



Burleson Police Department

E-Bikes and Helmet Ordinances

October 05, 2026

Objective

- Understand the current laws on E-Bikes and E-Motorcycles.
- Recognize current State Laws in place.
- Amend current City Ordinances in place on E-Bikes.
- Propose City Ordinances on E-Bikes and E-Motorcycles.
- Propose safety helmet ordinance.





History

- The city has seen an increase in E-Bike and E-Motorcycle usage in City Parks and City Streets.
- There have been increased concerns and complaints called into the police department by citizens regarding the usage of these types of bicycles in the parks and on the trails maintained by the Parks Department.

Officers have worked minor accidents involving E-Bikes by juveniles.

E-Bike Versus E-Motorcycle

E-BIKE



E-MOTORCYCLE



E-Bike Definition

E-Bikes are divided into three classes:

- **Class 1:** Motor assists only while pedaling; maximum speed of 20 MPH
- **Class 2:** Motor assists without pedaling; maximum speed of 20 MPH
- **Class 3:** Motor assists while pedaling; maximum speed between 20–28 MPH

Per Transportation Code §664.001, an electric bicycle is defined as a bicycle equipped with fully operable pedals and an electric motor of fewer than 750 watts, with a top speed of 28 MPH or less.

* If the E-Bike has greater than the 750 watt motor, it is no longer classified as a bicycle, but now defined as a motor vehicle Sec. 541.201 Texas Transportation Code.

State Laws

Sec. 551.106. REGULATION OF BICYCLES BY DEPARTMENT OR LOCAL AUTHORITY.

(a) The department or a local authority may not prohibit the operation of an electric bicycle:

- (1) on a highway that is used primarily by motor vehicles; or
- (2) in an area in which the operation of a nonelectric bicycle is permitted, unless the area is a path that:
 - (A) is not open to motor vehicles; and
 - (B) has a natural surface tread made by clearing and grading the native soil without adding surfacing materials.

(b) The department or a local authority may:

- (1) prohibit the operation of a bicycle on a sidewalk; and
- (2) establish speed limits for bicycles on paths set aside for the exclusive operation of bicycles and other paths on which bicycles may be operated.

(c) The department may establish rules for the administration of this section if necessary.

State Laws

- Transportation Code Section 551.106 means that the City may NOT prohibit e-bikes:
 - On public streets
 - In any area where standard bikes are permitted, unless it's a mountain bike trail (a path that is not open to motor vehicles and is a "natural" dirt trail)
- E-Motorcycles are not allowed on public streets unless the electronic motorcycle is designed for use on a highway and eligible for a certificate of title under Transportation Code, Chapter 501

State Laws

Sec. 551.107. OPERATION OF ELECTRIC BICYCLE.

- (a) Subtitles A, B, and D and Chapter 551A do not apply to the operation of an electric bicycle.
- (b) A person may not operate an electric bicycle unless the electric motor disengages or ceases to function either:
 - (1) when the operator stops pedaling; or
 - (2) when the brakes are applied.
- (c) **A person may not operate a Class 3 electric bicycle, as defined by Section 664.001, unless the person is at least 15 years of age. This subsection does not prohibit a person who is under 15 years of age from riding on a Class 3 bicycle as a passenger.**

City Ordinances

- ☐ § 58-6 Off-road recreational motor vehicles in parks. (Amend)
- ☐ § 58-23 Bicycles, roller blades, skateboards and other wheeled equipment. (Amend)
- ☐ § 78-6 Electric motorcycles, pocket bikes, mini-motorbike, and ATVs in city property. (New)
- ☐ § 78-7 Helmet required. (New)

City Ordinances (Amend)

§ 58-6 Off-road recreational motor vehicles in parks.

The riding of off-road recreational motor vehicles, including, but not limited to, motorcycles (commonly referred to as "dirt bikes"), electric motorcycles (commonly referred to as "e-motorcycles"), unless the electronic motorcycle is designed for use on a highway and eligible for a certificate of title under V.T.C.A., Transportation Code, Chapter 501, and operating in a location authorized for motor vehicles, and all-terrain vehicles (ATVs), as defined by V.T.C.A., Transportation Code § 551A.001, is prohibited in all city parks except when such use is by a city employee in the exercise of their official duties.

City Ordinances (Amend)

§ 58-23 Bicycles, roller blades, skateboards and other wheeled equipment.

It shall be unlawful for any person to use a bicycle, roller blades, skateboard, scooters, electric bicycles (commonly referred to as “e-bikes”), as defined by V.T.C.A., Transportation Code § 664.001, or other wheeled equipment, excluding wheeled equipment for the disabled, in designated parks or recreation areas or any portion of parks or recreation areas where such use is prohibited and has been so designated by signs indicating such prohibition.

- *No parks have been identified as having been designated under this ordinance at this time.*
- *Pursuant to state law, if e-bikes are prohibited, standard bicycles must also be prohibited unless it's a mountain bike trail*

City Ordinances (New)

§ 78-6 Electric motorcycles, pocket bike, mini-motorbike, and ATVs in city property.

It shall be unlawful for any person to operate an electric motorcycle (commonly referred to as an “e-motorcycle”), unless the electronic motorcycle is designed for use on a highway and eligible for a certificate of title under V.T.C.A., Transportation Code, Chapter 501, pocket bike or mini-motorbike, as those terms are defined by V.T.C.A., Transportation Code § 551.351, or all-terrain vehicle (ATV), as defined by V.T.C.A., Transportation Code § 551A.001, on any sidewalk or in or on any real property, including any parking lot, owned or maintained by the City of Burleson, except when such use is by a city employee in the exercise of their official duties.

City Ordinances (New)

§ 78-7 Helmet required.

- (a) It shall be unlawful for any child to operate or ride upon a bicycle, electric bicycle, motor-assisted scooter, or any side car, trailer, child carrier, seat, or other device attached to a bicycle or electric bicycle, unless the child is wearing a helmet.

- (b) It shall be unlawful for a parent to permit a child to operate or ride upon a bicycle, electric bicycle, motor-assisted scooter, or any side car, trailer, carrier, seat, or other device attached to a bicycle unless the child is wearing a helmet.

- (c) It is a defense to prosecution that the bicycle or electric bicycle was not being operated upon a public way at the time of the alleged offense.

City Ordinances (Continued)

§ 78-7 Helmet required.

(d) It is an affirmative defense to prosecution under this section, upon first offense only, that the person owns or has acquired a helmet prior to the court hearing and promises the court that the helmet will be used in the future.

(e) Penalty.

(1) Any person who violates any provision of this section shall be guilty of a misdemeanor and upon conviction shall be fined an amount not exceeding \$50 upon first conviction and an amount not exceeding \$100 upon the second and each subsequent conviction.

(2) The purpose of this section is to promote bicycle safety by encouraging the use of helmets. In keeping with that purpose, the municipal court is urged to consider deferred dispositions under Tex. Code of Criminal Procedure Article 45.051 whenever the circumstances warrant deferred dispositions. Conditions of the deferral may include that the defendant, if financially able, obtain a helmet and promises the court that the helmet will be used in the future.

City Ordinances (Continued)

§ 78-7 Helmet required.

(f) For purposes of this section, the following words and phrases shall be defined as follows:

- (1) “Bicycle” means every device propelled by human power upon which any person may ride, having two tandem wheels which are more than 14 inches in diameter.
- (2) “Child” means any person 16 years of age and under.
- (3) “Electric bicycle” shall have the same meaning as that term is defined by V.T.C.A., Transportation Code § 664.001.
- (4) “Helmet” means a properly fitted bicycle helmet that is not structurally damaged and that conforms to the standards of the American National Standards Institute, the American Society for Testing and Materials, the Snell Memorial Foundation or any federal agency having regulatory jurisdiction over bicycle helmets, as applicable, at the time of the manufacture of the helmet.

City Ordinances (Continued)

§ 78-7 Helmet required.

(5) “Motor-assisted scooter” means a self-propelled device with: (i) At least two wheels in contact with the ground during operation; (ii) A braking system capable of stopping the device under typical operating conditions; (iii) A gas or electric motor not exceeding 40 cubic centimeters; (iv) A deck designed to allow a person to stand or sit while operating the device; (v) The ability to be propelled by human power alone; and (vi) Does not include a pocket bike or a mini-motorbike.

(6) “Parent” means the natural or adoptive parent or court-appointed guardian or conservator of a child.

(7) “Pocket bike” or “Mini-motorbike” shall have the same meaning as those terms are defined by V.T.C.A., Transportation Code § 551.351.

(8) “Public way” means any property that is publicly owned or maintained, including, but not limited to, a street or highway, a publicly maintained trail, a public right of way, any public parks facility, property owned by the City of Burleson, Texas, and facilities and parking lots owned by the City of Burleson, Texas.

(9) “Wearing a helmet” means that the person has a helmet fastened securely to the person’s head with the straps of the helmet securely tightened.

Next Steps

Education Campaign

- Educate staff on E-Bike specific laws and the difference between E-Bikes and E-Motorcycles.
- Educate citizens and parents of juveniles that are operating E-Bikes that fall outside of the Texas definition of Electric Bicycle with the 3 classifications.
- Educate citizens and parents of juveniles that E-Motorcycles are not prohibited on city right of way, property, or facilities.
- Social media campaign.
- Take appropriate enforcement action of offenders in violation of the city ordinance or state law.

Signage

- Enhanced educational signage identifying authorized and prohibited equipment/vehicles will be placed throughout the park system
- While some existing signage is in place today, it is not required to enforce the following ordinances:
 - Offroad vehicles and equipment prohibition
 - E-motorcycles prohibition
 - Helmet requirements (if adopted)
- Signage is required to enforce the prohibition of e-bikes within a park or designated sections of a park; this designation requires Council action.

Questions and Direction

- Is there a desire to designate certain parks or sections of parks as prohibited for e-bike use?
 - Remember, pursuant to Transportation Code Section 551.106, the City cannot prohibit e-bike in parks unless standard bicycles are also prohibited, the only exception being mountain bike trails.
 - If standard bicycles and e-bikes are prohibited, should roller blades, skateboards, etc. be prohibited as well?
- Are there suggested revisions to the proposed ordinances?