

CITY OF MERCED
Development Services

TO: Bicycle Advisory Commission
FROM: Michael Hren, AICP; Principal Planner
DATE: October 24, 2017
SUBJECT: Bicycle License Registration Process

BACKGROUND

At the meeting of April 25, 2017, the Commission reviewed Merced Municipal Code *Chapter 10.44 – Bicycles*, which outlines the City's bicycle license registration process. The Commission expressed their desire to have the code section updated to reflect current practices. At the meeting of June 27, 2017, City Staff brought the Code to the Commission, which requested further information from both Planning Staff and the Police Department prior to moving forward with any recommendations for modification of the Code. At the meeting of August 22, 2017, the Commission discussed enforcement, tracking and other issues related to the Code with Planning Staff and the Police Department. Direction was given to staff to continue to research and provide further input based on the questions raised from the discussion.

DISCUSSION

At the August meeting, Planning Staff was asked to research Bronze or higher-level Bicycle Friendly Communities with similar characteristics to Merced to determine their policies on licensure of bicycles. The Cities of Fresno (Bronze), Santa Barbara (Silver), Santa Cruz (Gold), and Davis (Platinum) do not have mandatory licensure for bicycles. The City of Turlock was recommended to review, but it does not appear on the League of American Bicyclists' list of Bicycle Friendly Communities. Turlock does have a licensure requirement; however, licenses are valid for the life of the bicycle. The Bike and Pedestrian Coordinator in Davis suggested that a national database without a fee requirement might be more effective at garnering participation. Santa Cruz also uses an online system that is free of charge to registrants and does not expire.

The Commission also requested direction from the Police Department regarding registration and enforcement; additionally, the Commission requested information on current activity of the Police Department in relation to bicycle licensure enforcement. The Police Department provided the following statistics:

License renewals or new registrations in 2017: **31**

Citations issued since Jan. 1, 2016

- 10.44.020 - License—Required.¹ **36**
- 10.44.040 - License—Operation restricted.² **273**

¹ No person shall operate or use a bicycle upon any public street or highway in the city without first obtaining a license which is issued by the chief of police or his designee upon a written application therefor.

² When issued, bicycle licenses shall entitle the licensee to operate such bicycle for which the license has been issued upon all the streets, public highways and designated bicycle trails of the city. Bicycles may also be operated on all the sidewalks of the city except the following when appropriate signs are displayed thereon: Main Street from G to V Street, 18th Street from Martin Luther King, Jr. Way to N Street, I Street from 16th to 18th Street, Martin Luther King, Jr. Way from 16th to 18th Street, K Street from 16th to 18th Street, L Street from 16th to 18th Street, M Street from 16th to 20th Street and N Street from 16th to 18th Street.

The Police Department indicated that enforcing bicycle licenses is something they are interested in continuing to do. The Police Department is willing to consider a longer-lasting licensing system, but are not in favor of a permanent license. The Police Department also indicated a willingness to assist with some kind of event or education to get more bicycles licensed.

ACTION REQUIRED

Take formal action requesting staff to proceed with an ordinance amendment to City Council for Merced Municipal Code *Chapter 10.44 – Bicycles*. The Commission can make specific recommendations to the City regarding proposed language changes or request for City staff to update the code section as appropriate.

ATTACHMENTS

- A. MMC Section 10.44
- B. Bicycle License Application

Chapter 10.44 - BICYCLES

10.44.010 - Bicycle defined.

For the purpose of this chapter, "bicycle" means any device upon which a person may ride, which is propelled by human power through a system of belts, chains or gears, and which has wheels at least twenty inches in diameter and a frame size of at least fourteen inches.

(Ord. 1153 § 2, 1975: prior code § 7.2).

10.44.020 - License—Required.

No person shall operate or use a bicycle upon any public street or highway in the city without first obtaining a license which is issued by the chief of police or his designee upon a written application therefor.

(Ord. 1153 § 1, 1975: prior code § 7.1).

10.44.030 - License—Duration.

All bicycle licenses issued pursuant to this chapter prior to December 31, 1978, shall expire on December 31, 1978. All bicycle licenses issued pursuant to this chapter on and after January 1, 1979, shall be valid for such period as shall be prescribed bylaw or by valid regulation of the Director of the Department of Motor Vehicles of the state.

(Ord. 1153 § 3, 1975: prior code § 7.3).

10.44.040 - License—Operation restricted.

When issued, bicycle licenses shall entitle the licensee to operate such bicycle for which the license has been issued upon all the streets, public highways and designated bicycle trails of the city. Bicycles may also be operated on all the sidewalks of the city except the following, when appropriate signs are displayed thereon: Main Street from G to V Street, 18th Street from Martin Luther King, Jr. Way to N Street, I Street from 16th to 18th Street, Martin Luther King, Jr. Way from 16th to 18th Street, K Street from 16th to 18th Street, L Street from 16th to 18th Street, M Street from 16th to 20th Street and N Street from 16th to 18th Street.

(Ord. 1851 § 28, 1993: Ord. 1558 § 1, 1984: prior code § 7.4).

10.44.050 - License—Form.

The license indicia issued pursuant to this chapter shall be in such form, and of such material, as is prescribed by law or by valid regulation of the Director of the Department of Motor Vehicles of the state.

(Ord. 1153 § 4, 1975: prior code § 7.5).

10.44.060 - License—Attaching tag.

It shall be the duty of the chief of police to attach a suitable license plate, tag or sticker to the frame of each bicycle for which a license is issued, and to issue a corresponding registration card to the licensee

upon payment of the license fee. Such license plate, tag or sticker shall remain attached to such bicycle during the valid period of such license.

(Prior code § 7.6).

10.44.070 - Records to be kept.

The chief of police shall maintain records of each bicycle registered. Such records shall include but not be limited to the license number, the serial number of the bicycle, the make, type and model of the bicycle, and the name and address of the licensee.

(Ord. 1153 § 5, 1975: prior code § 7.7).

10.44.080 - Weekly report—New and secondhand dealers.

All persons engaged in the business of selling new or secondhand bicycles are required to make a weekly report to the chief of police giving a list of all sales made by each dealer, which list shall include:

- A. The name and address of such person to whom a bicycle was sold;
- B. The kind of bicycle sold;
- C. A description and frame number thereof;
- D. The number of the license plate, tag or sticker attached thereto, if any.

(Prior code § 7.8).

10.44.090 - Report—Secondhand dealers.

Persons engaged in the business of buying secondhand bicycles are required to make a weekly report to the chief of police specifying:

- A. The name and address of the person from whom each bicycle is purchased;
- B. The description of each bicycle purchased;
- C. The frame number thereof;
- D. The number of the license plate, tag or sticker found thereon, if any.

(Prior code § 7.9).

10.44.100 - Report—Sale of bicycle—Change of address.

Whenever the owner of a bicycle licensed under this chapter sells or otherwise disposes of a bicycle, he shall within ten (10) days notify the chief of police of such sale or disposition, and shall provide the name and address of the person to whom the bicycle was transferred.

(Ord. 1153 § 6, 1975: prior code § 7.10).

10.44.110 - Acquisition of licensed bicycle—Transfer of license.

Any person who purchases or otherwise acquires possession of a bicycle licensed hereunder shall within ten (10) days of taking possession apply for transfer of license to his name.

(Ord. 1153 § 7, 1975: prior code § 7.10.1).

10.44.120 - Change of address.

Whenever the owner of a bicycle licensed under this chapter changes his address, he shall within ten (10) days notify the licensing agency of the old and new address.

(Ord.1153 § 8, 1975: prior code § 7.10.2).

10.44.130 - Removal or alteration of frame number.

No person shall willfully or maliciously remove, destroy, mutilate or alter the number of any bicycle frame licensed pursuant to this chapter.

(Prior code § 7.11).

10.44.140 - Removal or mutilation of license plate or registration card.

No person shall remove, destroy, mutilate or alter any license plate or registration card during the time in which such plate or card is operative.

(Prior code § 7.12).

10.44.150 - Exception 10.44.130 and 10.44.140—Chief of police.

Nothing in this chapter shall prohibit the chief of police from stamping numbers on the frames of bicycles on which no serial number can be found, or on which the number is illegible or insufficient for identification purposes.

(Prior code § 7.13).

10.44.160 - Fees.

The fee for the license issued pursuant to this chapter is two dollars (\$2.00) per year, or fifty cents (\$0.50) for each three (3) months from the date of issuance of the license until the date of its expiration.

(Ord. 1153 § 9, 1975: prior code § 7.14).

10.44.170 - Violation—Penalty.

Every person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor. In addition to the penalties provided by Chapter 1.08, the court may impound and retain possession of any such bicycle, the subject of such violation, and may retain possession thereof until the license provided for in this chapter has been obtained by the person required so to do.

(Prior code § 7.15).

MERCED CITY BICYCLE LICENSE INFORMATION

This information is to be filled in by bicycle owner and presented to Merced Police Department.

Please Print

Owner : Last, First name _____

Date of Birth: _____

Address : _____ City/Zip Code _____

Home Phone: _____ School (if applicable) _____

Bicycle Manufacturer (Make): _____

Model : (Raleigh, BMX, etc) _____

Type: (Boys, Girls, Tandem) _____

Number of Axial Speeds : (1 Speed, 10 Speed, etc) _____

Serial Number: _____ Color _____ Wheel Size _____

Frame Size: _____ Measured from top of center post of frame to center of Crank (See below example)

License # _____

City Tag number _____ City Tag year _____

MEASURE FROM CENTER OF
CRANK TO TOP OF FRAME
POST. DO NOT INCLUDE
SEAT OR SEAT POST.

