

CHAPTER 12-18

MOTORCYCLES AND MOPEDS

12-18-1

DEFINITION OF TERMS

MOTORCYCLE: Means and includes motorcycles, motorbikes, mopeds, bicycles with motor attached and all motor operated vehicles of the bicycle, tricycle, or quad wheeled type including but not limited to three wheeled ATV's, four wheeled ATV's, go carts, and similar such vehicles, whether the motive of power be a part thereof or attached thereto and having a saddle or seat on which the driver stands, but excluding a tractor.

MOPED: Means a motor driven cycle equipped with two or three wheels, foot pedals to permit muscular propulsion and an independent power source providing a maximum of two brake horsepower. If a combustion engine is used, the maximum piston or rotor displacement shall be fifty cubic centimeters regardless of the number of chambers in such power source. The power source may not be capable of propelling the vehicle, unassisted, at a speed in excess of thirty miles per hour on a level road surface and is equipped with a power drive system that functions directly or automatically only, not requiring clutching, or shifting by the operator after the drive system is engaged.

Legislative History:
Ordinance No. 143, § 3, 6/3/85.

Authority:
SDCL § 9-31-1.

12-18-2

MOTORCYCLE LICENSE REQUIRED

No person may operate motorcycle, except a moped or a licensed all-terrain vehicle, on the public streets or highways within the City, without a motor vehicle driver's license or permit upon which a state testing officer has certified that such person is qualified to operate such motorcycle. However, the operator of a moped or licensed all-terrain vehicle shall have a valid motor vehicle operator's license or permit.

Legislative History:
Ordinance No. 143, § 3, 6/3/85.

Authority:
SDCL § 9-31-1, 9-32-1.

12-18-3

REQUIRED HANDLEBAR HEIGHT

No person shall operate on any street or highway within the City, a motorcycle on which the handlebars or grips are more than fifteen inches above the seat level when depressed.

Legislative History:
Ordinance No. 143, § 3, 6/3/85.

Authority:
SDCL § 9-32-1.

12-18-4

PROTECTIVE HELMET REQUIRED FOR MINOR - MOPEDS EXEMPT

It is unlawful for any person under the age of eighteen years old to operate or ride upon a motorcycle on the streets and highways within the City unless the person wears a protective helmet of a type meeting department of transportation motor vehicle safety

standard 218 as in effect on January 1, 1984. It is unlawful for any person to operate a motorcycle with any person under the age of eighteen as a passenger if the passenger is not wearing a protective helmet. Mopeds are exempt from the provisions of this section.

Legislative History:
Ordinance No. 143, § 3, 6/3/85.

Authority:
SDCL § 9-32-1.

12-18-5

EYE PROTECTIVE DEVICE OR WINDSCREEN REQUIRED

No person may operate a motorcycle unless he is wearing an eye protective device, except when the motorcycle is equipped with a windscreen.

Legislative History:
Ordinance No. 143, § 3, 6/3/85.

Authority:
SDCL § 9-32-1.

12-18-6

OPERATOR AND PASSENGERS RESTRICTED TO PERMANENT AND REGULAR SEATS

A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the motorcycle at the rear or side of the operator.

Legislative History:
Ordinance No. 143, § 3, 6/3/85.

Authority:
SDCL § 9-32-1, 9-31-1.

12-18-7

POSITION OF MOTORCYCLIST

A person shall ride upon a motorcycle only while sitting astride the motorcycle and the seat thereof, facing forward.

Legislative History:
Ordinance No. 143, § 3, 6/3/85.

Authority:
SDCL § 9-32-1, 9-31-1.

12-18-8

CARRYING PACKAGE ON MOTORCYCLE - RESTRICTIONS

No person shall operate a motorcycle while carrying any package, bundle, or other article which prevents him from keeping both hands on the handle bars.

Legislative History:
Ordinance No. 143, § 3, 6/3/85.

Authority:
SDCL § 9-32-1, 9-31-1.

12-18-9

OPERATION OF MOTORCYCLE IN PARK

It shall be unlawful to operate a motorcycle in any municipal, county or state park,

except upon normally traveled roads or roadways, or in specifically designated areas.

Legislative History:
Ordinance No. 143, § 3, 6/3/85.

Authority:
SDCL § 9-32-1, 9-31-1,
9-29-3.

12-18-10

RESTRICTION OF TWO ABREAST

Motorcycles shall not be operated more than two abreast in a single lane.

Legislative History:
Ordinance No. 143, § 335, 6/3/85.

Authority:
SDCL § 9-32-1, 9-31-1.