

**ORDINANCE NO. 2026**

**AN ORDINANCE AMENDING AND RE-ENACTING SECTION 58-1 OF CHAPTER 58, ARTICLE I, SECTION 58-458, 58-459, 58-460, 58-461, ARTICLE XI BICYCLES, OF THE MUNICIPAL CODE OF THE CITY OF DICKINSON, NORTH DAKOTA, RELATING TO DEFINITIONS, ELECTRIC BICYCLES**

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF DICKINSON, NORTH DAKOTA, AS FOLLOWS:

**Section 1:** Section 58-1 is hereby amended and re-enacted as follows:

**Sec. 58-1. Definitions.**

Words and phrases used in this chapter shall have the meanings and be defined as provided in N.D.C.C. Title 39 and N.D.C.C. § 39-10-01 and all subsequent amendments shall be and are hereby incorporated by reference in this section. Additionally, the following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Authorized emergency vehicles.*

- (1) The term "Class A authorized emergency vehicles" means:
  - a. Vehicles of a governmentally-owned fire department.
  - b. Vehicles when operated by or under the control of a police officer having authority to enforce the provisions of this title or by a salaried employee of a municipal police department within the municipality or by a sheriff or deputy sheriff, not including special deputy sheriffs, or by the Director of the Department of Corrections and Rehabilitation and authorized agents who have successfully completed training in the operation of Class A authorized emergency vehicles.
  - c. Vehicles clearly identifiable as property of the Department of Corrections and Rehabilitation when operated or under the control of the Director of the Department of Corrections and Rehabilitation.
  - d. Ambulances and other vehicles authorized by licensure granted under N.D.C.C. Ch. 23-27.
  - e. Vehicles operated by or under the control of the Director, District Deputy Director, or a district deputy game warden of the Game and Fish Department.
  - f. Vehicles owned or leased by the United States and used for law enforcement purposes.
  - g. Vehicles designated for the use of the adjutant general or assistant adjutant general in cases of emergency.
  - h. Vehicles operated by or under the control of the Director of the Parks and Recreation Department.

- i. Vehicles operated by or under the control of a licensed railroad police officer and used for law enforcement purposes.
  - j. Vehicles operated by or under the control of the State Forester.
  - k. Vehicles operated by or under the control of the Bureau of Criminal Investigation and used for law enforcement purposes.
  - l. Vehicles operated by or under the Department of Health and Human Services in cases of emergencies.
  - m. Vehicles used or operated by governmental search and rescue personnel while performing emergency operations or duties. As used in this section, the term "search and rescue" means deployment, coordination, and use of available resources and personnel in locating, relieving the distress, and preserving the life of and removing an individual who is missing, trapped, or lost in the backcountry, remote areas, or waters of the State. The term "search and rescue" includes water and dive rescue.
- (2) The term "Class B authorized emergency vehicles" means wreckers and such other emergency vehicles as are authorized by the local authorities.
- (3) The term "Class C authorized emergency vehicles" means:
- a. Vehicles used by the State Division of Homeland Security or local division of emergency management organizations.
  - b. Vehicles used by volunteer firefighters while performing their assigned disaster and emergency responsibilities.
  - c. Vehicles, other than ambulances, used by emergency medical services personnel.
  - d. Vehicles used by volunteer search and rescue personnel if performing an emergency operation or duty upon the request of a state entity, political subdivision, or Part-Time Fire Department. A volunteer organization may classify a personal vehicle as a Class C emergency vehicle if needed to assist in a search and rescue operation in accordance with this definition. The term "search and rescue" means deployment, coordination, and use of available resources and personnel in locating, relieving the distress, and preserving the life of and removing an individual who is missing, trapped, or lost in the backcountry, remote areas, or waters of the State. The term "search and rescue" includes water and dive rescue.

*Bicycle* means every device propelled solely by human power upon which any person may ride, having two tandem wheels or two parallel wheels and one forward or rearward wheel. The term "bicycle" includes an electric bicycle and a multipassenger bicycle.

*Bus* means every motor vehicle designed for carrying more than ten passengers and used for the transportation of persons, and every motor vehicle, other than a taxicab, designated and used for the transportation of persons for compensation; provided, every motor vehicle designed for carrying not more than 15 persons and used for a ride-sharing arrangement, as defined in N.D.C.C. § 8-02-07, is not a bus.

*Business district* means the territory contiguous to a highway when 50 percent or more of the frontage thereon for distance of 300 feet (91.44 meters) or more is occupied by buildings in use for business.

*Commercial freighting* means the carriage of things, other than passengers, for hire; except, that the term "commercial freighting" shall not include:

- (1) The carriage of things other than passengers within the limits of the same City;
- (2) Carriage by local dray lines of baggage or goods to or from a railroad station from or to places in such City or in the immediate vicinity thereof, in the State, and not to exceed two miles (3.22 kilometers) from the corporate or recognized limits of the City; or
- (3) Hauling done by farmers for their neighbors in transporting agricultural products to or from market.

*Commercial passenger transportation* means the carriage of passengers for hire; except, that the term "commercial passenger transportation" shall not include:

- (1) The carriage of passengers within the limits of the City.
- (2) The carriage by local bus lines of passengers to or from a railroad station from or to places within any City or within two miles (3.22 kilometers) of the limits of the City.
- (3) The carriage of passengers under a ride-sharing arrangement, as defined in N.D.C.C. § 8-02-07.

*Commissioner* means the Director of the State Department of Transportation, acting directly or through authorized agents, as provided by N.D.C.C. § 24-02-01.3.

*Controlled-access highway* means every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

*Crosswalk* means that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or, in the absence of curbs, from the edges of the traversable roadway; or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

*Dealer* means every person, partnership or corporation engaged in the business of buying, selling or exchanging motor vehicles, or who advertises to the public as engaged in the buying, selling or exchanging of motor vehicles for resale. Any person, partnership, corporation or association doing business in several cities or in several locations within a City shall be considered a separate dealer in each such location.

*Department* means the State Department of Transportation as provided by N.D.C.C. § 24-02-01.1.

*Director* means the Director of the Department of Transportation of the State as provided by N.D.C.C. § 24-02-01.3.

*Driver* means every person who drives or is in actual physical control of a vehicle.

*Electric Bicycle* means a bicycle equipped with fully operable pedals, a saddle or seat for the rider, and an electric motor of seven hundred fifty (750) or fewer watts which meets the requirements of one (1) of the following three (3) classes:

Class 1 electric bicycle if the motor provides assistance only when the individual is pedaling and the motor ceases to provide assistance when a speed of twenty (20) miles per hour is achieved.

Class 2 electric bicycle if the motor is capable of propelling the bicycle without the individual pedaling and the motor ceases to provide assistance when a speed of twenty (20) miles per hour is achieved.

Class 3 electric bicycle if the motor provides assistance only when the individual is pedaling and the motor ceases to provide assistance when a speed of twenty-eight (28) miles per hour is achieved.

*Essential parts* means all integral and body parts of a vehicle of a type required to be registered under State law, the removal, alteration, or substitution of which would tend to conceal the identity of the vehicle or substantially alter its appearance, model, type, or mode of operation and includes all integral parts and body parts, the removal, alteration, or substitution of which will tend to conceal the identity or substantially alter the appearance of the vehicle.

*Explosive* means any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustible units or other ingredients in such proportions, quantities or packing that an ignition by fire, by friction, by concussion, by percussion or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or by destroying life or limb.

*Farm tractor* means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry.

*Farm trailer* means those trailers and semitrailers towed by a bona fide resident farmer hauling the farmer's own agricultural, horticultural, dairy and other farm products if the gross weight, not including the towing vehicle, does not exceed 24,000 pounds (10,886.22 kilograms).

*Flammable liquid* means any liquid which has a flash point of 70 degrees Fahrenheit (21.11 degrees Celsius) or less, as determined by a Tagliabue or equivalent closed-cup test device.

*Gross weight* means the weight of a vehicle without load, plus the weight of any load thereon.

*Guest* means a person who accepts a ride in any vehicle without giving compensation therefor.

*Highway* means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for the purposes of vehicular travel and of every way privately maintained within a mobile home park, trailer park or campground containing five or more lots for occupancy by mobile homes, travel trailers or tents when any part thereof is open for the purposes of vehicular travel.

*House car or motor home* means a motor vehicle which has been reconstructed or manufactured primarily for private use as a temporary or recreational dwelling and having at least four of the following permanently installed systems:

- (1) Cooking facilities.
- (2) Icebox or mechanical refrigerator.

- (3) Potable water supply including plumbing and a sink with faucet either self-contained or with connections for an external source, or both.
- (4) Self-contained toilet or a toilet connected to a plumbing system with connection for external water disposal, or both.
- (5) Heating or air-conditioning system, or both, separate from the vehicle engine or the vehicle engine electrical system.
- (6) A 110—115 volt alternating current electrical system separate from the vehicle engine electrical system either with its own power supply or with a connection for an external source, or both, or a liquefied petroleum system and supply.

*Implement of husbandry* means every vehicle designed and adopted exclusively for agricultural, horticultural or livestock raising operations or for lifting or carrying an implement of husbandry and, in either case, not subject to registration if used upon the highway.

*Intersection* means the area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. Where a highway includes two roadways 30 feet (9.14 meters) or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways 30 feet (9.14 meters) or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

*Intoxicating liquor* means any beverage containing alcohol.

*Judgment* means any judgment which shall have become final by expiration without appeal of the time within which an appeal might have been perfected, or by final affirmation on appeal, rendered by a court of competent jurisdiction of any state of the United States, upon a cause of action arising out of ownership, maintenance or use of any motor vehicle, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, or upon a cause of action on an agreement of settlement for such damages.

*Legal owner* means a person who holds the legal title to a vehicle.

*Lienholder* means a person holding a security interest in a vehicle.

*Local authorities* means every County, municipal and other local board or body having authority to adopt local police regulations under the constitution and laws of the State.

*Mail* means to deposit mail properly addressed and with postage prepaid with the United States Postal Service.

*Manufacturer* means any person who manufactures, assembles or imports and sells new motor vehicles to new motor vehicle dealers for resale in the state; but such term shall not include a person who assembles or specifically builds interior equipment on a completed vehicle supplied by another manufacturer, distributor or supplier.

*Metal tires* means all tires the surface of which in contact with the highway is wholly or partly of metal or other hard, nonresilient material; except, that this definition shall not apply to pneumatic tires.

*Motor vehicle* means and includes every vehicle that is self-propelled, every vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, and, for the purposes of motor vehicle registration, title registration, and operator's licenses, motorized bicycles. The term "motor vehicle" does not include a snowmobile, as defined in N.D.C.C. § 39-24-01, an electric bicycle, or a multipassenger bicycle.

*Motorcycle* means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, **regardless of the engine components (electric, gas, etc.), but excluding implements of husbandry. The term "motorcycle" does not include an electric bicycle as defined.**

*Motorized bicycle* means a vehicle equipped with two or three wheels, foot pedals to permit muscular propulsion, a power source providing up to a maximum of two brake horsepower having a maximum piston or motor displacement of 3.05 cubic inches (49.98 milliliters) if a combustion engine is used, which will propel the vehicle, unassisted, at a speed not to exceed 30 miles (48.38 kilometers) per hour on a level road surface, 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, and shall have a width no greater than 32 inches (81.28 centimeters). **Motorized bicycle equipped with two or three wheels, foot pedals to permit muscular propulsion, and an electric motor capable of power greater than 750 watts. The term "motorized bicycle" does not include an electric bicycle which meets class 1, 2, or 3 requirements stated in 58-1 electric bicycle.**

*Nonresident* means any person who is not a resident of the State.

*Nonresident's operating privilege* means the privilege conferred upon a nonresident by the laws of the State pertaining to the operation by such person of a motor vehicle, or the use of a vehicle owned by such person, in the State.

*Official traffic control devices* means all signs, signals, markings and devices not inconsistent with this chapter placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

*Operator* means every person who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle.

*Owner* means a person, other than a lienholder, having the property in or title to a vehicle. The term "owner" includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.

*Park* means when prohibited, the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

*Pedestrian* means any person afoot.

*Person* means every natural person, firm, copartnership, association or corporation.

*Pneumatic tires* means all tires inflated with compressed air.

*Pole trailer* means every vehicle without motive power designated to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly

shaped loads such as poles, pipes or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

*Police officer* means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

*Private road or driveway* means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

*Proof of financial responsibility* means proof of ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of such proof, arising out of the ownership, maintenance or use of a motor vehicle, in the amount of \$25,000.00 because of bodily injury to or death of one person in any one accident and, subject to such limit for one person, in the amount of \$50,000.00 because of bodily injury to or death of two or more persons in any one accident, and in the amount of \$10,000.00 because of injury to or destruction of property of others in any one accident.

*Railroad* means a carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

*Railroad sign or signal* means any sign, signal or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

*Reconstructed vehicle* means every vehicle of a type required to be registered hereunder materially altered from its original construction by the removal, addition or substitution of essential parts, new or used.

*Residence district* means territory contiguous to a highway not comprising a business district, when the frontage on such highway for a distance of 300 feet (91.44 meters) or more is occupied mainly by dwellings, or by dwellings and buildings in use for business.

*Right-of-way* means the privilege of the immediate use of a roadway.

*Road tractor* means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

*Roadway* means that portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

*Saddle mount* means placing the front wheels of the drawn vehicle upon the bed of the drawing vehicle.

*Safety zone* means the area or space officially set aside within a highway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set aside as a safety zone.

*Salvage certificate of title* means a document issued by the Department for the purposes of proof of ownership of a salvage or destroyed vehicle and not acceptable for motor vehicle registration purposes.

*School bus* means any motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or to or from school-related activities, or privately owned and operated for compensation for the transportation of children to or from school or to or from school-related activities.

*Semitrailer* means every vehicle of the trailer type so designed and used in conjunction with a truck or truck tractor that some part of its own weight and that of its own load rests upon or is carried by a truck or truck tractor; except, that it shall not include a house trailer or mobile home as defined in this section.

*Sidewalk* means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians.

*Solid tire* means every tire made of rubber or other resilient material other than a pneumatic tire.

*Specially constructed vehicle* means any vehicle which was not constructed originally under distinctive name, make, model or type by a generally recognized manufacturer of vehicles.

*Stand or standing* means the halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

*State* means a state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a province of the Dominion of Canada.

*Stop*, when required, means complete cessation from movement.

*Stop or stopping*, when prohibited, means any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

*Street* means the entire width between boundary lines of every way publicly maintained when any part thereof is open to the use of the public for the purposes of vehicular travel.

*Through highway* means every highway or portion thereof on which vehicular traffic is given preferential right-of-way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield right-of-way to vehicles on such through highway and in obedience to either a stop sign or yield sign, when such signs are erected by law.

*Trackless trolley coach* means every motor vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails.

*Traffic* means pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances either singly or together while using any highway for the purpose of travel.

*Traffic control signal* means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

*Trailer* means every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle; except, that it shall not include a house trailer or mobile home, which terms shall mean a vehicle as defined herein which is designed and intended for use as living or sleeping quarters for people and which is not used for commercial hauling of passengers.

*Truck* means every motor vehicle designed, used or maintained primarily for transportation of property.

*Truck tractor* means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

*Urban district* means the territory contiguous to and including any street which is built up with structures devoted to business, industry or dwelling houses situated at intervals of less than 100 feet (30.48 meters) for a distance of a quarter of a mile (402.34 meters) or more.

*Used vehicle* means a motor vehicle which has been sold, bargained, exchanged, given away or the title to which has been transferred to another by the person who first acquired it from the manufacturer or importer, dealer or agent of the manufacturer or importer.

*Vehicle* means every device in, upon or by which any person or property may be transported or drawn upon a public highway, except devices moved by human power or used exclusively upon stationary rails or tracks. The term "vehicle" does not include an electric bicycle.

(Code 1993, § 23.04.010; Ord. No. 866, § 1; Ord. No. 1002, § 1)

**Section 2:** Section 58-458 is hereby amended and re-enacted as follows:

**Sec. 58-458. Prohibited operation.**

No person shall operate a motorized skateboard, motorized scooter or an electric bicycle:

- (1) On any sidewalk in the City, except for use in crossing such sidewalk by the most direct route to gain access to any public or private road or driveway **when operating at a speed 15 miles per hour or more. Any operation under 15 miles per hour is permitted.**
- (2) In any City parking structure or City park, except for use on public roadways or designated community paths or trails within such park;
- (3) On any public property that has been posted or designed by the owner of such property as an area prohibiting skateboards;
- (4) On any public roadway consisting of a total of four or more marked traffic lanes, or having an established speed limit of greater than 25 miles per hour; or
- (5) On any private property of another, or any public property which is not held open to the public for vehicle use, without the written permission of the owner, the person entitled to immediate possession of the property, or the authorized agent of either.

(Code 1993, § 23.46.040; Ord. No. 1281, § 1)

**Section 3:** Section 58-459 is hereby amended and re-enacted as follows:

**Sec. 58-459. General operating restrictions.**

- (a) No child under the age of 12 years shall operate a motorized skateboard, motorized scooter or an electric bicycle.

- (b) No person shall operate a motorized skateboard, motorized scooter or an electric bicycle in excess of the posted speed limit or at a speed greater than is reasonable and prudent under the circumstances then existing.
- (c) The operator of a motorized skateboard, motorized scooter, or an electric bicycle approaching a sidewalk, bicycle path, bicycle lane or multi-use path in order to cross such, shall yield the right-of-way to all other users.
- (d) Motorized skateboards, motorized scooters or electric bicycles may be operated on a path or lane that is designated as a bicycle path or lane by State or local authorities. However, motorized skateboard, motorized scooter and electric bicycle operators on said bicycle path or lane shall yield at all times to other users.
- (e) No operator shall allow passengers when the motorized skateboard, motorized scooter or electric bicycle is in operation or motion.
- (f) No person operating or riding upon a motorized skateboard, motorized scooter or an electric bicycle shall attach themselves in any manner to any other vehicle.
- (g) No person shall operate a motorized skateboard, motorized scooter or an electric bicycle while carrying any package, bundle or article which prevents the operator from keeping both hands upon the steering mechanism at all times.
- (h) No person, other than the owner, shall operate a motorized skateboard, motorized scooter or electric bicycle without the written permission of the owner.
- (i) No person shall operate a motorized skateboard, motorized scooter or electric bicycle that has been structurally altered from the original manufacturer's design.
- (j) No person shall operate a motorized skateboard, motorized scooter or an electric bicycle in a crosswalk.

(Code 1993, § 23.46.050; Ord. No. 1281, § 1)

**Section 4:** Section 58-460 is hereby amended and re-enacted as follows:

**Sec. 58-460. Operating restrictions on roadway.**

- (a) A person operating a motorized skateboard, motorized scooter or electric bicycle on a roadway at less than the normal speed of traffic, at the time and place and under the then existing conditions, shall ride as close as practicable to the right-hand curb or edge of the roadway, except under the following conditions and when the movement can be made safely:
  - (1) If overtaking and passing a bicycle or vehicle proceeding in the same direction;
  - (2) In preparing for a left turn at an intersection or into a private roadway or driveway;
  - (3) If reasonably necessary to avoid hazardous conditions ahead in the roadway; or
  - (4) If the lane in which the person is operating the motorized skateboard, motorized scooter or electric bicycle is too narrow for a motorized skateboard, motorized scooter, or an electric bicycle and a bicycle or another vehicle to travel safely side by side within the lane.

- (b) No operator of a motorized skateboard, motorized scooter or an electric bicycle shall transport extra fuel in a separate container or alter the fuel reservoir from the original manufacturer's design. This includes the prohibition of physically attaching fuel packs or containers to the operator's person.
- (c) Persons operating motorized skateboards, motorized scooters or an electric bicycle on the roadway shall not ride more than two abreast.

(Code 1993, § 23.46.060; Ord. No. 1281, § 1)

**Section 5:** Section 58-461 is hereby amended and re-enacted as follows:

**Sec. 58-461. Required safety equipment.**

- (a) No person shall operate a motorized skateboard, motorized scooter or an electric bicycle without a head lamp emitting a beam and a red rear reflector anytime from sunset to sunrise, or any other time when there is not sufficient light to render clearly discernible, persons or vehicles on the roadway.
  - (1) A head lamp shall emit a white light and be visible from the front at a distance no less than 500 feet;
  - (2) A rear red reflector shall be visible when illuminated by a vehicle head lamp from a distance of not less than 300 feet; and
  - (3) A rear red lamp visible from a distance of 500 feet to the rear may be used in addition to the rear red reflector.
- (b) No person shall operate a motorized skateboard, motorized scooter or an electric bicycle unless it is equipped with a brake which enables the operator to make braked wheels skid on pavement.
- (c) Any operator of a motorized skateboard, motorized scooter or electric bicycle under the age of 18 years being operated on a roadway shall at all times wear a protective helmet in an appropriate and safely secured manner. The helmet shall meet minimum standards of testing and safety inspected by the bicycle industry.
- (d) No person shall operate a motorized skateboard, motorized scooter or an electric bicycle without wearing footwear. The footwear must have a sole and completely cover the feet and toes.

(Code 1993, § 23.46.070; Ord. No. 1281, § 1)

**Section 6:** Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

**Section 7:** Severability. In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Chapter shall continue in full force and effect.

**Section 8:** Effective Date: This Ordinance shall be in full force and effect from and after final passage.

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Scott Decker, President  
Board of City Commissioners

ATTEST

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Dustin Dassinger, City Administrator

First Reading: \_\_\_\_\_, 2026

Second Reading: \_\_\_\_\_, 2026

Final Passage: \_\_\_\_\_, 2026