

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE amending Title 10 of the Lincoln Municipal Code relating to  
 2 Vehicles and Traffic to define bicycle lanes and regulate the use of bicycle lanes by adding a new  
 3 section numbered 10.02.055 to add the definition of “bicycle lane”; amending Chapter 10.14 , Rules  
 4 of the Road by amending Section 10.14.030 (Stop When Traffic Obstructed) and Section 10.14.050  
 5 (Use of Restricted Areas Adjacent to Curb and Changing Course) and by adding a new section  
 6 numbered 10.14.055 (Enter Traffic Lanes or Change Course Without Safety; amending Chapter  
 7 10.48, Bicycles, by amending Section 10.48.130 (Right-of-way), Section 10.48.140 (Right Turn  
 8 Lanes), Section 10.48.150 (Left Turn Lanes), Section 10.48.180 (Riding to Right of Roadway),  
 9 Section 10.48.190 (Riding in Group), and Section 10.48.280 (Penalty) and adding a new section  
 10 numbered 10.48.185 (Designated Bicycle Lane; Direction); and repealing Sections 10.14.030,  
 11 10.14.050, 10.48.130, 10.48.140, 10.48.150, 10.48.180, 10.48.190, and 10.48.280 of the Lincoln  
 12 Municipal Code as hitherto existing.

13 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

14 Section 1. That Chapter 10.02 of the Lincoln Municipal Code be amended by adding  
 15 a new section numbered 10.02.055 to read as follows:

16 **10.02.055 Bicycle Lane.**

17 Bicycle lane shall mean any portion of a roadway designated by signs and/or pavement  
 18 markings for exclusive use by bicyclists.

19 Section 2. That Section 10.14.030 of the Lincoln Municipal Code be amended to  
 20 read as follows:

1     **10.14.030     Stop When Traffic Obstructed.**

2             No ~~driver~~ operator of any vehicle shall enter an intersection or a marked crosswalk unless  
3 there is sufficient space on the other side of the intersection or crosswalk to accommodate the  
4 vehicle such driver is operating without obstructing the passage of other vehicles or pedestrians, not-  
5 withstanding any traffic-control signal indication to proceed.

6             Section 3. That Section 10.14.050 of the Lincoln Municipal Code be amended to  
7 read as follows:

8     **10.14.050     Use of Restricted Areas Adjacent to Curb and Changing Course.**

9             ~~It shall be unlawful to use any portion of that part of any street within which motor vehicles~~  
10 ~~are required to be parked or which is set aside for loading zones, bus stops, or areas adjacent to the~~  
11 ~~curb where parking of motor vehicles is prohibited as a path, track, or passageway for any motor~~  
12 ~~vehicle or for vehicular traffic except on such streets and during such periods of time that such use~~  
13 ~~is authorized. It shall be unlawful for any motor vehicle to leave said portion of the street and enter~~  
14 ~~the adjacent traffic lane, or to enter or to cross or to turn in the adjacent street intersection, or to~~  
15 ~~execute any turning movement until said movement can be made safely after yielding the right-of-~~  
16 ~~way to all motor vehicles entitled thereto.~~

17             (a)     It shall be unlawful to operate a vehicle upon any portion of the street where motor  
18 vehicle parking is permitted or restricted or which is set aside for loading zones or bus stops, or any  
19 other part of the street not designated for vehicular travel, as a traffic lane for any vehicular traffic,  
20 except on such streets and during such periods of time when such use is authorized.

21             (b)     It shall be unlawful for any person to operate any motor vehicle within any portion  
22 of a bicycle lane for a distance greater than is necessary to lawfully enter the closest lane or area  
23 designated for motor vehicle traffic or parking.

1           (c)     It shall be unlawful for any person operating a motor vehicle to park, stop, stand, or  
2 interfere with the use of a bicycle lane. It shall not be a defense to this section that the operator of  
3 a motor vehicle was attempting to change the course of his or her vehicle.

4           Section 4. That Chapter 10.14 of the Lincoln Municipal Code be amended by adding  
5 a new section numbered 10.14.055 to read as follows:

6     **10.14.055     Enter Traffic Lanes or Change Course Without Safety.**

7           It shall be unlawful for the operator of any vehicle to leave any portion of the roadway and  
8 enter an adjacent traffic lane or bicycle lane, or to enter or to cross or to turn in the adjacent street  
9 intersection, or to execute any turning movement until said movement can be made safely after  
10 yielding the right-of-way to all vehicles entitled thereto. This section shall not authorize the  
11 operation or movement of a vehicle prohibited by the laws of the State of Nebraska or the ordinances  
12 of the City of Lincoln, in their present form or as they may be from time to time amended.

13           Section 5. That Section 10.48.130 of the Lincoln Municipal Code be amended to  
14 read as follows:

15     **10.48.130     Right-of-Way.**

16           (a)     The operator of a bicycle emerging from any alley, building, driveway, or road shall,  
17 upon approaching a sidewalk or the sidewalk space extending across any alleyway, driveway, or  
18 road, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk space.

19           (b)     The operator of a bicycle about to enter or cross a street or other public way from a  
20 sidewalk, sidewalk space, alley, building, or driveway, ~~or road~~ shall yield the right-of-way to all  
21 vehicles lawfully approaching on said roadway.

22           Section 6. That Section 10.48.140 of the Lincoln Municipal Code be amended to  
23 read as follows:

1     **10.48.140     Right Turn Lanes.**

2             A person operating a bicycle approaching an intersection in a lane of traffic designated for  
3 right turns only who desires to proceed straight through the intersection shall, before reaching the  
4 intersection and after yielding the right-of-way to any approaching ~~motor~~ vehicle which is so close  
5 as to constitute an immediate hazard, (a) move into the first lane to the immediate left which is  
6 lawfully available for traffic moving straight through the intersection, shall enter the intersection in  
7 said lane, and shall leave the intersection as near to the right hand side of the roadway as practicable;  
8 or (b) before entering the intersection and after yielding the right-of-way to any approaching vehicle  
9 which is so close as to constitute an immediate hazard, move into a designated bicycle lane, which  
10 is lawfully available for traffic moving straight through the intersection, shall enter the intersection  
11 in said lane, and shall leave the intersection in said lane; or (c) said person shall dismount and  
12 proceed across the street in the crosswalk.

13             Section 7. That Section 10.48.150 of the Lincoln Municipal Code be amended to  
14 read as follows:

15     **10.48.150     Left Turns.**

16             A person operating a bicycle upon any public street or public way who intends to turn left  
17 at any intersection shall, before reaching the intersection and after yielding the right-of-way to any  
18 approaching motor vehicle which is so close behind as to constitute an immediate hazard, (a) move  
19 as far as practicable to the left of the traveled portion of the roadway available for his or her  
20 direction of travel and shall then enter the intersection and execute his left turn according to law; (b)  
21 proceed in a designated bicycle lane, yielding the right-of-way as required for any other vehicle; or  
22 ~~shall~~ (c) dismount and proceed across the street in the available crosswalks.

1           Section 8. That Section 10.48.180 of the Lincoln Municipal Code be amended to  
2 read as follows:

3   **10.48.180     Riding to Right of Roadway.**

4           Bicycles proceeding with the normal flow of traffic shall be operated in the right-hand travel  
5 lane of a roadway or in a designated bicycle lane. Bicycles proceeding at less than the normal speed  
6 of traffic at the time and place and under the conditions then existing shall be ridden in a designated  
7 bicycle lane or shall stay as close as practicable to the right-hand side of the right-hand travel lane  
8 except when passing or preparing for a left turn.

9           Section 9. That Chapter 10.48 of the Lincoln Municipal Code be amended by adding  
10 a new section numbered 10.48.185 to read as follows:

11   **10.48.185     Designated Bicycle Lane; Direction.**

12           It shall be unlawful for any person to ride a bicycle in a designated bicycle lane in a direction  
13 different from the direction of other vehicular traffic in the traveled portion of the roadway adjacent  
14 to the designated bicycle lane.

15           Section 10. That Section 10.48.190 of the Lincoln Municipal Code be amended to  
16 read as follows:

17   **10.48.190     Riding in Group.**

18           (a)    Persons riding bicycles upon a street or roadway shall ride single file, except on paths  
19 or parts of roadway set aside for exclusive use of bicycles.

20           (b)    Persons shall operate bicycles in a bicycle lane in such a manner so as not to obstruct  
21 or impede the lawful operation of other bicycles within the bicycle lane, or the lawful operation of  
22 any vehicle in any adjacent lane.

1                   Section 11. That Section 10.48.280 of the Lincoln Municipal Code be amended to  
2 read as follows:

3       **10.48.280     Penalty.**

4                   Any person violating any of the provisions of this chapter, or who shall fail, neglect, or  
5 refuse to perform any duty imposed upon him or her, shall be deemed guilty of ~~a misdemeanor~~ an  
6 infraction, and upon conviction thereof ~~may, in lieu of the penalty elsewhere in this title provided,~~  
7 ~~be ordered to surrender his or her bicycle for impounding for a period of not to exceed six months~~  
8 shall be punished by a fine not to exceed \$100.00, recoverable with costs.

9                   Any person violating any provisions of Section 10.48.270 of this chapter shall be guilty of  
10 a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail  
11 for a period not to exceed six months or by a fine of not less than \$250.00 nor or more than \$500.00.

12                   Section 12. That Sections 10.14.030, 10.14.050, 10.48.130, 10.48.140, 10.48.150,  
13 10.48.180, 10.48.190, and 10.48.280 of the Lincoln Municipal Code as hitherto existing be and the  
14 same are hereby repealed.

15                   Section 13. That this ordinance shall take effect and be in force from and after its  
16 passage and publication according to law.

Introduced by:  
  
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Approved as to Form & Legality:  
  
\_\_\_\_\_  
City Attorney

Approved this ___ day of _____, 2006:  _____ Mayor
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