

BEFORE THE CITY COUNCIL OF THE CITY OF ROSEBURG

**IN THE MATTER OF COMPLIANCE)
WITH ORS 814.420 REGARDING) FINDINGS
FAILURE TO USE BICYCLE LANE)
OR PATH)**

FINDING NO. 1

ORS 814.420 states:

814.420 Failure to use bicycle lane or path; exceptions; penalty.

(1) Except as provided in subsections (2) and (3) of this section, a person commits the offense of failure to use a bicycle lane or path if the person operates a bicycle on any portion of a roadway that is not a bicycle lane or bicycle path when a bicycle lane or bicycle path is adjacent to or near the roadway.

(2) A person is not required to comply with this section unless the state or local authority with jurisdiction over the roadway finds, after public hearing, that the bicycle lane or bicycle path is suitable for safe bicycle use at reasonable rates of speed.

(3) A person is not in violation of the offense under this section if the person is able to safely move out of the bicycle lane or path for the purpose of:

(a) Overtaking and passing another bicycle, a vehicle or a pedestrian that is in the bicycle lane or path and passage cannot safely be made in the lane or path.

(b) Preparing to execute a left turn at an intersection or into a private road or driveway.

(c) Avoiding debris or other hazardous conditions.

(d) Preparing to execute a right turn where a right turn is authorized.

(e) Continuing straight at an intersection where the bicycle lane or path is to the right of a lane from which a motor vehicle must turn right.

(4) The offense described in this section, failure to use a bicycle lane or path, is a Class D traffic violation. [1983 c.338 §700; 1985 c.16 §338; 2005 c.316 §3]

FINDING NO. 2

The Roseburg City Council conducted a public hearing on August 13, 2012, for the purpose of receiving testimony and considering the suitability of bicycle lane use for roadways within the City of Roseburg's jurisdiction.

FINDING NO. 3

City Staff submitted written and oral testimony regarding the suitability of bike lanes on existing City streets.

DECISION

The City Council hereby determines that the bike lanes/paths listed below are suitable for safe bicycle use at reasonable rates of speed in the same direction of travel as motorized vehicles and hereby directs the Police Department to enforce the provisions of ORS 814.420.

<u>Airport Road</u>	<u>Stewart Parkway</u>	<u>Exchange Avenue</u>
<u>Alameda Avenue</u>	<u>Sunset Street</u>	<u>Stephens Street</u>
<u>Aviation Drive</u>	<u>Stewart Parkway</u>	<u>General Avenue</u>
<u>Broad Street</u>	<u>Edenbower Blvd</u>	<u>Amanda Avenue</u>
<u>Cedar Street</u>	<u>Garden Valley Blvd</u>	<u>Chestnut Avenue</u>
<u>Chestnut Avenue</u>	<u>Cedar Street</u>	<u>Stephens Street</u>
<u>Edenbower Blvd</u>	<u>Stephens Street</u>	<u>Renann Street</u>
<u>Exchange Avenue</u>	<u>Airport Road</u>	<u>Stephens Street</u>
<u>Garden Valley Blvd</u>	<u>Stephens Street</u>	<u>Lincoln Street</u>
<u>Garden Valley Blvd</u>	<u>UGB</u>	<u>I-5</u>
<u>Harvard Avenue</u>	<u>Lookingglass Road</u>	<u>Old Melrose Road</u>
<u>Harvard Avenue</u>	<u>Madrone Street</u>	<u>Umpqua Street</u>
<u>Keasey Street</u>	<u>Valley View Drive</u>	<u>Harvey Avenue</u>
<u>Lincoln Street</u>	<u>Ross Avenue</u>	<u>Sunset Blvd</u>
<u>Mulholland Drive</u>	<u>Stewart Parkway</u>	<u>Garden Valley Blvd</u>
<u>Oak Avenue</u>	<u>Harvard Avenue</u>	<u>Stephens Street</u>
<u>Pine Street</u>	<u>Stephens Street</u>	<u>Mosher Avenue</u>
<u>Renann Street</u>	<u>Stewart Parkway</u>	<u>Edenbower Blvd</u>
<u>Rifle Range Street</u>	<u>Diamond Lake Blvd</u>	<u>Spencer Court</u>
<u>Rocky Ridge Street</u>	<u>Garden Valley Blvd</u>	<u>Rocky Drive</u>
<u>Stephens Street</u>	<u>Garden Valley Blvd</u>	<u>Keller Road</u>
<u>Stewart Parkway</u>	<u>Stephens Street</u>	<u>Park Entrance</u>
<u>Troost Street</u>	<u>Garden Valley Blvd</u>	<u>Greenley Street</u>
<u>Vine Street</u>	<u>Garden Valley Blvd</u>	<u>Meadow Street</u>
<u>Washington Avenue</u>	<u>Spruce Street</u>	<u>Madrone Street</u>
<u>Winchester Street</u>	<u>Diamond Lake Blvd</u>	<u>Klamath Street</u>

DATED THIS ___ DAY OF AUGUST, 2012

Larry Rich, Mayor

Shelia Cox
City Recorder