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ORDINANCE NO. 46-12

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTERS 10 AND 40 OF THE REVISED ORDINANCES OF THE CITY OF SIOUX FALLS, SD, BY AMENDING ON-STREET BICYCLE ORDINANCES.

BE IT ORDAINED BY THE CITY OF SIOUX FALLS, SD:

Section 1. That Section 38 of Article III, Chapter 10 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 10-38. Driving abreast.

Persons driving bicycles upon a roadway shall not drive more than two abreast and within a roadway's outside single-lane at any time except while in the process of passing. When persons riding bicycles two abreast are riding at less than the normal speed of traffic and are approached from behind by a motor vehicle, the persons shall then ride single file in accordance with the provisions of Sec. 40-77 (c).

Section 2. That Section 40-1 of Article I, Chapter 40 of the Revised Ordinances of Sioux Falls, SD, is hereby amended by adding definitions to read as follows:

Sec. 40-1. Definitions.

Obstructions include, but not limited to, fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes that make it unsafe to continue along the right-hand curb or edge.

Standard width lane is a lane that is wide enough for a bicycle and vehicle to travel safely side by side within the same lane.

Substandard width lane is a lane that is too narrow for a bicycle and vehicle to travel safely side by side within the lane.

Section 3. That Section 40-77 of Article V, Chapter 40 the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 40-77. Drive on right side of street—Vehicles generally; bicycles; exceptions.

(a) Upon all streets except upon one-way streets, the driver of a vehicle shall drive the vehicle upon the right half of the street and shall drive a slow-moving vehicle as closely as possible to the right-hand edge or curb of a street, unless it is impracticable to travel on such side of the street, and except when overtaking and passing another vehicle subject to the limitations applicable to overtaking and passing set forth in this chapter.

(b) The provisions of subsection (a) of this section shall not be deemed to prevent the marking of lanes for traffic upon any street and the allocation of designated lanes to traffic moving in a particular direction or at designated speeds.

(c) Any person driving a bicycle upon a roadway at less than the normal speed of traffic shall ride in the right-hand lane, subject to the following conditions:

(1) If the right-hand lane then available for traffic is a standard lane width and clear of obstructions such that it may be shared with overtaking vehicles, a bicyclist shall ride as far to the right as allows the bicyclist safe operating conditions.

(2) If the right-hand lane then available for traffic is a substandard lane width and/or includes obstructions that it may not be shared with overtaking vehicles, a bicyclist may ride in the middle of the right-hand lane to indicate to vehicles behind the bicyclist that passing within the same lane is not safe.

(3) When bicycle lanes are included within a street and upon approaching an intersection where right turns are permitted and there is a dedicated right-turn lane, a bicyclist may ride on the left hand portion of the dedicated right-turn lane even if the bicyclist does not intend to turn.

(d) A person driving a bicycle upon a one-way roadway with two or more marked traffic lanes at less than the normal speed of traffic with two or more marked traffic lanes may ride in the left-hand lane, subject to the following conditions:

(1) If the left-hand lane then available for traffic is wide enough and clear of obstructions that it may be shared with overtaking vehicles, a bicyclist shall ride as far to the left as allows the bicyclist safe operating conditions.

(2) If the left-hand lane then available for traffic is not wide enough or clear of obstructions that it may not be shared with overtaking vehicles, a bicyclist may ride in the middle of the left-hand lane to indicate to the vehicle behind the bicyclist that passing within the same lane is not safe.

Section 4. That Section 40-79 of Article V, Chapter 40 the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 40-79. Meeting of vehicles.

(a) Drivers of vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other at least one-half of the main-traveled portion of the roadway as nearly as possible.

(b) A driver shall not pass a bicyclist moving in the same direction and in the same lane when there is oncoming traffic unless the driver can simultaneously:

(1) Allow oncoming vehicles at least one-half of the main-traveled portion of the roadway in accordance with Sec. 40-79(a); and

(2) Allow the bicyclist at least a three-foot separation between the right side of the driver's vehicle, including all mirrors or other projections, and the left side of the bicyclist at all times.

Section 5. That Section 40-83 of Article V, Chapter 40 the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 40-83. Driving on left of other vehicles.

It shall be unlawful for any driver of a vehicle to drive or operate his vehicle on the left-hand side of another vehicle moving in the same direction in a single traffic lane, unless the driver on the left is in the process of passing or overtaking another vehicle based upon the standards of Sec. 40-86.

Section 6. That Section 40-86 of Article V, Chapter 40 the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 40-86. Overtaking—Generally.

(a) The driver of any vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left of the overtaken vehicle. The driver of an overtaking vehicle shall pass at a safe distance to the side of an overtaken vehicle and may not cut in front of the latter until safely clear of the overtaken vehicle.

(b) The driver of a motor vehicle overtaking a bicyclist proceeding in the same direction shall allow the bicyclist at least a three-foot separation between the right side of the driver's vehicle, including all mirrors or other projections, and the left side of the bicycle.

(c) The driver of a bicycle may overtake and pass another vehicle upon the right, only under conditions permitting such movement in safety. A bicycle may drive off the main-traveled portion of the roadway when making such movement.

(d) The driver of a bicycle shall not overtake another vehicle on the right when the overtaken vehicle is signaling to make a right turn.

Section 7. That Section 40-86.1 of Article V, Chapter 40 the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 40-86.1. Same—Passing on right; circumstances under which permitted.

The driver of a motor vehicle may overtake and pass to the right of another vehicle only under the following conditions:

- (a) When the vehicle overtaken is making or about to make a left turn.
- (b) Upon a street or highway with unobstructed pavement, not occupied by parked vehicles, of sufficient width for two or more lines of moving vehicles in each direction.
- (c) Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles.
- (d) The driver of a motor vehicle upon a one-way roadway with two or more marked traffic lanes, when overtaking a bicyclist on the right proceeding in the same direction and riding on the left-hand side of the road, shall allow the bicyclist at least a three-foot separation between the left side of the driver's vehicle, including all mirrors or other projections, and the right side of the bicyclist at all times.

Section 8. That Section 40-185 of Article XI, Chapter 40 the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 40-185. Method of giving hand and arm signals.

All signals required by this article to be given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:

- (a) *Left turn.* Hand and arm extended horizontally.
- (b) *Right turn.* Hand and arm extended upward.
- (c) *Stop or decrease speed.* Hand and arm extended downward.

As an alternative, bicyclists may use the right hand and arm extended horizontally to signal a right turn.

Date adopted: 07/10/12 .

Mike T. Huether
Mayor

ATTEST:
Lorie Hogstad
City Clerk