

D R A F T
Revisions
ANNOTATED

FLAGSTAFF CITY CODE
CHAPTER 9-05
BICYCLES

Revisions shown as
Deletions
Additions
Annotation

SECTION 9-05-001-0001 APPLICATION OF PROVISIONS ~~AND DEFINITIONS~~:

- A. The parent of a child and the guardian of a ward shall not authorize or knowingly permit the child or ward to violate any of the provisions of this Chapter.
- B. The regulations of this Chapter in their application to bicycles shall apply when a bicycle is operated upon any roadway, path, or sidewalk ~~highway or upon any path set aside for the exclusive use of bicycles~~ subject to those exceptions stated in this Chapter.
- C. The regulations of this Chapter shall not apply to exempt vehicles when they are used for the purposes for which they are intended.

Terms added for clarification; roadway path and sidewalk are defined in the code and used consistently throughout

SECTION 9-05-001-0002 DEFINITIONS

~~D. Definitions.~~ For the purposes of this Chapter:

- A. A "bicycle" means ~~is defined as any two (2) or three (3) wheeled vehicle having cranks, levers or pedals for its propulsion by the feet.~~ a device, including a racing wheelchair, that is propelled by human power and on which a person may ride and that has either:
 - 1. Two tandem wheels, either of which is more than sixteen inches in diameter.
 - 2. Three wheels in contact with the ground, any of which is more than sixteen inches in diameter.
- B. A "skateboard" means ~~is defined as~~ a platform mounted on wheels that is propelled by human power.
- C. A "play vehicle" means ~~is defined as~~ a coaster, rollerskates, scooter, roller ski, child's tricycle, unicycle, sled, toboggan, or any other non-motorized device with wheels, rollers or rails upon which a person may ride.

Definition of bicycle revised to match ARS 28-101 definition

- D. "Exempt vehicles", when used for the purposes for which they are intended, ~~means is defined as~~ wagons, wheelchairs, and strollers or other devices designed and used for the purpose of transporting children, infants, physically challenged, or incapacitated persons, or carts or other devices intended and used for transporting merchandise or materials.
- E. "Ride or riding" ~~means operating a bicycle; is defined as~~ either wholly or partially sitting, standing or lying upon a bicycle, skateboard or play vehicle by a person whether such bicycle, skateboard or play vehicle is in motion or stationary.
- F. ~~The "roadway" means all of the improved portion of a street which is intended for vehicular travel or parking.~~
- G. ~~A "bicycle lane" means that portion of the roadway striped and designated for the exclusive use of bicycles.~~
- H. ~~A "path" means a shared-use pathway designed and intended for the use of bicycles, pedestrians, and other non-motorized users that is physically separated from the roadway.~~
- I. ~~A "sidewalk" means that portion of a street that is between the curb lines or the lateral lines of a roadway and the adjacent property lines that is intended for the use of pedestrians.~~

(Ord. No. 1848, Amended, 13/06/94)

SECTION 9-05-001-~~0002~~0003 TRAFFIC LAWS APPLY:

Every person riding a bicycle upon a roadway ~~is shall be~~ granted all the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Chapter, except as to special regulations in this Chapter and except as to those provisions of this Chapter which by their nature can have no application.

SECTION 9-05-001-~~0003~~0004 RIDING ON BICYCLES:

- A. A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.
- B. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
- C. ~~No person riding upon any bicycle, skateboard or play vehicle shall attach the same or themselves to any vehicle upon a roadway.~~

Definitions are consolidated into a single section from old -0005.A.

Definition of sidewalk added to match ARS 28-601 definition. The term is used in several places in the code

Consolidated into this section from old -0004

D. No person operating a bicycle shall carry any package or article which prevents the driver from keeping at least one hand upon the handlebars.

Consolidated into this section from old -0006

E. No person shall operate a bicycle at a speed greater than is reasonable and prudent under the circumstances, conditions and actual and potential hazards then existing, or in excess of the posted speed limit.

Restates ARS 28-701 specifically for bicycles

~~SECTION 9-05-001-0004 CLINGING TO VEHICLES:~~

Consolidated to new -0004

~~No person riding upon any bicycle, skateboard or play vehicle shall attach the same or himself or herself to any vehicle upon a roadway.~~

~~SECTION 9-05-001-0007~~0005 ~~LAMPS AND OTHER EQUIPMENT:~~

A. Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet (500') to the front and with a red reflector on the rear of a type approved by the Arizona Department of Transportation, which shall be visible from all distances from fifty feet (50') to three hundred feet (300') to the rear, when directly in front of lawful upper beams of headlamps on motor vehicles. A lamp on the rear emitting a red light visible from a distance of five hundred feet (500') to the rear may be used in addition to the red reflector.

~~B. No person shall operate a bicycle equipped with a siren or whistle.~~

A matching provision is already included in the vehicle code in ARS 28-817

B. Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

~~SECTION 9-05-001-0005~~0006 ~~RIDING ON ROADWAYS, AND BICYCLE LANES AND BICYCLE PATHS:~~

~~A. Definitions:~~

Moved to new -0002

~~ROADWAY shall mean all of the improved portion of a street which is intended for vehicular travel or parking.~~

~~BICYCLE LANE shall mean that portion of a roadway set aside for the use of bicycles.~~

~~BICYCLE PATH shall mean a pathway for bicycles and pedestrians separate from other roadways.~~

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

Replaced with new -0006.A.

A. A person riding a bicycle on the roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the right-hand curb or edge of the roadway, except under any of the following situations:

1. If overtaking and passing another bicycle or vehicle proceeding in the same direction.
2. If preparing for a left turn at an intersection or into a private road or driveway.
3. If reasonably necessary to avoid conditions, including fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, snow and ice, or surface hazards.
4. If the lane in which the person is operating the bicycle is too narrow for a bicycle and a vehicle to travel side by side within the lane.
5. When proceeding straight, through an area where a right-turn is permitted, in order to avoid conflicts with right-turning vehicles.

B. When parking is allowed along the roadway, then the "right side of the roadway" shall be deemed to be to the left of any parked vehicles or parking lane, including the area occupied by open car doors, or to the right of any parked vehicles or parking lane on the left side of one-way streets.

C. Persons riding bicycles upon a roadway shall not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

~~D. Wherever one or more lanes of a roadway have been designated and marked as bicycle lanes, bicycle riders shall use those lanes and shall not use the roadway.~~

~~E. Wherever a path has been provided and designated as a bicycle path adjacent to or near a roadway, bicycle riders shall use that path and shall not use the roadway. (Ord. 903, 11-9-73)~~

Replaces old -0005.B.; language matches ARS 28-815

"snow and ice" added per Traffic Commission recommendation

Added to allow bicyclists to move away from right to avoid being "right-hooked" by right-turning vehicles

Replaces old -0014. Allows bicyclists to ride in a position to avoid "door-zone" of parked cars. Eliminates any interpretation that would require a bicyclist to ride in a parking lane when it is not occupied by parked vehicles. This can create an unsafe situation, as it causes bicyclists to "weave" in and out of traffic lanes

Replaced by new -0006.A.

A number of studies have consistently found that bicycling on a path adjacent to the street is less safe than riding in the street; this provision therefore restricts safe riding practices

The provision also unnecessarily discriminates against bicycles by not allowing them to use the road, even though it may be safer for them

~~SECTION 9-05-001-0006 CARRYING ARTICLES:~~

~~No person operating a bicycle shall carry any package or~~

Consolidated to new -0004

~~article which prevents the driver from keeping at least one hand upon the handlebars.~~

~~SECTION 9-05-001-0008 BICYCLE LICENSE:~~

~~It shall be a civil traffic violation for any person to operate or use a bicycle propelled by muscular power upon any of the streets, alleys, or public highways of the City without first obtaining from the Clerk a license therefor; and the Clerk may designate any member of his office to receive applications and issue licenses. (Ord. 1296, 2-7-84)~~

~~SECTION 9-05-001-0009 CLERK TO ISSUE LICENSE:~~

~~The Clerk is hereby authorized and directed to issue upon written application bicycle licenses, which licenses shall bear the date of such issuance, and when issued shall entitle the licensee to operate the bicycle for which the same is issued upon all streets, alleys and public ways.~~

~~SECTION 9-05-001-0010 LICENSE TAGS:~~

~~The Clerk shall designate and provide tags for the use of the licensee and direct the manner of placing such tags on the bicycles by the licensee, which tag shall at all times be attached to the bicycles, and the Clerk shall keep a record of the name of the licensee and the number of the tag and the day and date of the issuance of the same.~~

~~SECTION 9-05-001-0011 LICENSE FEE:~~

~~The license fee for bicycles shall be the sum of one dollar (\$1.00) and shall be paid in advance to the Clerk, which shall entitle the licensee to a permanent license for the bicycle so licensed and said license may be transferred whenever the ownership of said bicycle is transferred, but a fee of fifty cents (.50) shall be paid to the Clerk for such transfer. All license fees collected under this Chapter shall be paid by the Clerk into the City Treasury.~~

~~SECTION 9-05-001-0012 ENFORCEMENT:~~

~~The Chief of Police is hereby authorized and empowered to administer the provisions of this Chapter, and all policemen are hereby charged with the duty of seeing that all bicycles operated in the City are operated under license as required by this Chapter, and the Chief of Police is hereby empowered and authorized to revoke any license issued under the provisions hereof for any violation of this Chapter. (Ord. 903, 11-9-73)~~

SECTION 9-05-001-~~0013~~0007 RIDING ON SIDEWALKS:

- A. Where signs are erected giving notice thereof, no person shall ride a bicycle, skateboard, or play vehicle upon a

Eliminates the requirement for a bicycle license; this section has not been enforced

New -0009 requires the police to establish a voluntary registration program

sidewalk. This prohibition shall also apply to any bicycle, skateboard or play vehicle which is equipped with or assisted by a motor. Signs prohibiting such activity shall be installed at locations as directed by the Office of the Traffic Engineer.

B. ~~Unless otherwise posted pursuant to subsection A, a person may ride a bicycle, skateboard, or play vehicle upon any public sidewalk. This section does not permit a motor-equipped or assisted bicycle, skateboard or play vehicle to be ridden on the sidewalk where otherwise unlawful. When doing so, such person~~ A person riding a bicycle, skateboard, or play vehicle upon any public sidewalk shall be subject to the following ~~additional~~ provisions:

1. A person riding a bicycle, skateboard, or play vehicle on a sidewalk shall yield the right-of-way to all pedestrians and exempt vehicles.
 2. Such person shall give an audible signal before overtaking and passing any pedestrian or exempt vehicle traveling in the same direction on the sidewalk.
 3. No person shall operate a bicycle on a sidewalk at a speed greater than is reasonable and prudent under the circumstances, conditions and actual and potential hazards then existing.
 - ~~2. Such person shall yield the right-of-way to all traffic on the roadway when entering a roadway or intersection from the sidewalk.~~
 - ~~3. Such person shall yield the right-of-way to all traffic crossing the sidewalk at a driveway or alley.~~
 - ~~4. Such person shall ride with the flow of the pedestrian traffic on the sidewalk.~~
- C. Penalty. Violation of any of the provisions of 9-05-001-~~0007~~ ~~0013~~ by any person shall be a civil traffic offense punishable by a fine of not less than twenty-five dollars (\$25.00) nor more than seventy-five dollars (\$75.00) for each offense.

SECTION 9-05-001-0008 RIDING ON PATHS

- A. A person riding a bicycle, skateboard, or play vehicle on a path shall yield the right-of-way to all pedestrians and exempt vehicles.
- B. Such person shall give an audible signal before overtaking and passing any pedestrian or exempt vehicle traveling in the same direction on the path.

Terms added for clarification

Added to help make it safer for pedestrians when being passed by bicyclists on a sidewalk

Added per Traffic Commission recommendation

This is an unclear provision, given that the "flow of pedestrian traffic on the sidewalk" often cannot be discerned

Creates a parallel section to new - 0007 for FUTS trails, which are defined separately from sidewalks

~~SECTION 9-05-001-0014 RIGHT-HAND SIDE OF ROADWAY DEFINED:~~

~~If a bicycle lane is separated from the traffic lane by a clearly visible distinguishing line, then the edge of the bicycle lane nearest the center of the roadway shall be deemed the equivalent of the "curb" or the "right-hand side of the roadway" or the "shoulder of the roadway" or any other word or phrase in this Code, or in the State law, which word or phrase references the extreme right-hand side of the roadway with respect to motor vehicles. It is the intent of this Section that a substitute right-hand side of the roadway be created for purposes of compliance with local and State laws which reference the right-hand side of the roadway for parking, emergency parking, driving and all other purposes, except to yield the right of way to an approaching authorized emergency vehicle. (Ord. 928, 7-22-74)~~

Replaced with new -0006.B.

~~SECTION 9-05-001-0015 RIGHT OF WAY AT INTERSECTION:~~

~~Upon approaching an intersection, any person riding or operating a bicycle in a bicycle lane shall yield the right of way to all vehicles within or approaching such intersection; except, that all vehicles which must stop or yield before entering an intersection because of a stop or yield sign and all vehicles making a left-hand turn at an intersection shall not proceed into such intersection nor make such a turn without first yielding the right of way to all bicycles within or approaching such intersection, and shall proceed only when it is safe so to do.~~

Contradicts the normal rules of the road for vehicles, and discriminates against bicyclist by not allowing them to behave like other drivers of vehicles

~~SECTION 9-05-001-0016 LEAVING LANE:~~

~~Once having entered a bicycle lane, no person riding or operating a bicycle shall leave such lane except at intersections; provided, that such person may leave a bicycle lane upon dismounting from a bicycle, walking the same, and being subject then to all laws applicable to pedestrians; provided, further, that such person may leave the bicycle lane between intersections in order to make a U-turn, where such a turn is permissible for vehicular traffic or to turn into driveways on the right or left hand sides of the bicycle lane. Upon leaving a bicycle lane, the rider or operator of such bicycle shall yield the right of way to all vehicles and shall not leave the bicycle lane until it is safe so to do. (Ord. 903, 11-9-73)~~

Contradicts the normal rules of the road for vehicles, and discriminates against bicyclist by not allowing them to behave like other drivers of vehicles

~~SECTION 9-05-001-0017 DRIVING VEHICLES ACROSS BICYCLE PATHS OR BICYCLE LANES:~~

~~A. No person shall drive a motor vehicle upon or across a bicycle path or lane except to yield the right of way to an approaching authorized emergency vehicle or to enter a~~

Already addressed in ARS 28-815 (C), (D), and (E)

~~driveway and except to park such vehicle or leave a parking space. No person shall drive upon or across a bicycle lane as permitted by this Section except after giving the right of way to all bicycles within the lane.~~

SECTION 9-05-001-0009 BICYCLE REGISTRATION

The Chief of Police, or his or her designee, is hereby authorized and directed to issue, upon written application, bicycle registration tags. The Chief of Police shall designate and provide tags for the use of the registrant, direct the manner of placing such tags on the bicycles by the registrants, and keep a record of the name of the registrant, the number of the tag, the date of issuance of the tag, and pertinent information about the bicycle. A fee may be charged for registration and the tag.

SECTION 9-04-001-~~0018~~0010 BICYCLE HELMETS/ PROTECTIVE EQUIPMENT

- A. It shall be unlawful for any person under eighteen (18) years of age to operate or ride upon a bicycle on any highway, street, road, sidewalk, bike-way or trail, unless that person wears a protective helmet that is properly fitted and fastened.
- B. No parent or guardian of any unemancipated minor under eighteen (18) years of age shall knowingly allow the minor to violate this section.
- C. Violation of this section shall constitute a civil traffic offense and shall be punishable by a fine of not less than twenty-five dollars (\$25.00) nor more than seventy-five dollars (\$75.00) for each offense.
- D. The first time a person is charged with a violation of this section the Court may dismiss the charge upon presentation of evidence that the person has purchased or obtained a protective helmet.
- E. For purposes of this section “protective bicycle helmet” means a helmet containing a manufacturer’s certification that it meets the standards of either the American National Standards Institute (ANSI), the American Society for Testing and Materials (ASTM), or the United States Consumer Product Safety Commission (CPSC).
- F. Except as authorized by A.R.S. § 28-1599, a violation of this ordinance cannot be used as evidence of negligence or comparative negligence in a subsequent civil or criminal proceeding.

Replaces old -0008 through -0012

Authorizes and requires police to establish a registration program

Approved by City Council on September 15, 2009; effective as of January 1, 2010

**D R A F T
Revisions
Clean Version – Changes Not Shown**

**FLAGSTAFF CITY CODE
CHAPTER 9-05
BICYCLES**

SECTION 9-05-001-0001 APPLICATION OF PROVISIONS:

- A. The parent of a child and the guardian of a ward shall not authorize or knowingly permit the child or ward to violate any of the provisions of this Chapter.
- B. The regulations of this Chapter in their application to bicycles shall apply when a bicycle is operated upon any roadway, path, or sidewalk subject to those exceptions stated in this Chapter.
- C. The regulations of this Chapter shall not apply to exempt vehicles when they are used for the purposes for which they are intended.

SECTION 9-05-001-0002 DEFINITIONS

For the purposes of this Chapter:

- A. A "bicycle" means a device, including a racing wheelchair, that is propelled by human power and on which a person may ride and that has either:
 - 1. Two tandem wheels, either of which is more than sixteen inches in diameter.
 - 2. Three wheels in contact with the ground, any of which is more than sixteen inches in diameter.
- B. A "skateboard" means a platform mounted on wheels that is propelled by human power.
- C. A "play vehicle" means a coaster, rollerskates, scooter, roller ski, child's tricycle, unicycle, sled, toboggan, or any other non-motorized device with wheels, rollers or rails upon which a person may ride.
- D. "Exempt vehicles", when used for the purposes for which they are intended, means wagons, wheelchairs, and strollers or other devices designed and used for the purpose of transporting children, infants, physically challenged, or incapacitated persons, or carts or other devices intended and used for transporting merchandise or materials.
- E. "Ride or riding" means operating a bicycle; either wholly or partially sitting, standing or lying upon a bicycle, skateboard or play vehicle by a person whether such bicycle, skateboard or play vehicle is in motion or stationary.
- F. The "roadway" means all of the improved portion of a street which is intended for vehicular travel or parking.
- G. A "bicycle lane" means that portion of the roadway striped and designated for the exclusive use of bicycles.
- H. A "path" means a shared-use pathway designed and intended for the use of bicycles, pedestrians, and other non-motorized users that is physically separated from the roadway.

- I. A “sidewalk” means that portion of a street that is between the curb lines or the lateral lines of a roadway and the adjacent property lines that is intended for the use of pedestrians.

(Ord. No. 1848, Amended, 13/06/94)

SECTION 9-05-001-0003 TRAFFIC LAWS APPLY:

Every person riding a bicycle upon a roadway is granted all the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Chapter, except as to special regulations in this Chapter and except as to those provisions of this Chapter which by their nature can have no application.

SECTION 9-05-001-0004 RIDING ON BICYCLES:

- A. A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.
- B. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
- C. No person riding upon any bicycle, skateboard or play vehicle shall attach the same or themselves to any vehicle upon a roadway.
- D. No person operating a bicycle shall carry any package or article which prevents the driver from keeping at least one hand upon the handlebars.
- E. No person shall operate a bicycle at a speed greater than is reasonable and prudent under the circumstances, conditions and actual and potential hazards then existing, or in excess of the posted speed limit.

SECTION 9-05-001-0005 EQUIPMENT:

- A. Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet (500') to the front and with a red reflector on the rear of a type approved by the Arizona Department of Transportation, which shall be visible from all distances from fifty feet (50') to three hundred feet (300') to the rear, when directly in front of lawful upper beams of headlamps on motor vehicles. A lamp on the rear emitting a red light visible from a distance of five hundred feet (500') to the rear may be used in addition to the red reflector.
- B. Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

SECTION 9-05-001-0006 RIDING ON ROADWAYS, AND BICYCLE LANES:

- A. A person riding a bicycle on the roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the right-hand curb or edge of the roadway, except under any of the following situations:
 - 1. If overtaking and passing another bicycle or vehicle proceeding in the same direction.
 - 2. If preparing for a left turn at an intersection or into a private road or driveway.
 - 3. If reasonably necessary to avoid conditions, including fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, snow and ice, or surface hazards.

4. If the lane in which the person is operating the bicycle is too narrow for a bicycle and a vehicle to travel side by side within the lane.
 5. When proceeding straight, through an area where a right-turn is permitted, in order to avoid conflicts with right-turning vehicles.
- B. When parking is allowed along the roadway, then the "right side of the roadway" shall be deemed to be to the left of any parked vehicles or parking lane, including the area occupied by open car doors, or to the right of any parked vehicles or parking lane on the left side of one-way streets.
- C. Persons riding bicycles upon a roadway shall not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

SECTION 9-05-001-0007 RIDING ON SIDEWALKS:

- A. Where signs are erected giving notice thereof, no person shall ride a bicycle, skateboard, or play vehicle upon a sidewalk. This prohibition shall also apply to any bicycle, skateboard or play vehicle which is equipped with or assisted by a motor. Signs prohibiting such activity shall be installed at locations as directed by the Office of the Traffic Engineer.
- B. A person riding a bicycle, skateboard, or play vehicle upon any public sidewalk shall be subject to the following provisions:
1. A person riding a bicycle, skateboard, or play vehicle on a sidewalk shall yield the right-of-way to all pedestrians and exempt vehicles.
 2. Such person shall give an audible signal before overtaking and passing any pedestrian or exempt vehicle traveling in the same direction on the sidewalk.
 3. No person shall operate a bicycle on a sidewalk at a speed greater than is reasonable and prudent under the circumstances, conditions and actual and potential hazards then existing.
- C. Penalty. Violation of any of the provisions of 9-05-001-0007 by any person shall be a civil traffic offense punishable by a fine of not less than twenty-five dollars (\$25.00) nor more than seventy-five dollars (\$75.00) for each offense.

SECTION 9-05-001-0008 RIDING ON PATHS

- A. A person riding a bicycle, skateboard, or play vehicle on a path shall yield the right-of-way to all pedestrians and exempt vehicles.
- B. Such person shall give an audible signal before overtaking and passing any pedestrian or exempt vehicle traveling in the same direction on the path.

SECTION 9-05-001-0009 BICYCLE REGISTRATION

The Chief of Police, or his or her designee, is hereby authorized and directed to issue, upon written application, bicycle registration tags. The Chief of Police shall designate and provide tags for the use of the registrant, direct the manner of placing such tags on the bicycles by the registrants, and keep a record of the name of the registrant, the number of the tag, the date of issuance of the tag, and pertinent information about the bicycle. A fee may be charged for registration and the tag.

SECTION 9-04-001-0010 BICYCLE HELMETS/ PROTECTIVE EQUIPMENT

- A. It shall be unlawful for any person under eighteen (18) years of age to operate or ride upon a bicycle on any highway, street, road, sidewalk, bike-way or trail, unless that person wears a protective helmet that is properly fitted and fastened.
- B. No parent or guardian of any unemancipated minor under eighteen (18) years of age shall knowingly allow the minor to violate this section.
- C. Violation of this section shall constitute a civil traffic offense and shall be punishable by a fine of not less than twenty-five dollars (\$25.00) nor more than seventy-five dollars (\$75.00) for each offense.
- D. The first time a person is charged with a violation of this section the Court may dismiss the charge upon presentation of evidence that the person has purchased or obtained a protective helmet.
- E. For purposes of this section “protective bicycle helmet” means a helmet containing a manufacturer’s certification that it meets the standards of either the American National Standards Institute (ANSI), the American Society for Testing and Materials (ASTM), or the United States Consumer Product Safety Commission (CPSC).
- F. Except as authorized by A.R.S. § 28-1599, a violation of this ordinance cannot be used as evidence of negligence or comparative negligence in a subsequent civil or criminal proceeding.