

**SENATE BILL NO. 2391**

Introduced by

Senators Syverson, Flakoll, Thane

Representatives Boehning, Maragos

1 A BILL for an Act to create and enact a new section to chapter 39-10.1 of the North Dakota  
2 Century Code, relating to the registration of bicycles; and to amend and reenact sections  
3 39-10.1-01, 39-10.1-05, and 39-10.1-07 of the North Dakota Century Code, relating to the  
4 operation of bicycles.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 39-10.1-01 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **39-10.1-01. Effect of chapter - Penalty for violation.**

- 9 1. It is unlawful for any person to do any act forbidden or fail to perform any act  
10 required in this chapter. Any person who violates any of the provisions of this  
11 chapter may be assessed a fee not to exceed ~~five~~ thirty-five dollars.
- 12 2. The parent of any child and the guardian of any ward may not authorize or  
13 knowingly permit any such child or ward to violate any of the provisions of this  
14 chapter.
- 15 3. ~~These~~ The provisions applicable to bicycles in this chapter apply ~~whenever~~ to a  
16 bicycle that is operated upon any highway or upon any path set aside for the  
17 exclusive use of bicycles subject to those exceptions stated ~~herein~~ in this chapter.

18 **SECTION 2. AMENDMENT.** Section 39-10.1-05 of the North Dakota Century Code is  
19 amended and reenacted as follows:

20 **39-10.1-05. Riding on roadway and bicycle path.**

- 21 1. ~~Every~~ A person operating a bicycle upon a roadway shall ride as near to the right  
22 side of the roadway as practicable, exercising due care when passing a standing  
23 vehicle or one proceeding in the same direction.

- 1           2.   Persons riding bicycles upon a roadway ~~may not~~ shall ride ~~more than two abreast,~~  
2                    except single file. However, on paths or parts of roadways ~~set aside~~ designated  
3                    specifically for the exclusive use of bicycles, bicycle riders may ride two abreast.  
4           3.   ~~Wherever~~ If a usable path for bicycles has been provided adjacent to a roadway,  
5                    bicycle riders shall use ~~such~~ the path and may not use the roadway.

6           **SECTION 3. AMENDMENT.** Section 39-10.1-07 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8           **39-10.1-07. ~~Lamps and other equipment on bicycles~~ Nighttime lamps and**  
9 **clothing - Brakes.**

- 10          1.   ~~Every~~ A bicycle when in use ~~at night time~~ within the time period of one-half hour  
11                    after sunset to one-half hour before sunrise must be equipped with a front lamp on  
12                    ~~the front which~~ that emits a white light visible from a distance of at least five  
13                    hundred feet [152.4 meters] to the front and with a red ~~reflector~~ light on the rear ~~of~~  
14                    ~~a type approved by the department.~~ A lamp emitting that emits a red light visible  
15                    from a distance of five hundred feet [152.4 meters] to the rear ~~may be used in~~  
16                    ~~addition to the red reflector.~~ An operator of a bicycle within the time period of  
17                    one-half hour after sunset to one-half hour before sunrise shall wear an outer  
18                    garment with some reflectionized material.  
19          2.   ~~Every~~ A bicycle must be equipped with a brake which will enable the operator to  
20                    make the braked wheels skid on dry, level, clean pavement.

21          **SECTION 4.** A new section to chapter 39-10.1 of the North Dakota Century Code is  
22 created and enacted as follows:

23          **Bicycle registration requirements - Fees - Dedication of funds.**

- 24          1.   An individual may not ride a bicycle upon any highway outside of the geographical  
25                    boundaries of a city without displaying evidence of registration required by this  
26                    section. This section does not apply to a bicycle with under three gears or a bike  
27                    being ridden by an individual fourteen years of age or under. In addition, this  
28                    section is limited to a bicycle intended to be ridden for long distances, including a  
29                    cross-country racer, cruiser, touring bike, or racing bike.  
30          2.   The operator of a bicycle shall register the bicycle with the department and the  
31                    department shall issue upon payment of fifty dollars a decal for placement on the

- 1                    bicycle as evidence of registration. A registration is effective for two calendar  
2                    years.
- 3            3.   Fees collected under this section must be deposited in the highway fund for use for  
4                    the construction and maintenance of bicycle paths and parts of roadways designed  
5                    specifically for bicycles in areas outside the geographical boundaries of a city.