

AN ORDINANCE 2010-04-08-0302

AMENDING CHAPTER 19 OF THE CITY CODE OF THE CITY OF SAN ANTONIO, TEXAS RELATING TO MOTOR VEHICLES AND TRAFFIC, TO REQUIRE THE USE OF ADEQUATE FRONT AND REAR LIGHTS WHEN OPERATING A BICYCLE AT NIGHTTIME, PROVIDING FOR A PENALTY, PUBLICATION AND AN EFFECTIVE DATE.

\* \* \* \* \*

WHEREAS, bicyclists are allowed to use the roadway by law in Texas, but these operators do not have the same physical protection as motorists and are at greater risk of injury or death; and

WHEREAS, an ordinance requiring the use of adequate front and rear lights when operating a bicycle at nighttime provides the foundation for an education campaign emphasizing the need for safety in being aware of bicycles, as well as using bicycles for nighttime transportation, which furthers the City's goals of promoting San Antonio as a Bicycle Friendly Community and for the enhancement of safe bicycle friendly streets and neighborhoods; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Article VIII of Chapter 19, Motor Vehicles and Traffic, of the City Code of the City of San Antonio Texas is hereby amended by adding language, as underlined, as new Section 19-295 to read as follows:

\* \* \* \* \*

Section 19-295. REQUIREMENT FOR USE OF FRONT AND REAR LIGHTS WHEN OPERATING A BICYCLE AT NIGHTTIME.

While operating a bicycle on a public street a person may not operate a bicycle at nighttime, the period beginning one-half hour after sunset and ending one-half hour before sunrise, unless the bicycle is equipped with:

- (1) a lamp on the front of the bicycle that emits a white light visible from a distance of at least 500 feet in front of the bicycle; and
- (2) on the rear of the bicycle:
  - (A) a red reflector that is:
    - (i) of a type approved by the Department of Public Safety; and
    - (ii) visible when directly in front of lawful upper beams of motor vehicle headlamps from all distances from 50 to 300 feet to the rear of the bicycle; or
  - (B) a lamp that emits a red light visible from a distance of 500 feet to the rear of the bicycle.

\* \* \* \* \*

**SECTION 2.** Any person who engages in any activity specified in Section 1 above may be subject to prosecution for a Class C misdemeanor and a fine not to exceed \$200.00.

**SECTION 3.** All other provisions of Chapter 19 of the City Code of San Antonio, Texas shall remain in full force and effect.

**SECTION 4.** Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this Ordinance, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

**SECTION 5.** The City Clerk is directed to publish notice of this Ordinance in accordance with Section 17 of the Charter of the City of San Antonio. The penalty, fine or forfeiture provisions in this Ordinance shall apply five days after publication.

**SECTION 6.** The publishers of the City Code of San Antonio, Texas are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing code.

**SECTION 7.** Funds generated by this ordinance will be deposited into Fund 11001000, Internal Order 203000000026, General Ledger 4601100.

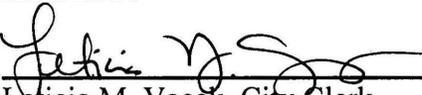
**SECTION 8.** The financial allocations in this Ordinance are subject to approval by the Chief Financial Officer (CFO), City of San Antonio. The CFO may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 9.** This ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

**PASSED and APPROVED** this 8th day of April, 2010.

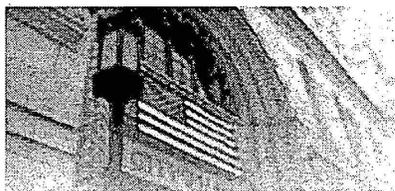
  
M A Y O R  
Julián Castro

**ATTEST:**

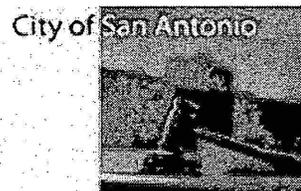
  
for Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

  
for Michael D. Bernard, City Attorney



Request for  
**COUNCIL  
ACTION**



### Agenda Voting Results - 18

<b>Name:</b>	18						
<b>Date:</b>	04/08/2010						
<b>Time:</b>	11:12:24 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance amending Chapter 19 of the City Code of San Antonio, Texas relating to motor vehicles and traffic, to require the use of adequate front and rear lights when operating a bicycle at nighttime, providing for a penalty, publication and an effective date. [Richard Varn, Chief Information Officer; Laurence Doxsey, Director, Office of Environmental Policy]						
<b>Result:</b>	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				
Leticia Cantu	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x			x	
John G. Clamp	District 10		x				x