

Substitute Bill No. 2 for

BILL NO. 385, 2019

ORDINANCE NO. , 2020

Introduced by Councilmember Dunaway

AN ORDINANCE

AMENDING CHAPTER 1202 OF TITLE XII SLCRO 1974, AS AMENDED, "TRAFFIC CODE," BY REPEALING AND RE-ENACTING SECTION 1202.010 PERTAINING TO DEFINITIONS; AMENDING CHAPTER 1210, TITLE XII SLCRO 1974 AS AMENDED, "REGULATIONS FOR BICYCLISTS, BY REPEALING AND RE-ENACTING SECTION 1210.050 AND ADDING A NEW SECTION 1210.055, PERTAINING TO RIDING BICYCLES ON ROADWAYS; AND AMENDING CHAPTER 1212, TITLE XII SLCRO 1974 AS AMENDED BY ADDING AND ENACTING A NEW SECTION 1212.175 AND A NEW SECTION 1212.200, PERTAINING, RESPECTIVELY, TO DRIVERS PASSING BICYCLISTS AND TO VULNERABLE ROAD USERS.

BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1. SECTION 1. Title XII, Chapter 1202, SLCRO 1974 as amended is amended by repealing and re-enacting Section 1202.010, which shall read as follows:

1202.010 Definitions.— The following words and phrases as used in this code shall for the purpose of this code have the meaning respectively ascribed to them:

1. Alley: The entire width and length of the public right-of-way and/or easement of an alley.
2. Alleyway: That portion of an alley intended for use by the general traveling public.
3. Angle parking: The standing or parking of any vehicle upon a highway, roadway or alleyway in a manner where the longitudinal axis of the vehicle forms an angle with the

NOTE: Matter enclosed in bold-faced brackets [thus] is not enacted and is intended to be omitted from the ordinance.

- alignment of the curb.
4. Arterial road: Any road designated by the St. Louis County Council as part of the County arterial road system authorized by Section 137.558 R.S.Mo.
 5. Authorized emergency vehicles:
 - (a) Vehicles operated as ambulances, or operated by the State Highway Patrol, Police or Fire Department in St. Louis County, Missouri, Sheriff, Deputy Sheriff or Medical Examiner.
 - (b) Publicly or privately owned vehicles operated in the performance of emergency service by the Prosecuting Attorney, the Prosecuting Attorney's full-time investigators, or the two (2) deputy medical examiners whom the Coroner has designated in writing to the St. Louis County Police Department as being so authorized.
 - (c) Any privately owned vehicle operated as an ambulance when responding to emergency calls.
 - (d) Any privately owned wrecker or tow truck, or vehicles owned and operated by a public utility or public service corporation while performing emergency service.
 6. Bicycle: Every device vehicle propelled solely by human power upon which any person or persons may ride, having two (2) or more tandem wheels, or two parallel wheels and one (1) or two (2) forward or rear wheels, [either] all of which are [is twenty (20) or] more than fourteen (14) inches in diameter, except scooters and similar devices.
 7. Center line: A yellow line or lines delineating the separation between travel lanes in opposite directions. It need not be at the geometrical center of the pavement.
 8. Commercial motor vehicle: A motor vehicle designed or regularly used for carrying freight, merchandise, supplies, tools or equipment.
 9. Controlled or limited access highway/roadway: Every highway or roadway or right-of-way thereof in respect to which owners or occupants of abutting lands and other persons having no legal rights of access to, from, on or across the same except at such points and in such manner as may be determined or designated by the public authority having jurisdiction over such highway or roadway.
 10. Crosswalks:
 - (a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or in the absence of curbs, from the edges of the traversable roadway, and in the absence

of a sidewalk on one side of the roadway, the part of a roadway included within the extension of the lateral lines of the sidewalk at right angles to the center line; or

- (b) any portion of a roadway at an intersection or elsewhere distinctly indicated as a pedestrian crossing by pavement marking lines on the surface, which might be supplemented by contrasting pavement texture, style, or color.

[Any pedestrian crossing indicated by fines or other markings on the pavement, or, when not marked at intersection, that portion of a highway or roadway ordinarily included within the prolongation or connection of curb and property lines.]

11. Driver: Any person who drives, operates or is in any manner in actual physical control of a vehicle.
12. Driveway: A travelway privately used for access to and distribution within a site, not including sidewalks.
13. Edge line: A solid white line used to delineate the right edge of a highway or roadway.
14. Gross weight: The total weight of a vehicle including the weight of any carried cargo.
15. Highway: The traveling portion of a public right-of-way of a highway intended for use by the general traveling public and maintained by the Missouri Highway and Transportation Department.

16. Intersection:

- (a) The area embraced within the prolongation or connection of the lateral curb lines, or if none, the lateral boundary lines of the roadways of two highways that join one another at, or approximately at, right angles, or the area within which vehicles traveling on different highways that join at any other angle might come into conflict.
- (b) The junction of an alley or driveway with a roadway or highway shall not constitute an intersection, unless the roadway or highway at said junction is controlled by a traffic control device.
- (c) If a highway includes two roadways that are 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be a separate intersection.
- (d) If both intersecting highways include two roadways that are 30 feet or more apart, then every crossing of any two roadways of such highways shall be a separate intersection.

- (e) At a location controlled by a traffic control signal, regardless of the distance between the separate intersections as defined in (c) and (d) above:
- (1) If a stop line, yield line, or crosswalk has not been designated on the roadway (within the median) between the separate intersections, the two intersections and the roadway (median) between them shall be considered as one intersection;
- (2) Where a stop line, yield line, or crosswalk is designated on the roadway on the intersection approach, the area within the crosswalk and/or beyond the designated stop line or yield line shall be part of the intersection; and
- (3) Where a crosswalk is designated on a roadway on the departure from the intersection, the intersection shall include the area extending to the far side of such crosswalk.

17. Junked motor vehicle: A motor vehicle without current valid registration plates and motor vehicle safety inspection certificates lawfully attached to it, or a motor vehicle which is wrecked, dismantled, inoperative, abandoned, or discarded.
18. Junked trailer: a non-motorized vehicle designed to be used as a trailer that is non-functioning, broken, dilapidated, defective or primarily used for on-site storage.
- [18. Intersection:
- (a) The area embraced within the prolongation or connection of the lateral boundary lines, or if present, the lateral curb lines, of two (2) or more highways, roadways or alleyways, whether or not one (1) such highway, roadway or alleyway crosses the other.
- (b) Where a highway or roadway includes two (2) roadways thirty (30) or more feet apart, then every crossing of each roadway of such divided highway or roadway by an intersecting highway or roadway shall be regarded as a separate intersection.]
19. Law enforcement officer: Every officer of the St. Louis County Department of Police or any officer lawfully and duly authorized, deputized, assigned or called upon to direct or regulate traffic or to make arrests for violation of traffic regulations, or any fire department official acting pursuant to Section 1201.040 SLCRO.

20. **Motorcycle:** A motor vehicle operated on two (2) or three (3) wheels whether or not with a sidecar and excluding motorized bicycles.
21. **Motor vehicle:** Any self-propelled vehicle not operated exclusively on tracks.
22. **Motorized bicycle:** Any two- or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty (50) cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground.
23. **Operator:** Any person actually in physical control of a vehicle.
24. **Park or parking:** The stopping of a vehicle, whether occupied or not, other than only temporarily for the purpose of loading or unloading passengers or cargo.
25. **Private roadway or driveway:** Every roadway or driveway not open to the use of the general traveling public.
26. **Residential district:** The territory contiguous to and including a highway, roadway or alleyway not comprising a business district as defined by the St. Louis County Zoning Code, when the property on such highway, roadway or alleyway, for a distance of six hundred (600) feet or more is primarily improved with residences or residences and buildings in use for business.
27. **Right-of-way:**
 - (a) The privilege of immediate use of the highway, roadway or alleyway;
 - (b) A strip of land over which a highway, roadway or alleyway passes.
28. **Road:** The entire width and length of the right-of-way or the easement of a road, avenue, or boulevard or similar item.
29. **Roadway:** That portion of a road intended for use by the general traveling public, typically delineated by curbs, edge lines, or the edge of pavement.
30. **School zone:** A section of any highway or roadway where signs warn of the presence of persons going to and returning from public or private schools.
31. **Shoulder:** The portion of a road outside the roadway excluding sidewalks.
32. **Sidewalk:** A paved area separate from the highway or roadway intended for use by pedestrians.
33. **Stand or standing:** The halting of a vehicle, whether occupied or not, other than for the purpose of receiving or discharging passengers.

34. Stop or stopping:
 - (a) Stop means, when required, the complete cessation of movement.
 - (b) Stop or stopping, when prohibited, means the halting even momentarily of a vehicle except when necessary to avoid conflict with other traffic, or in compliance with the directions of a law enforcement officer or traffic control device.
35. Through roadway: All highways, and every roadway or portion thereof on which vehicular traffic is given preferential right-of-way.
36. Traffic control devices: All official signs, signals, markings, intersection lighting and devices not inconsistent with this code, placed by a public body having authority to regulate, warn, or guide traffic.
37. Trailer: A non-motorized vehicle, often a long platform or box with wheels, used for transport of goods and materials that is designed to be pulled or towed by another.
38. Vehicle: Any mechanical device on wheels, in, upon or by which persons or property is or may be transported or drawn upon a highway, roadway, or alleyway or driveway, except devices moved by human power or used exclusively upon rails or tracks.

SECTION 2. Chapter 1210, Title XII SLCRO 1974 as amended, is amended by repealing and re-enacting Section 1210.050 and adding a new Section 1210.055, which sections shall read as follows:

1210.050 Riding Non-Motorized Scooters, Roller Blades, Roller Skates or Skateboards on Highways, Roads, Alleyways. - 1. Every person operating a [bicycle, or] scooter at less than the posted speed or slower than the flow of traffic upon a highway, roadway or alleyway shall ride as near to the right side of the highway, roadway or alleyway as [practicable] safe and shall exercise due care when passing a standing vehicle or one proceeding in the same direction.

2. Persons riding [bicycles,] scooters, roller blades, roller skates, or skateboards upon a road shall not ride more than two (2) abreast except when riding on paths or part of roads set aside for the exclusive use of such devices.

1210.055 Riding Bicycles or Operating Motorized Bicycles on a Highway, Roadway or Alleyway. - 1. Every person riding a bicycle or operating a motorized bicycle upon a highway, roadway, or alleyway at a speed that is both (1) less than the posted speed

limit and (2) slower than the flow of traffic upon the highway, road, or alleyway, shall ride in the right-most through lane of traffic, in the same direction as the flow of traffic, subject to the following conditions and exceptions:

- (a) To facilitate the movement of overtaking vehicles, if the right-most through lane of traffic is wide enough to be safely shared with overtaking vehicles while allowing a safe passing distance between the bicyclist and the overtaking vehicle, the bicyclist shall ride far enough to the right within the traffic lane, as judged safe by the bicyclist, to facilitate overtaking by such vehicles, unless other conditions make it unsafe to do so.
- (b) The person riding a bicycle or operating a motorized bicycle may ride on the shoulder adjacent to the traffic lanes, riding in the same direction as vehicles are required to be driven upon the adjacent traffic lane, if doing so is judged safe by the bicyclist.
- (c) The person riding a bicycle or operating a motorized bicycle may use a lane other than the right-hand lane when:
 - (i) Preparing for a left turn at an intersection or into a private roadway or driveway;
 - (ii) Overtaking another vehicle proceeding in the same direction;
 - (iii) Reasonably necessary to avoid conditions, including, but not limited to, fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards or lanes that are too narrow for a bicycle and a motor vehicle to travel safely side by side within such lanes;
 - (iv) Approaching an intersection where right turns are permitted and there is a dedicated right turn lane, in which case a bicyclist may ride on the left-hand side of such dedicated turn lane, even if the bicyclist does not intend to turn right; or
 - (v) Riding on parts of roadways set aside for the exclusive use of bicycles, including, but not limited to, contra-flow bicycle lanes, left-handed cycle tracks or bicycle lanes on one-way streets, and two-way cycle tracks or bicycle lanes.
- (d) The person riding a bicycle or operating a motorized bicycle on a one-way street with two or more lanes may ride in the left-hand lane of traffic, subject to the following condition:
 - (i) If the left-hand travel lane is wide enough to be safely shared with overtaking vehicles while allowing a safe passing distance between the bicyclist and the overtaking vehicle, the bicyclist shall ride far enough

to the left, as judged safe by the bicyclist, to facilitate overtaking by such vehicles, unless other conditions make it unsafe to do so.

2. In complying with subsection 1 and any other traffic regulations, a person riding a bicycle or operating a motorized bicycle shall not be expected or required to:

- (a) Ride over, through, or unsafely near hazards at the edge of a roadway, including but not limited to fixed or moving objects, debris, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or dangerously narrow lanes;
- (b) Ride without a reasonable safety margin between the bicyclist and the edge of the roadway; or
- (c) Ride without a reasonable safety margin between the bicyclist and any dangerous conditions or hazards.

3. A person operating a bicycle in compliance with this section and not violating any other section of law is not impeding traffic.

4. Persons riding bicycles may ride two abreast when any one of the following conditions is present:

- (a) When not significantly impeding other traffic;
- (b) When operating on paths, the shoulder of the road, or parts of the roadway set aside for the exclusive use of bicycles; or
- (c) When the right-most through lane of traffic is too narrow to be safely shared between a single bicyclist and an overtaking vehicle, persons riding bicycles may ride abreast within that traffic lane.

SECTION 3. Chapter 1212, Title XII SLCRO 1974 as amended, is amended by adding and enacting a new Section 1212.175 and a new Section 1212.200, which new sections shall read as follows:

1212.175 Safe passing of bicyclists. - When overtaking or passing a person operating a bicycle proceeding in the same direction, the driver of a motor vehicle shall exercise due care and:

- i. If there is more than one lane of traffic proceeding in the same direction, move the vehicle to the lane to the immediate left, if the lane is available and moving into the lane is reasonably safe; or
- ii. If there is only one lane for traffic proceeding in the same direction, pass to the left of the person operating a bicycle at a safe distance, which must not be less than 3 feet between any portion of the vehicle and the bicycle, and shall not move again to the right side of the roadway until the vehicle is safely clear of the overtaken person

operating a bicycle.

- iii. The driver of a motor vehicle may drive to the left of the center of a roadway, including when a no passing zone is marked, to pass a person operating a bicycle only if the roadway to the left of the center is unobstructed for a sufficient distance to permit the driver to pass the person operating the bicycle safely and avoid interference with oncoming traffic. This section does not authorize driving on the left side of the center of the roadway when prohibited under applicable law.

- 1212.200 Causing injury to vulnerable road users** - 1. As used in this section, the term "vulnerable road user" includes: i. a pedestrian, including those persons actually engaged in work upon a roadway, work upon utility facilities along a roadway, or in the provision of emergency services within the right-of-way; or ii. A person leading an animal; or iii. A person lawfully operating or riding any of the following on a public right-of-way, crosswalk, or shoulder of the roadway: bicycle, tricycle, or other pedal-powered vehicle; a farm tractor or similar vehicle designed primarily for farm use; a skateboard; roller skates; inline skates; a scooter; a moped; a motorcycle; an animal-drawn wheeled vehicle, farm equipment, or sled; an electric personal assistive mobility device; or a wheelchair.
2. No person shall operate a motor vehicle in a careless or distracted manner and thereby cause injury to a vulnerable road user.

ADOPTED: _____

CHAIR, COUNTY COUNCIL

APPROVED: _____

COUNTY EXECUTIVE

ATTEST: _____

ACTING ADMINISTRATIVE DIRECTOR

APPROVED AS TO LEGAL FORM:

COUNTY COUNSELOR