

Chapter 9.40 MOTORCYCLES AND MOTOR-DRIVEN CYCLES*

***Cross references:** Vehicle inspection and maintenance program, [Ch. 15.80](#).

-
- [9.40.010 Applicability of traffic laws to operators.](#)
 - [9.40.020 Riding rules.](#)
 - [9.40.030 Operating on roadways laned for traffic.](#)
 - [9.40.040 Clinging to other vehicles.](#)
 - [9.40.050 Footrests and handlebars.](#)
 - [9.40.060 Safety equipment for motorcycle riders; mirrors.](#)
 - [9.40.070 Headlamps.](#)
 - [9.40.080 Taillamps; illumination of license plate.](#)
 - [9.40.090 Reflectors.](#)
 - [9.40.100 Stop lamps.](#)
 - [9.40.110 Lamps on parked vehicles.](#)
 - [9.40.120 Multiple beam road lighting equipment.](#)
 - [9.40.130 Lighting equipment for motor-driven cycles.](#)
 - [9.40.140 Required brake equipment.](#)
 - [9.40.150 Performance ability of brakes.](#)
 - [9.40.160 Other equipment.](#)
 - [9.40.170 Unlawful operation; impoundment as public nuisance.](#)

9.40.010 Applicability of traffic laws to operators.

Every person operating a motorcycle shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of any other vehicle under this title, except as to special regulations in this chapter, and except as to those provisions of this title which by their nature can have no application.

(CAC 9.40.010; AO No. 78-72)

9.40.020 Riding rules.

- A. *Riding on seat required; carrying passengers.* A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator may not carry any other person, nor may any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the motorcycle at the rear or side of the operator.
- B. *Manner of riding on seat.* A person shall operate a motorcycle only while astride the seat, facing forward, with one leg on each side of the motorcycle.
- C. *Carrying articles.* No person may operate a motorcycle while carrying any package, bundle or other article which prevents him from keeping both hands on the handlebars.
- D. *Interference with operator.* No operator may carry any person nor may any person ride in a position that will interfere with the operation or control of the motorcycle or the view of the operator.

(CAC 9.40.020; AO No. 78-72)

9.40.030 Operating on roadways laned for traffic.

- A. All motorcycles are entitled to full use of one traffic lane on a roadway, and no motor vehicle may be driven in such a manner as to deprive any motorcycle of the full use of such a lane, except as provided in subsection D of this section.
- B. The operator of a motorcycle may not overtake and pass on the same lane occupied by the vehicle being overtaken.
- C. No person may operate a motorcycle between the lanes of traffic or between adjacent lines or rows of vehicles.
- D. Motorcycles may not be operated more than two abreast in a single lane.
- E. Subsections B and C of this section shall not apply to police officers in the performance of their official duties.

(CAC 9.40.030; AO No. 78-72)

9.40.040 Clinging to other vehicles.

No person riding upon a motorcycle may attach himself or the motorcycle to any other vehicle.

(CAC 9.40.040; AO No. 78-72)

9.40.050 Footrests and handlebars.

- A. Any motorcycle carrying a passenger, other than in a sidecar or enclosed cab, shall be equipped with footrests for such passenger.
- B. No person may operate any motorcycle with handlebars more than 15 inches in height above that portion of the seat occupied by the operator.

(CAC 9.40.050; AO No. 78-72)

9.40.060 Safety equipment for motorcycle riders; mirrors.

A. *Protective headgear.* No person may operate or ride upon a motorcycle within the municipality unless they are wearing protective headgear properly upon their head, nor transport a passenger unless they are wearing protective headgear properly upon their head, which has been manufactured to meet the standards provided by U.S. Standards Institute Safety Code Z90.1-1966. This subsection does not apply to:

1. Persons riding within an enclosed cab.
2. Any motorcycle operator who is 19 years of age or more, and who is the holder of a valid motorcycle operator's license from the state.

B. *Eye protective device.* No person may operate a motorcycle unless he is wearing an eye protective device of a type which has been manufactured to meet the standards provided by U.S. Standards Institute Safety Code Z2.1-1959, except when the motorcycle is equipped with a wind screen which rises at least 15 inches above the handlebars.

C. *Mirrors.* No person may operate a motorcycle on a street that is not equipped with a mirror on each side of the handlebars which gives the operator a complete view of the street to the

rear of the motorcycle for a distance of at least 200 feet.

(CAC 9.40.060; AO No. 77-137; AO No. 78-72; AO No. 80-4; AO No. 94-68(S), § 32, 8-11-94)

9.40.070 Headlamps.

A. Every motorcycle and every motor-driven cycle operated on a roadway or street shall be equipped with at least one and not more than two headlamps, which shall comply with the requirements and limitations of this chapter.

B. Every headlamp upon every motorcycle or motor-driven cycle shall be located at a height of not more than 54 inches and not less than 24 inches, to be measured as set forth in [Section 9.44.040.B](#).

(CAC 9.40.070; AO No. 78-72; AO No. 80-4)

9.40.080 Taillamps; illumination of license plate.

A. Every motorcycle and motor-driven cycle operated on streets shall have at least one taillamp, which shall be located at a height of not more than 72 inches and not less than 20 inches.

B. Either the taillamp or a separate lamp shall be so constructed and placed to illuminate with a white light the rear registration plate and render it legible from a distance of 50 feet to the rear. Any taillamp, together with any separate lamp for illuminating the rear registration plate, shall be so wired as to be lighted whenever the headlamps or auxiliary driving lamps are lighted.

(CAC 9.40.080; AO No. 78-72; AO No. 80-4)

9.40.090 Reflectors.

Every motorcycle and motor-driven cycle operated on streets shall carry on the rear, either as part of the taillamp or separately, at least one red reflector meeting the requirements of [Section 9.44.070.B](#).

(CAC 9.40.090; AO No. 78-72; AO No. 80-4)

9.40.100 Stop lamps.

Every motorcycle and motor-driven cycle operated on streets shall be equipped with at least one stop lamp meeting the requirements of [Section 9.44.200](#).

(CAC 9.40.100; AO No. 78-72; AO No. 80-4)

9.40.110 Lamps on parked vehicles.

A. Every motorcycle operated on streets must comply with the provisions of [Section 9.44.160](#) regarding lamps on parked vehicles and the use thereof.

B. Motor-driven cycles need not be equipped with parking lamps nor otherwise comply with the provisions of [Section 9.44.160](#).

(CAC 9.40.110; AO No. 78-72; AO No. 80-4)

9.40.120 Multiple beam road lighting equipment.

- A. Every motorcycle other than a motor-driven cycle which is operated on streets shall be equipped with multiple beam road lighting equipment.
- B. Such equipment shall:
 - 1. Reveal persons and vehicles at a distance of at least 300 feet ahead when the uppermost distribution of light is selected.
 - 2. Reveal persons and vehicles at a distance of at least 150 feet ahead when the lowermost distribution of light is selected, and, on a straight, level road under any condition of loading, none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver.

(CAC 9.40.120; AO No. 78-72)

9.40.130 Lighting equipment for motor-driven cycles.

Every motor-driven cycle operated on a street shall be equipped with a headlamp, which may be of the single beam or multiple beam type, but in either event shall comply with the requirements and limitations as follows:

- A. Every headlamp on a motor-driven cycle shall be of sufficient intensity to reveal persons and vehicles at a distance of not less than 100 feet when the motor-driven cycle is operated at any speed less than 25 miles per hour, and at a distance of not less than 200 feet when the motor-driven cycle is operated at a speed of 25 or more miles per hour, and at a distance of not less than 300 feet when the motor-driven cycle is operated at a speed of 35 or more miles per hour.
- B. If the motor-driven cycle is equipped with a multiple beam headlamp, such equipment shall comply with the requirements of [Section 9.40.120](#).
- C. If the motor-driven cycle is equipped with a single beam lamp, the lamp shall be so aimed that, when the vehicle is loaded, none of the high-intensity portion of light, at a distance of 25 feet ahead, shall project higher than the level of the center of the lamp from which it comes.

(CAC 9.40.130; AO No. 78-72; AO No. 80-4)

9.40.140 Required brake equipment.

Every motorcycle and motor-driven cycle must comply with the provisions of [Section 9.44.290](#), except that:

- A. Motorcycles and motor-driven cycles need not be equipped with parking brakes.
- B. The wheel of a sidecar attached to a motorcycle or to a motor-driven cycle, and the front wheel of a motor-driven cycle, need not be equipped with brakes, provided that such motorcycle or motor-driven cycle is capable of complying with the performance requirements of this chapter.

(CAC 9.40.140; AO No. 78-72)

9.40.150 Performance ability of brakes.

A. Every motorcycle and motor-driven cycle at all times and under all conditions of loading, upon application of the service brake, shall be capable of:

1. Developing a braking force that is not less than 43 1/2 percent of its gross weight;
2. Decelerating to a stop from not more than 20 miles per hour at not less than 14 feet per second; and
3. Stopping from a speed of 20 miles per hour in not more than 30 feet, such distance to be measured from the point at which movement of the service brake pedal or control begins.

B. Tests for deceleration and stopping distance shall be made on a substantially level (not to exceed plus or minus one percent grade), dry, smooth, hard surface that is free from loose material.

(CAC 9.40.150; AO No. 78-72)

9.40.160 Other equipment.

Every motorcycle and every motor-driven cycle operated on streets shall comply with the requirements and limitations of [Section 9.36.360](#) on horns and warning devices and [Section 9.44.340](#) on mirrors.

(CAC 9.40.160; AO No. 78-72; AO No. 80-4)

9.40.170 Unlawful operation; impoundment as public nuisance.

A. No person may drive, operate, stop or move a motorcycle or motor-driven cycle in the following ways, which are declared to be unsafe and unlawful:

1. In any municipal park, recreation area or other municipally owned area unless specifically designated by the municipal traffic engineer for use by motorcycles, or upon any public sidewalk, bikepath or recreational trail not specifically designated for use by motorcycles.
2. On private property of another without the express permission to do so by the owner or occupant of the property. Such permission shall be in writing, carried by the operator of such motorcycle or motor-driven cycle, and displayed upon demand of a peace officer or other competent authority. Nothing in this subsection shall be construed to limit the power of the municipality to exercise procedures and remedies set forth in any other provision of this Code.
3. So as to knowingly or intentionally chase, run over or kill any animal.
4. In violation of [Section 9.44.330](#).

B. A motorcycle operated in violation of subsection A.1, A.2 and A.3 of this section is a public nuisance. A motorcycle found constituting a public nuisance under this chapter shall be impounded immediately by the police department. The police department shall release an impounded motorcycle only upon proof of ownership, payment in full or reasonable charges for storage and towing, and the posting of suitable bond approved by a judge of the district court as surety for court appearance when such bond is required; provided, however, that nothing within this chapter shall be construed as limiting the power of a police officer or other municipal official who is acting within his official capacity to impound a motorcycle under the following circumstances: