

**ORDINANCE NO. 12**

**BICYCLE OPERATION, REGISTRATION AND SAFETY ACT**

Statement of Purpose: An Ordinance to regulate bicycle operation and registration and to promote safety within the Saginaw Chippewa Reservations.

**BE IT ENACTED**, by the Saginaw Chippewa Tribal Council as follows:

**SECTION 1. Short Title.** This Ordinance may be cited as the Bicycle Registration Ordinance of the Saginaw Chippewa Indian Tribe of Michigan.

**SECTION 2. Requirement for Registration of Bicycles.**

- a. Any member or any child (adopted or foster) or ward of a member residing within either reservation who owns a bicycle or who shall later purchase a bicycle shall be responsible for registration of that bicycle with the Tribal Police Department.
- b. All bicycles presently owned by individuals described in Section 2a above shall register said bicycles at the time prescribed and advertised by the Tribal Police.
- c. Any individual who shall purchase a bicycle after the time prescribed by the Tribal Police as Registration Day, shall have one week after the date of purchase to register that bicycle.

**SECTION 3. Method of Registration.** All bicycles that fall within the Section 2 of this Ordinance shall be registered with the Tribal Police.

- a. Each individual or his/her parent shall file an application which shall include the following:

<b>LAST NAME</b> _____	<b>TPD REG.#</b> _____
<b>FIRST NAME</b> _____	<b>FRAME#</b> _____
<b>BIRTHDATE</b> _____	<b>SPEED</b> _____
<b>HOME ADDRESS</b> _____	
<b>BRAKES</b> _____	<b>TYPE</b> _____
<b>CITY</b> _____	<b>WHEEL SIZE</b> _____
<b>STATE</b> _____	<b>FENDERS</b> _____
<b>ZIP</b> _____	<b>COLORS</b> _____
<b>PHONE</b> _____	<b>TRIM</b> _____
<b>ISSUED BY</b> _____	<b>TIRES</b> _____

- b. Placement of Registration Tag:
  - (1) Each bicycle will have its own separate registration number assigned by the Tribal Police Department on a florescent tag.
  - (2) Said Registration Tag shall be prominently displayed on the Head Tube of the bicycle.

- c. There shall be no charge for the initial registration of a bicycle.
- d. In the case that an individual registration tag is lost, stolen or destroyed. A new tag and number will be provided as a replacement by the Tribal Police for a cost of \$1.00.

**SECTION 4. Riding Bicycle on Roadway; Rights and Duties.** Every individual designated in Section 1 who rides a bicycle upon a roadway within the Reservation shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a motor vehicle under Chapter 1.23 of Title I of the Tribal Code, except as to special regulations in this Ordinance and except as to these provisions of Chapter 1.23 which by their nature do not have application.

**SECTION 5. Riding on Seat of Bicycle.**

- a. A person propelling a bicycle shall not ride other than upon and astride a permanent and regular seat attached thereto.
- b. A bicycle shall not be used to carry more persons at one time than the number for which it is designated or equipped.

**SECTION 6. Clinging to Vehicles.** A person riding upon a bicycle shall not attach the same by any method to a vehicle upon a roadway in order to be propelled thereby.

**SECTION 7. Riding on the Side of Roadway.**

- a. A person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- b. A person riding a bicycle upon a roadway shall not ride more than two abreast except on a path or part of a roadway set aside and clearly designated for exclusive use of bicycle.
- c. If there is a usable and designated bicycle path, a rider shall use that path and not the roadway.
- d. A person operating a bicycle shall not pass between lines of traffic, but may pass on the left of traffic moving in the direction in the case of a two way street, or on the left or right of traffic in the case of a one-way street, in an unoccupied lane.
- e. A person operating a bicycle on a sidewalk shall yield the right-of-way to a pedestrian and shall give an audible signal before overtaking and passing the pedestrian.

**SECTION 8. Hands on Handlebars and Carrying Package on a Bicycle.** A person operating a bicycle shall keep both hands on the handlebars at all times and shall not carry any package, bundle, or article which prevents the operator from keeping both hands upon the handlebars.

**SECTION 9. Bicycle Equipment.**

- a. When in use at nighttime a bicycle shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear which shall be visible from all distance from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.
- b. A bicycle shall be equipped with a brake which will enable the operator to make the brake wheels skid on dry, level, clear pavement.
- c. A person shall not sell, offer for sale, or deliver for sale in a bicycle or a pedal for use on a bicycle, either of which was manufactured after January 1, 1976, unless it is equipped with a type of reflex reflector located on the front and rear surfaces of the pedal. The reflector elements may be either integral with the construction of the pedal or mechanically attached, but shall be sufficiently recessed from the edge of the pedal, or of the reflector housing, to prevent contact of the reflector element with a flat surface placed in contact with the edge of the pedal. The pedal reflectors shall be visible from the front and rear of the bicycle during the nighttime from a distance of 200 feet when directly exposed to the lower beam head lamps of a motor vehicle.
- d. A person shall not sell, offer for sale, or deliver for sale in this state a bicycle manufactured after January 1, 1976, unless it is equipped with either tires which have reflective sidewalls or with wide-angle prismatic spoke reflectors. If the bicycle is manufactured with reflective sidewalls, the reflective portion of the sidewall shall for a continuous circle on the sidewall, and may not be removed from the tire without removal of tire material. If the bicycle is equipped with wide-angle prismatic spoke reflectors, the reflectors of the front wheel shall be essentially colorless or amber, and the reflectors on the rear wheel shall be essentially colorless or red. Reflective sidewalls or spoke reflectors shall cause the bicycle to be visible from all distances from 100 feet to 600 feet when viewed under lawful low beam motor vehicle head lamps under normal atmospheric conditions.
- e. A person shall not ride upon the roadway with a bicycle that has other faulty equipment, such as loose handlebars, one or more missing pedals or other equipment which is a safety hazard to the operator.

**SECTION 10.**

Violations. In the event that any of the previous sections are violated, it shall be deemed as an infraction when brought to the attention of the Tribal Police.

- a. The parent of a child or a guardian of a ward shall not authorize or knowingly permit the child or ward to violate this Ordinance.
- b. This Ordinance is applicable to bicycles operated upon a roadway or upon a path set aside for the exclusive use of bicycles.

**SECTION 11.** Enforcement. The Saginaw Chippewa Community Court shall have sole jurisdiction in all cases involving tribal members and their children pursuant to this ordinance. If sufficient cause exists the court shall conduct a hearing to determine if these has been a violation of this ordinance.

**SECTION 12.** Penalties for Violations.

- a. The Tribal Police may:
  - (1) Issue a warning and inform the individual of the required remedy for any infraction of this ordinance.
  - (2) Impound the bicycle if the individual is clearly not the registered owner of the bicycle, and contact the registered owner.
  - (3) Impound the bicycle if there has been a previous warning and the individual has failed to perform the required remedial action.
  - (4) Issue a citation for the violation of this ordinance.
- b. If a citation has been issued the community court shall proceed pursuant to the procedures set out in Title I of the Tribal Code for hearing.
- c. Any person found in violation of this ordinance maybe ordered to pay a fine not to exceed \$25 and/or be ordered to correct the infraction with a specified period.