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## CITY COUNCIL REPORT

Public

DATE: 4-10-18

TO: Mayor and Councilmembers

FROM: Interim Chief Dan Musselman, Multi-Model Transportation Planner  
Martin Ince

CC: Interim City Manager Barbara Goodrich, Interim Deputy City  
Manager Kevin Treadway, Deputy City Manager Shane Dille and  
Leadership Team

SUBJECT: BICYCLES ON STREETS AND SIDEWALKS

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This is in response to a request from Council for information regarding bicycles, from the 3-27-2018 City Council meeting.

### DISCUSSION

Several questions were asked in reference to what cyclists can do legally. Regulations governing bicycle laws can be found under the Arizona Revised Statutes, Title 28, section 812. This section basically states that bicyclists riding on a roadway or shoulder are subject to applicable traffic laws.

### COMMON LAWS REGARDING BICYCLES

- Bicyclists may ride on the sidewalk (unless a bicycle powered by a motor), if not posted otherwise (A.R.S. 28-815). In Flagstaff, most downtown streets, as well as San Francisco and Beaver Street on the Southside, are posted to prohibit bicycles on the sidewalk (F.C.C. 9-05-001-0007).
  1. A person riding a bicycle, skateboard or play vehicle on a sidewalk shall yield the right-of-way to all pedestrians and exempt vehicles.
  2. Such person shall give an audible signal before overtaking and passing any pedestrian or exempt vehicle traveling in the same direction on the sidewalk.
  3. No person shall operate a bicycle on a sidewalk at a speed greater than is reasonable and prudent under the circumstances, conditions and actual and potential hazards then existing
- Motorists must provide at least three feet of space when overtaking another vehicle or bicycle (A.R.S. 28-735).

- Bicyclists must travel as far as possible to the right-hand edge or curb of the roadway unless it is obstructed, passing another vehicle or bicyclist, preparing to make a left-hand turn, or when there is not enough space for a vehicle and a bicyclist to travel side-by-side in the provided space. (A.R.S. 28-815). When there is not enough space, a bicyclist may lawfully “take the lane.”
- Bicycles are required to have a front light and at minimum a rear red reflector if travelling at night (A.R.S. 28-817).
- A bicycle shall only carry the number of riders it was designed for (A.R.S. 28-813).
- Bicycles must stop at stop signs and red lights, just as vehicles do. All the same traffic laws apply to bicyclists as they do for vehicles (A.R.S. 28-812).
- A person riding a bicycle on a roadway or on a shoulder adjoining a roadway is granted all of the rights and is subject to all of the duties applicable to the driver of a vehicle. Bicycles must travel the same direction as traffic, if in the street. They cannot go the wrong way on a one-way street. (A.R.S. 28-812 & 28-728B).
- Bicyclists under the age of 18 are required to wear a helmet while riding a bicycle (F.C.C. SECTION 9-05-001-0010).
- Bicyclists are not required to dismount prior to riding through a crosswalk. In 1980, The Arizona Supreme Court ruled in the case Maxwell v. Gossett that there is nothing in Arizona Revised Statutes that prohibits a bicyclist from riding through a crosswalk. There is also nothing in Flagstaff City Code that prohibits bicycles from riding through a crosswalk.
- In reference the crosswalk at Butler and Humphreys, vehicles must yield the right-of-way, slowing down or stopping if need be in order to yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is on the half of the roadway on which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger. A pedestrian shall not suddenly leave any curb or other place of safety and walk or run into the path of a vehicle that is so close that it is impossible for the driver to yield (A.R.S. 28-792). Whether the yellow lights have been activated and are flashing does not change the law. The yellow lights are meant to alert drivers that a person is crossing. There is no legal requirement that can be found which requires pedestrians or bicyclist to activate the lights before crossing.

## SANCTIONS AND ALTERNATIVES

The usual fine for the above violations is \$175.00 if the offender is found responsible. Bicyclists are able to attend a bicycle safety diversion program, so long as the citation was not for running a red light, did not involve a collision, and the violator has not attended previously within the year. Upon completion of the class, the fine is dismissed. The class is taught by Flagstaff Police Department officers who are certified as bicycle safety instructors and focuses on bicycle

safety. We currently offer this diversion program free of charge about twice a month. The class has been offered since August of 2015. We have had approximately 22 people take advantage of the bicycle diversion program in 2017.

### BICYCLE SAFETY CAMPAIGNS

Officers are encouraged to conduct bicycle enforcement daily as part of our traffic enforcement program. Additionally, the Flagstaff Police Department regularly conducts traffic safety campaigns on a variety of traffic safety issues, and has done two previous bicycle safety campaigns. Prior to the campaigns, we conduct outreach with public service announcements via Facebook, media release, and those radio stations that will allow us. The latest bike safety campaign ran from August through October 2017. We try to coordinate these campaigns when the influx of college students arrives. During this most recent campaign we wrote 18 citations to bicyclists, predominately in the downtown and on south side streets. The graph below shows the location and violations which were cited.

Citation	Date	DOW	Time	Location	Charge
265314	8/4/2017	FR	1826	E HUNT AVE/N LEROUX ST	FLR STOP-STOP SIGN
265153	8/11/2017	FR	1011	E BUTLER AVE/N FOURTH ST	FAILURE OBEY TRAFFIC DEVICE
265707	8/16/2017	WE	1300	N BEAVER ST/W ROUTE 66	BIKE/SKATBRD-RIDING ON SIDEWLK
266105	8/24/2017	TH	2004	E ASPEN AVE/N SAN FRANCISCO ST	FAIL STOP RED LIGHT
266378	9/7/2017	TH	2348	E ROUTE 66 / N STEVES BLVD	BICYCLE, NO LIGHT
266960	10/4/2017	WE	1008	N BEAVER ST / W CHERRY AVE	FLR STOP- STOP SIGN
265718	10/11/2017	WE	0905	S BEAVER ST / W FRANKLIN AVE	FLR STOP- STOP SIGN
265719	10/11/2017	WE	0920	S BEAVER ST / W FRANKLIN AVE	FLR STOP- STOP SIGN
265720	10/11/2017	WE	0940	S BEAVER ST / W FRANKLIN AVE	FLR STOP- STOP SIGN
265721	10/11/2017	WE	0955	S BEAVER ST / W FRANKLIN AVE	FLR STOP- STOP SIGN
267152	10/11/2017	WE	0910	S BEAVER ST / W FRANKLIN AVE	FLR STOP- STOP SIGN
267155	10/11/2017	WE	0959	S BEAVER ST / W FRANKLIN AVE	FLR STOP- STOP SIGN
267153	10/11/2017	WE	0926	S BEAVER ST / W FRANKLIN AVE	FLR STOP- STOP SIGN
265723	10/18/2017	WE	0915	E FRANKLIN AVE / S SAN FRANCISCO ST	FLR STOP- STOP SIGN
267168	10/18/2017	WE	0930	E FRANKLIN AVE / S SAN FRANCISCO ST	FLR STOP- STOP SIGN
265722	10/18/2017	WE	0900	E FRANKLIN AVE / S SAN FRANCISCO ST	FLR STOP- STOP SIGN
265724	10/18/2017	WE	0945	E FRANKLIN AVE / S SAN FRANCISCO ST	FLR STOP- STOP SIGN
266399	10/22/2017	SU	1557	E DORTHA AVE / N ROSE ST	FLR STOP- STOP SIGN

The Police Department will embark on a new bicycle safety campaign once the current traffic campaign “Driving safely in construction zones” is finished. We have already released a current training bulletin on bicycle violations to our

officers who work the downtown area. In addition to the usual public service announcements on our safety campaigns, the Police Department will also have the Public Information Officer encourage the Lumberjack Newspaper to do an article on the campaign as well. Again, the safety campaign is in addition to our regular traffic enforcement program, which includes stopping bicycles when violations are observed.

#### ADDITIONAL OUTREACH EFFORTS

Flagstaff Police Department and the Community Development Division also work together on several other educational efforts:

- We regularly distribute bicycle and pedestrian safety literature at bike shops, community events, the NAU campus, and other locations around town.
- A bicycle safety class is conducted each year in conjunction with Bike to Work Week.
- Every few years we host a weekend-long bicycle safety seminar to certify individuals as bicycle safety instructors. In the past few years three police officers have been certified.
- An officer has been assigned to and regularly attends the City's monthly Bicycle Advisory Committee meetings. This helps facilitate additional dialogue regarding education and outreach.

This report is for information only.