

June 14, 2016

Hello Neighbors!



BICYCLISTS

These are just a few of the questions that deputies are asked about every year. You can find more information at: www.lmb.org

1. What is the definition of a bicycle?

MVC 257.4 defines "bicycle" as:

"...a device propelled by human power upon which a person may ride, having either 2 or 3 wheels in a tandem or tricycle arrangement, all of which are over 14 inches in diameter."

2. Where do Michigan laws apply to bicyclists?

Section 257.656(3) of the MVC states:

"The regulations applicable to bicycles under sections 656 to 662 shall apply when a bicycle is operated upon a highway or upon a path set aside for the exclusive use of bicycles, subject to those exceptions stated in sections 656 to 662."

3. Is a bicycle considered a vehicle in Michigan?

No. MCL 257.79 defines a "vehicle" as "every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices exclusively moved by human power..."

4. Does a bicyclist have to obey the same traffic laws as a motorist?

Yes. Section 257.657 of the MVC states:

"Each person riding a bicycle...upon a roadway has all of the rights and is subject to all of the duties applicable to the driver of a vehicle by this chapter, except as to special regulations in this article and except as to the provisions of this chapter which by their nature do not have application." This includes speed limits, stop signs and stop lights.

5. Does a bicyclist have to signal their turns?

Yes. Section 257.648 of the MVC states:

(1) "The operator of a... bicycle upon a highway, before stopping or turning from a direct line, shall first determine that the stopping or turning can be made in safety and shall give a signal as required in this section."

(4) When a person is operating a bicycle and signal is given by means of the hand and arm, the operator shall signal as follows:

(a) "For a left turn... shall extend ... left hand and arm horizontally."

(b) "For a right turn...shall extend ... left hand and arm upward or shall extend ... right hand and arm horizontally."

(c) "To Stop or decrease speed... shall extend ... left hand and arm downward."

6. Does a bicyclist have to ride with the direction of traffic?

Yes. Section 257.634 (1) of the MVC states:

"Upon each roadway of sufficient width, the driver of a vehicle shall drive the vehicle upon the right half of the roadway..." Since a bicyclist has all the rights and is subject to all the duties applicable to the driver of a vehicle according to Section 257.657 then they must ride in the right half of the roadway.

7. Where in the right half of the roadway must a bicyclist ride?

Section 257.660a of the MVC states:

A person operating a bicycle upon a highway or street at less than the existing speed of traffic shall ride as close as practicable to the right-hand curb or edge of the roadway except as follows:

(a) "When overtaking and passing another bicycle or any other vehicle proceeding in the same direction."

(b) "When preparing to turn left."

(c) "When conditions make the right-hand edge of the roadway unsafe or reasonably unusable by bicycles, including, but not limited to, surface hazards, an uneven roadway surface, drain openings, debris, parked or moving vehicles or bicycles, pedestrians, animals,

or other obstacles, or if the lane is too narrow to permit a vehicle to safely overtake and pass a bicycle."

(d) "When operating a bicycle in a lane in which the traffic is turning right but the individual intends to go straight through the intersection."

(e) "When operating a bicycle upon a 1-way highway or street that has 2 or more marked traffic lanes, in which case the individual may ride as near the left-hand curb or edge of that roadway as practicable."

8. Can a bicyclist impede traffic?

If the roadway the bicyclist is on has no minimum speed limit, then they are traffic according to the MVC and MCL and therefore cannot be impeding traffic simply because of their speed or the fact that they are riding a bicycle.

MVC Section 257.657 states: "Each person riding a bicycle...upon a roadway has all of the rights and is subject to all of the duties applicable to the driver of a vehicle by this chapter..."

MCL 257.69 states: "... traffic means pedestrians, ridden or herded animals, vehicles, street cars and other conveyances either singly or together while using any highway for purposes of travel."

9. Is it legal to ride between lanes?

No. The MVC does not allow "passing between lanes of traffic," Bicyclists may only pass on the right if there is a dedicate bicycle facility.

10. Must a bicyclist ride on the sidewalk? Is it legal? What about crosswalks?

The MVC does not require bicyclists to ride on the sidewalk and we do not recommend it because of safety hazards to the bicyclist and other sidewalk users. However, Section 257.660c of the MVC states:

(1) "An individual operating a bicycle upon a sidewalk or a pedestrian crosswalk shall yield the right-of-way to pedestrians and shall give an audible signal before overtaking and passing a pedestrian."

(2) "An individual shall not operate a bicycle upon a sidewalk or a pedestrian crosswalk if that operation is prohibited by an official traffic control device."

(3) "An individual lawfully operating a bicycle upon a sidewalk or a pedestrian crosswalk has all of the rights and responsibilities applicable to a pedestrian using that sidewalk or crosswalk."

11. Must a bicyclist ride in a bike lane or a side path?

The MVC does not require bicyclists to use bike lanes, even if present. In 2006 Section 257.660 (3) of the MVC was amended, removing "bicyclists" from being required to use side paths.

12. May bicyclists ride two abreast?

Although riding single-file is often safest, bicyclists are allowed to ride two-abreast on roads; MVC Section 257.660b states:

"Two or more individuals operating bicycles upon a highway or street shall not ride more than 2 abreast except upon a path or portion of the highway or street set aside for the use of bicycles."

13. Is it legal to ride on a limited-access highway?

No. Section 257.679a(1) of the MVC states:

"... nor shall a...bicycle, except as provided in this section...be permitted on a limited access highway in this state. Bicycles shall be permitted on paths constructed separately from the roadway and designated for the exclusive use of bicycles."

14. Does a bicyclist have to wear a helmet?

Although the MVC does not require bicyclists to wear helmets, we strongly recommend wearing one, because it can prevent a vast majority of brain injuries.

15. Does a bicyclist have to use lights?

Yes. MVC Section 257.662 states:

(1) "A bicycle...being operated on a roadway between 1/2 hour after sunset and 1/2 hour before sunrise shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear which shall be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector."

LMB strongly recommends using a rear red light when bicycling in the dark. A bicyclist may only use a "white" light on the front. A "blue" light is reserved for emergency services and may not be used. A "white" light may not be used on the rear of a bicycle. Red is the preferred color for the rear.

MVC Section 257.662 (4) and (5) also makes it illegal to sell a bicycle or bike pedal without pedal reflectors, or a bike without "either tires which have reflective sidewalls or with wide-angle prismatic spoke reflectors."

16. Does the law require brakes on bicycles?

Yes. MVC Section 257.662(2) states:

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

17. Is it legal to park on the street? Where can bicyclists park on a sidewalk?

MVC Section 257.660d states:

(1) "An individual may park a bicycle on a sidewalk except as prohibited by an official traffic control device.

(2) "An individual shall not park a bicycle on a sidewalk in such a manner that the bicycle impedes the lawful movement of pedestrians or other traffic.

(3) "An individual may park a bicycle on a highway or street at any location where parking is allowed for motor vehicles, may park at any angle to the curb or the edge of the highway, and may park abreast of another bicycle.

(4) "An individual shall not park a bicycle on a highway or street in such a manner as to obstruct the movement of a legally parked motor vehicle.

(5) "Except as otherwise provided in this section, an individual parking a bicycle on a highway or street shall do so in compliance with this act and any local ordinance."

18. Is it legal to use a cell phone while riding a bike?

Only if the cell phone is in hands free mode.

MVC Section 257.661 states:

"A person operating a bicycle...shall not carry any package, bundle, or article that prevents the driver from keeping both hands upon the handlebars of the vehicle."

19. How about texting while cycling?

All Michigan drivers are prohibited from texting while driving under MVC Sec. 257.602.b. Since bicyclists have the same rights and responsibilities as drivers (MVC Section 257.657), it is therefore also illegal for a bicyclist to text while cycling on Michigan roadways.

20. Is there a three foot passing law in Michigan?

No, but drivers are required to pass at a safe distance!

MVC Section 257.636 states:

"Overtaking and passing of vehicles proceeding in same direction; limitations, exceptions, and special rules; violation as civil infraction.

(1) The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction

(a) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left of that vehicle, and when safely clear of the overtaken vehicle shall take up a position as near the right-hand edge of the main travelled portion of the highway as is practicable.

(2) A person who violates this section is responsible for a civil infraction."

21. What other rules must a motorist follow when overtaking or following a bicyclist?

Section 257.627 states:

(1) A person operating a vehicle on a highway shall operate that vehicle at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface, and width of the highway and of any other condition then existing. A person shall not operate a vehicle upon a highway at a speed greater than that which will permit a stop within the assured, clear distance ahead.

Motorists must have their vehicle under control when following bicyclist to be able to react safely if the bicyclist has to make an emergency maneuver.

22. Can you be charged with a DUI while riding your bicycle?

No. Although it would be dangerous to ride a bicycle while intoxicated, a bicycle is not a motor vehicle according to the MVC. DUI applies only to motor vehicles. Other ordinances may apply however, such as being intoxicated and a danger to oneself or another.

23. What are the penalties for a bicyclist violating the MVC?

MVC Section 257.656 states:

(1) "A person who violates any of sections 656 to 661a is responsible for a civil infraction.

(2) "The parent of a child or the guardian of a ward shall not authorize or knowingly permit the child or ward to violate this chapter."

24. If a bicyclist is cited for violating traffic law, does it go on their driving record?

No. The violations are civil infractions, but do not go on a person's driving record. There are no points associated with a bicycle violation.

25. Is it legal to carry another person on your bicycle? What about a child in a child seat?

No, unless the seat is designed to be attached. This would allow for the legal use of a child seat since it is designed to be attached to the bicycle.

MVC Section 257.658 states:

(1) "A person propelling a bicycle ... shall not ride other than upon and astride a permanent and regular seat attached ..."

(2) "A bicycle ... shall not be used to carry more persons at 1 time than the number for which it is designed and equipped."

26. Is it legal to grab onto another vehicle to "hitch" a ride?

No. MVC Section 257.659 states

"A person riding upon a bicycle ... shall not attach the same or himself to a streetcar or vehicle upon a roadway."

27. What is the definition of roadway?

MCL 257.55 states:

"Roadway means that portion of a highway improved, designed or ordinarily used for vehicular travel." Therefore the gutter is not considered part of the roadway.

28. Is there any law against motorists opening their doors into bicyclists?

Administrative Rule R28.1498 Rule 498 (1) states:

"A person shall not open a door of a vehicle in a manner that interferes with or impedes the flow of traffic."

A bicycle would be included under this protection, since it is legally traffic according to MCL 257.69; "... traffic means pedestrians, ridden or herded animals, vehicles, street cars and other conveyances either singly or together using any highway for purposes of travel."

29. Can a motorist park or drive in a bike lane?

No. Administrative Rule R28.1322 Rule 322 states:

(1) A person shall not operate a vehicle on or across a bicycle lane, except to enter or leave adjacent property.

(2) A person shall not park a vehicle on a bicycle lane, except where parking is permitted by official signs.

(3) A person who violates this rule is guilty of a misdemeanor.

30. Does a bicyclist have to carry a driver's license?

No, the law does not require you to carry a driver's license.

We strongly recommend that all bicyclists carry some type of picture ID when riding their bicycle. In case of an emergency law enforcement or safety personnel may need to identify you. If you have health issues of any kind we believe it is critical that you carry identification that identifies you and what your health issues are.

Our office strongly encourages the use of helmets for all riders!



TEXTING WHILE DRIVING

Texting while driving defined by the Michigan motor vehicle code is:

257.602b Reading, typing, or sending text message on wireless 2-way communication device prohibited; use of hand-held mobile telephone prohibited; exceptions; "use a hand-held mobile telephone" defined; violation as civil infraction; fine; local ordinances superseded.

To read the entire law, please go to the following link: <http://legislature.mi.gov/doc.aspx?mcl-257-602b>. Remember, not only is texting and driving illegal, it could be deadly! Please pull over to use your phone.



FARM EQUIPMENT

This is the time of year where we also see an increase of tractors and farming equipment traveling on the roadways. Motorists, please be cautious and patient when driving your vehicle around them. Remember that the majority of Clinton County is zoned agriculturally; sometimes it is hard to wait that extra minute to be able to pass them but remember to please do so safely in a passing zone! They have as much right to the road as other vehicles.



OFF ROAD VEHICLES (ORV)

Off Road Vehicles (ORV) are NOT to be operated on Michigan roads, streets or highways maintained for year round automobile travel. This includes the shoulder and the right-of-way. If the ORV is registered by the Secretary of State (SOS), they can be operated on the roadway. Please refer to Michigan off road vehicle laws at: https://www.offroad-ed.com/assets/pdf/handbook/mi_handbook_entire.pdf

Clinton County does not have any local ordinances that allow for ORV travel/operation on public roadways.



COMMUNITY EVENTS

NATIONAL NIGHT OUT

POLICE • COMMUNITY PARTNERSHIPS

Mark your calendar now for Tuesday, August 2, 2016, for another great National Night Out in St. Johns! The event will take place at the St Johns City Park from 6 p.m. to 8 p.m. Please check the St Johns Police Department's Facebook page for updated information about the event.



CITY OF ST JOHNS SPRAY PARK

The City of St Johns offers a Community Spray Park for children of all ages. The Spray Park is located at the City Park at the corner of S. Morton St and W Parks St, in the City of St Johns. The park will now be open regular hours Mon-Fri 10 a.m. to 8 p.m. and Sat-Sun 12 p.m. to 8 p.m.



FIREWORKS

Please check out the following website for more detailed information regarding fireworks laws, safety tips, injury risks and other useful resources.

<http://www.michiganfireworksafety.org/firework-safety-enforcement-resources>



LAWS

On June 19, 2013, Gov. Rick Snyder signed HB 4743, which allows local governments to ban the use of consumer fireworks between midnight and 8 a.m. on the day before, the day of and the day following national holidays. In larger communities, the allowable deadline is 1 a.m. on New Year's Day.

Please check with your local government to find out if it has enacted a fireworks ordinance that limits the use of consumer fireworks overnight on the day before, day of and day following national holidays.

SAFETY TIPS



Fireworks are often used to mark special events and holidays. However, they are not safe in the hands of consumers. Fireworks cause thousands of burns and eye injuries every year. People can enjoy fireworks safely if they follow a few simple tips.

Be extra careful with sparklers

- Little arms are too short to hold sparklers, which can heat up to 1200 degrees. Let your young children use glow sticks instead. They can be just as fun without heating up to a temperature that can melt glass.
- Closely supervise children around fireworks at all times.

Take necessary precautions:

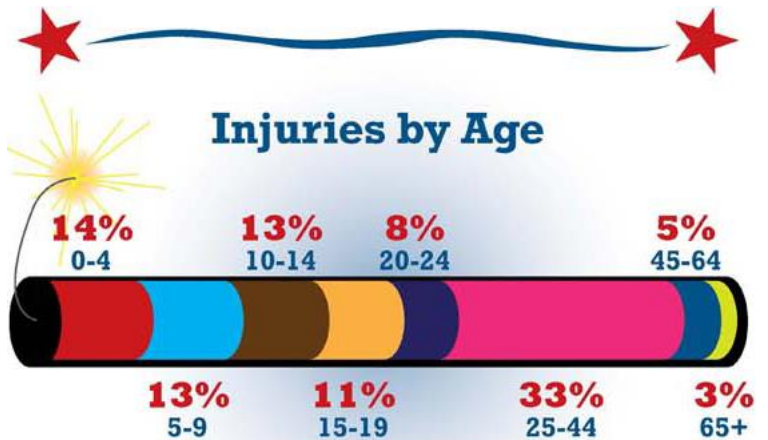
- Do not wear loose clothing while lighting fireworks
- Never light fireworks indoors or near dry grasses
- Point fireworks away from homes, and keep away from brush, leaves and other flammable materials.

Be prepared for an accident or injury:

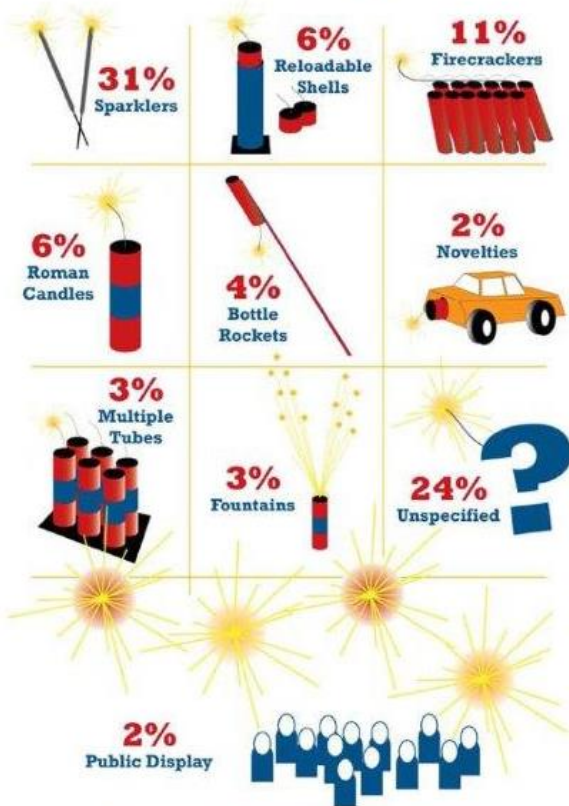
- Stand several feet away from lit fireworks. If a device does not go off, do not stand over it and investigate it. Put it out with water and dispose of it
- Always have a bucket of water and/or fire extinguisher nearby. Know how to use the fire extinguisher properly.
- If a child is injured, immediately go to a doctor or hospital. If an eye injury occurs, do not allow the child to touch or rub it, as this may cause even more damage

FACTS

Fireworks Facts

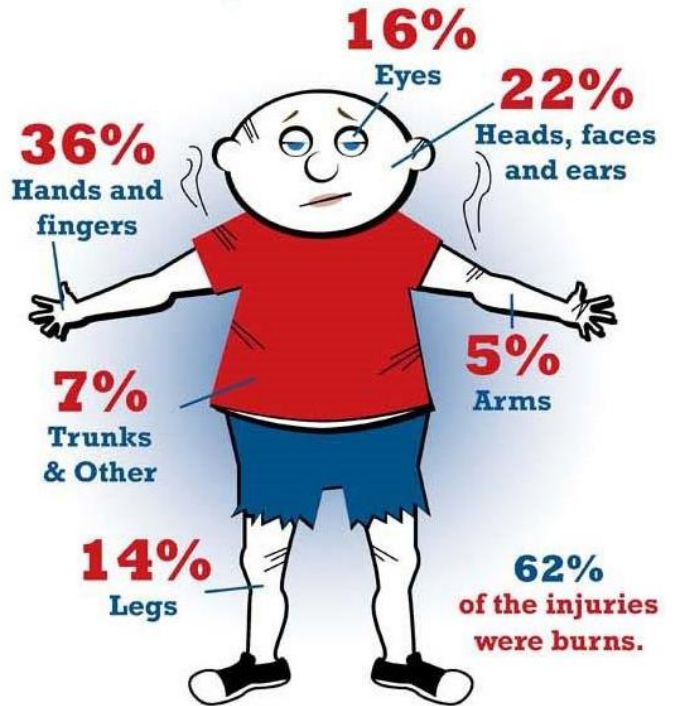


Injuries by Fireworks Type*



*These percents do not account for how many products are used.

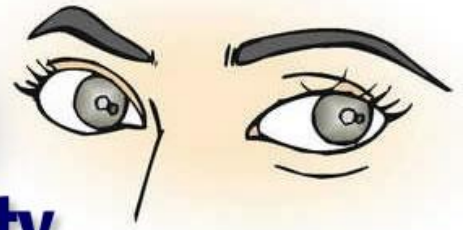
Most Injured Body Parts



Report

SUSPICIOUS

Activity



SUSPICIOUS ACTIVITY

The Clinton County Sheriff's Office wants to encourage residents to report any suspicious activity in your neighborhood. If there is a suspicious person or vehicle, take note of it and call 911. Be as descriptive as possible without getting yourself in harm's way. Try to obtain a license plate, vehicle description, a description of the occupants and direction of travel.

Also, remember to lock your vehicles and hide your valuables in your vehicle while out in public or at home. Unlocked vehicles are easy targets for criminals to steal those important items!



VACATIONS AND TRAVELING

Here are some home safety tips that you can do before leaving on vacation.

- Leave lights on a timer
- Have someone mow your lawn in the summertime or plow your driveway in the wintertime to make it appear as if someone is home
- Stop your mail through the post office
- Let your neighbors know you are leaving so they can keep watch on your residence as well
- Double check all windows and doors to ensure they are locked before leaving
- Hide and lock away all valuables
- Be careful what you post on social media sites! Your social media feeds may be monitored by criminals waiting for their chance to strike and break in to your home. Post pictures and status updates after your return from vacation.

NEIGHBORHOOD WATCH



If you would like to set up a neighborhood watch group in your area, please contact Deputy Barber at the Clinton County Sheriff's Office at barbert@clinton-county.org or call 989-227-6576.

CodeRED EMERGENCY NOTIFICATION, CLINTON COUNTY



Clinton County has a system called CodeRED that is used to send important emergency information to the county's residents. If an emergency message is sent out, it will tell you:

- What happened and where
- What actions you should take, if any
- Where to get more information

If you have a landline phone, you are already in the CodeRED system. You could also receive emergency messages on your mobile device through text or email. Register at www.clinton-county.org/codeRED. CodeRED is NOT used to send severe weather warning.

FACEBOOK PAGE



CLINTON COUNTY SHERIFF'S OFFICE

The Clinton County Sheriff's Office now has a Facebook page! It is constantly updated with the latest information regarding traffic crashes, crime, updates, etc. To view and follow the page, search for Clinton County Michigan Sheriff's Office.

CLINTON COUNTY

Clinton County has a Facebook page as well. This Facebook page contains county wide information as well as neighborhood watch information. To find the Facebook page, type in Clinton County, Michigan, in the search box.



TWITTER

The Clinton County Sheriff's Office also has a Twitter Account. Use Twitter to be up to date on active events occurring in the county. Search Twitter under the username: ccsso_mi.



T.E.A.M.

The Clinton County Sheriff's Office is excited to implement a new program in to the schools in Clinton County. The T.E.A.M. (Teaching, Educating and Mentoring) School Liaison Program was developed by the Michigan State Police in 1998, along with the help of public and private school curriculum experts. This program is created to follow the Michigan Model for Health. The goal of this program is to unite educators, students and law enforcement to work together to create and build healthy relationships.

The Clinton County Sheriff's Office along with other police agencies in the county feel that it is important to have a police presence in the schools and to keep a positive line of communication open with our youth. Look for this program in your school!



KEEP ME SAFE EVENT

The program also offers low income Clinton County residents free car/booster seats and replacement of damaged or recalled car seats. Below is a list of guidelines:

- Must reside in Clinton County
- Children or infants using the car seat must be present during the installation to ensure a proper fit
- Seats should be installed in the vehicle in which the children regularly travel.

Please call Jackie at 989-227-3334 for more information.

PROTECT MY CHILD



The State of Michigan provides a Michigan Child Protection Registry that is a free service that gives you the choice to protect your family's emails, mobile phone numbers, instant messenger ID's, and faxes from adult-oriented messages such as: Pornography, tobacco, drugs, alcohol, and gambling. This free service is fast and secure and only takes three steps to help protect your household.

1. Visit www.ProtectMiChild.com
2. Click the "Register Now" button
3. Register your family's information

OK2SAY



Another program that is offered for students is called OK2SAY. This program allows students to confidentially call, text, email, or send a message via mobile app or via the OK2SAY website to report potential harm or criminal activity directed at students or others. This includes reporting bullying. A tip can be submitted 24 hours a day, 7 days a week. The tip is first sent to and fielded by the Michigan State Police Headquarters and then forwarded to the appropriate responding agency. More information about this program can be found at www.mi.gov/ok2say

DO1THING

do 1 thing.com

SMALL STEPS TOWARD BEING PREPARED FOR AN EMERGENCY

Do 1 Thing is a free, 12-month program that makes it easy to prepare yourself, your family, and your community for emergencies or disasters. Being prepared for disasters and emergencies can seem like a big job however, with Do 1 Thing, you can take small steps that make a big difference in an emergency. To learn more information go to www.do1thing.com

Remember to stay safe!

**Deputy Tracy Barber
Neighborhood Watch Coordinator**

