats.

k. "Street" has the meaning designated in s. 340.01(64), Wis. Stats.

l. "Tail lamp" has the meaning designated in s. 340.01(66), Wis. Stats.

2. CROSSING HIGHWAYS. No person shall operate a snowmobile upon any highway or cross highway, except as provided for in sub. 3, other than to drive directly across a 2 or 3-lane highway, and then only after stopping and yielding the right-of-way to all vehicles operating upon the highway.

3. IN VICINITY OF HIGHWAY.

No person shall operate a snowmobile on any highway, but a snowmobile may be operated outside the ditchline on a 2 or 3-lane highway except as provided in sub. 2.

4. PERSONS UNDER 16.

There shall be no age limitation for the operation of a snowmobile except that no person under the age of 16 shall drive a snowmobile across any highway, and no person under the age of 16 shall drive a snowmobile across any state trunk highway or connecting street thereto.

5. OWNER PERMITTING OPERATION. No owner or person having charge or control of a snowmobile shall knowingly authorize or permit any person to operate such snowmobile who is incapable, by reason of age, physical or mental disabilities, or is under the influence of intoxicating liquor, fermented malt beverage, narcotics or other drugs.

6. HEADLAMPS AND TAIL LAMPS. Any snowmobile crossing or driving along the right-of-way, operated during hours of darkness, shall display a lighted head lamp and tail lamp.

7. MISCELLANEOUS PROVISIONS. No person shall operate a snowmobile in the following manner:

a. At a rate of speed that is unreasonable or improper under the circumstances.

b. In any careless way so as to endanger the person or property of another.

c. While under the influence of intoxicating liquor, fermented malt beverages, narcotics, or other drugs.

d. In such a way that the exhaust of the motor makes an excessive or unusual noise.

e. Without a functioning muffler.

8. HOURS OF OPERATION. No person shall operate a snowmobile in the city of Milwaukee between the hours of 10:00 p.m. and 6:00 a.m.

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9. ADOPTION OF STATE LAWS AND PENALTIES. a. Adoption of State Laws. The city of Milwaukee adopts chs. 340, 341, 342, 343, 345, 346, 347, 348, 349, 350, Wis. Stats., 1971, and all subsequent amendments thereto defining and describing regulations with respect to snowmobiles for which the penalty is a forfeiture only, including but not limited to provisions for stipulation, conditions of deposit or bail, penalties unless another provision for such penalties, provisions for stipulation, conditions of deposit or bail is provided in this chapter.

b. Penalties. Any person who violates any provision of this section may be fined not more than \$250, except that any person violating sub. 7-c may be fined not more than \$200.

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Abbreviations:
am = amended
cr = created

ra = renumbered and amended
rc = repealed and recreated

rn = renumbered
rp = repealed

<u>Section</u>	<u>Action</u>	<u>File</u>	<u>Passed</u>	<u>Effective</u>
102-2	am	900924	10/16/90	11/2/90
102-3	am	000974	11/28/2000	1/1/2001
102-3	rc	020794	10/15/2002	1/1/2003
102-3-1	am	900924	10/16/90	11/2/90
102-4	rc	900924	10/16/90	11/2/90
102-4	rp	020794	10/15/2002	1/1/2003
102-4-1	am	000974	11/10/2000	1/1/2001
102-4-2	rp	000974	11/10/2000	1/1/2001
102-4-3	rn to 102-4-2	000974	11/10/2000	1/1/2001
102-4-4	rn to 102-4-3	000974	11/10/2002	1/1/2002
102-8-2	am	920083	6/16/92	7/3/92
102-10	rc	940545	11/7/94	11/24/94
102-13	rp	020794	10/15/2002	1/1/2003
102-14	am	901930	4/23/91	5/10/91
102-20-1-b	am	001458	2/27/2001	3/16/2001

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