

ORDINANCE _____

ORDINANCE AMENDING THE CITY CODE OF ORDINANCES RELATING SECTIONS OF CHAPTER 110 ARTICLE V, “BICYCLES AND PLAY VEHICLES” CREATING A NEW SECTION 110-213 “USE OF MOTOR ASSISTED SCOOTERS”; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS that the following amendment(s) are adopted as Amendments to Chapter 110 Article V, creation of Section 110-213 in its Code of Ordinances.

Section 1. The following amendments are to be made to Sections as indicated of the Code of Ordinances. All insertions are made with red colored letters and all deletions are shown as such.

Sec. 110-213. – Use of Motor Assisted Scooters.

(a) Definitions

(1) Motor assisted scooter

a. Means a self-propelled device with:

- At least two wheels in contact with the ground during operation;
- A braking system capable of stopping the device under typical operating conditions;
- A gas motor with a displacement not exceeding 40 cubic centimeters or an electric motor with a power output not exceeding 1,000 watts;
- A deck/foot board designed to allow a person to stand or sit while operating the device; and
- The ability to be propelled by human power alone; and
- Does not include a pocket bike, mini-motorbike, or an electric personal assistive mobility device.

(b) General Operation of Motor-Assisted Scooters.

- (1) A person must hold a valid driver's license and be at least 16 years of age to operate a motor-assisted scooter, except for a Motor-Assisted Scooter that is purchased for a child under the age of 16 that operates at a maximum speed of less than 10 miles per hour.
- (2) A person may not use a motor-assisted scooter to carry more than one person.
- (3) A person may not use a motor-assisted scooter to carry packages or objects unless capable of being placed in a back pack. Meaning the center board of the motor-assisted scooter can only be utilized for a person's foot of feet.

(c) Operation on Roadways or Bicycle paths

- (1) A person may operate a motor-assisted scooter only:
 - a. On a path set aside for the exclusive use of bicycles, pedestrians, or both; or

- b. On a roadway in a bicycle lane, except as provided by Subsection B.
- (2) A person may operate a motor-assisted scooter on a roadway without a bicycle lane if:
- a. The roadway has a speed limit of 30 miles per hour or less; and
 - b. The person rides as near as practicable to the right curb or edge of the roadway, unless:
 - Operating the scooter on a one-way roadway, in which case the operator shall ride as near as practicable to the right curb or edge of the roadway;
 - Overtaking or passing another vehicle that is proceeding in the same direction;
 - Preparing to execute a left turn; or
 - Riding alongside not more than one other motor-assisted scooter and both operators are riding in a single lane and in a manner that does not impede the normal and reasonable movement of traffic on the roadway; or
 - While operating a motor-assisted scooter on any surface regardless the condition of the environment or the driver.
- (3) The operator is responsible for adhering to ALL transportation Codes set forth by the State regarding motor vehicles:
- a. Hazardous conditions make it reasonably necessary for the operator to avoid the curb or edge of the roadway
 - b. A person may not operate a motor-assisted scooter at a speed that exceeds 15 miles per hour.
 - c. A person operating a motor-assisted scooter shall yield the right-of-way to a pedestrian.
 - d. Operation of a scooter is prohibited on highway. Prohibition is necessary in the interest of safety.
 - A motor-assisted scooter may cross a highway where cross walks are provided only. Prohibition is necessary in the interest of safety.
 - e. Motor-assisted scooter may not be operated 30 minutes before sunset or 30 minutes after sunrise.
- (d) Parking: A person may not park a motor-assisted scooter in a manner that obstructs a roadway, path, sidewalk, building entrance, window displays, handicap zones, or loading zones.

Section 2: Other than as amended herein, all remaining sections of Chapter 110 Article V, remain in full force and effect. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED on this _____ day of _____, 2021.

Council Member:	Voted Aye	Voted No	Absent
Robert K. Nelson, Mayor	_____	_____	_____
Floyce Brown	_____	_____	_____
James Folse	_____	_____	_____
Jason Childers	_____	_____	_____
Becca Sitz	_____	_____	_____
Brad Westmoreland	_____	_____	_____

 Robert K. Nelson, Mayor
 City of Bay City, Texas

ATTEST:

APPROVED AS TO FORM:

 Jeanna Thompson,
 City Secretary
 City of Bay City, Texas

 Anne Marie Odefey, City Attorney