

Legislation Details (With Text)

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Title:	Amending Chapter 12-800 of The Philadelphia Code, entitled "Bicycle Regulations and Penalties," by requiring the registration of a bicycle that is operated on any public right-of-way, and providing penalties for violations, all under certain terms and conditions.				
Sponsors:	Councilmember DiCicco, Councilmember Kenney				
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11/19/2009	0	CITY COUNCIL	Referred		
11/19/2009	0	CITY COUNCIL	Introduced	Pass	

Amending Chapter 12-800 of The Philadelphia Code, entitled "Bicycle Regulations and Penalties," by requiring the registration of a bicycle that is operated on any public right-of-way, and providing penalties for violations, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 12-800 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 12-800. BICYCLE REGULATIONS AND PENALTIES.

* * *

§12-813. Bicycle Registration.

(1) No City resident shall operate a bicycle upon any public right-of-way unless the bicycle is properly registered and displays a registration plate, all in accordance with this Section, except that this requirement shall not apply to a bicycle with a seat height of less than twenty-five inches (25") inches from the ground when the seat is adjusted to its highest position.

(2) The Police Department shall develop a bicycle registration application that shall include at least the following information: make, model, color, and serial number of the bicycle, and the name and address of the owner.

(3) Upon receipt of a properly completed application and payment of a registration fee of twenty dollars (\$20), the Police Department shall register the bicycle with a unique registration number, and shall issue to the owner a registration plate displaying that registration number. The registration plate shall be affixed to the

bicycle in a secure fashion such that the registration plate is clearly visible from the rear of the bicycle. The registration plate shall be maintained so that the registration number remains clearly visible. Registration of a bicycle shall remain effective as long as ownership of the bicycle is not transferred. If the owner of a registered bicycle changes address, the owner shall notify the Police Department in writing of the new address within ten (10) days.

(4) Any bicycle purchased by a Philadelphia resident from a bicycle dealer within the City of Philadelphia shall be registered by the dealer on behalf of the buyer. The dealer, at the time of sale, shall require the buyer to complete an application for registration, collect the required fee from the buyer, and mail the completed application and fee to the Police Department no later than two (2) weeks after the date of sale. The dealer may retain one dollar (\$1) of each \$20 registration fee to defray the dealer's costs in complying with this requirement.

(5) The Police Department shall develop an application for replacement of a registration plate that has been lost, stolen, or damaged such that it no longer clearly displays the registration number. Upon receipt of a properly completed application and payment of a \$10 replacement fee, the Police Department shall issue a replacement registration plate to the registered owner.

(6) The Police Department shall develop an application for the transfer of a registration plate to a new owner upon the sale or transfer of a registered bicycle. Upon receipt of a properly completed transfer application and payment of a \$10 registration transfer fee, the Police Department shall administratively transfer the bicycle registration to the new owner, without the issuance of a new registration plate.

(7) A non-City resident who operates a bicycle within the City is not required to register a bicycle in accordance with this Section, but may choose to apply for and receive a registration plate in accordance with this Section.

(8) The requirements of this Section shall apply to bicycles owned by a business that offers bicycles for rent at any location in the City. Any penalties imposed for violations of this Section with respect to a rental bicycle shall be imposed solely on the owner of the bicycle, and not on the person renting the bicycle.

(9) The penalty for a violation of this Section shall be a civil penalty of one hundred dollars (\$100).

(10) For the purposes of enforcing the provisions of this Section, notices of violation shall be issued by police officers or any other persons authorized to enforce ordinances, pursuant to the procedures set forth in §10-1606 of this Code. Contested charges shall be resolved, fines shall be imposed, and payments shall be collected and processed by the Director of Finance and the Bureau of Administrative Adjudication (or such other office, including the Office of Administrative Review, as the Director of Finance shall designate), all pursuant to the procedures set forth in §§10-1604 through 10-1609, except that any person to whom a notice of violation is issued may, within eight (8) days of receipt, pay fifty dollars (\$50) in lieu of contesting the violation and in lieu of any other fines or penalties. The notice of violation shall contain an appropriate notice to the recipient of his or her right not to contest the violation and appropriate instructions and procedures for payment, as prescribed by the Director of Finance.

SECTION 2. This Ordinance shall take effect six months after it becomes law.

Explanation:

Italics indicate new matter added.