



Folsom City Council Staff Report

MEETING DATE:	9/8/2026
AGENDA SECTION:	New Business
SUBJECT:	Ordinance No. 1377 – An Ordinance of the City of Folsom Amending Chapter 10.40 “Use of Electric Assist Mobility Devices on Class I Trails” of the Folsom Municipal Code to Prohibit Unsafe Riding on the Class I Bicycle Path Network (Introduction and First Reading)
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council introduce and conduct the first reading of Ordinance No. 1377 – An Ordinance of the City of Folsom Amending Chapter 10.40 “Use of Electric Assist Mobility Devices on Class I Trails” of the Folsom Municipal Code to Prohibit Unsafe Riding on the Class I Bicycle Path Network

BACKGROUND / ISSUE

In 2013, Ordinance 1175 was adopted by the City Council, adding Chapter 10.40 “Use of Electric Assist Mobility Devices on Class I Bike Trails” to the Folsom Municipal Code. The intent was to regulate the safe use of electric-assist mobility devices on the City’s Class I trails. Since the adoption of that ordinance, the various types of electric conveyances have changed, and as a result, there have been updates to the California Vehicle Code (CVC) to reflect the different types and classifications of electric conveyances. Chapter 10.40 of the Folsom Municipal Code is in need of an update to align with the changes to the CVC.

Additionally, over the past five years, sales of electric conveyances have increased dramatically nationwide. These include e-bikes, e-scooters, e-motorcycles, and other single-rider electric devices, with 2 million units reportedly sold in 2025. The Police Department has experienced a significant rise in calls for service involving e-conveyance riders, particularly juveniles, on roadways, in City parks, and on bike paths. These calls often involve dangerous, threatening, or destructive behavior.

Despite ongoing engagement and education efforts by the Folsom Police Department, complaints and reports of unsafe riding and damage to City parks and trails from some e-conveyance users continue. Many cities across the state are implementing local ordinances to address improper riding behaviors and limit the use of e-bikes in city parks.

POLICY / RULE

Under Section 2.12 of the City Charter, amendments to the Folsom Municipal Code require review and approval by the City Council.

ANALYSIS

Staff proposes an amendment to Chapter 10.40 of the Folsom Municipal Code to better align with both the California Vehicle Code and the proposed new Chapter 10.44 of the Folsom Municipal Code that would be added as part of a separate ordinance under consideration by the City Council and as presented by the Police Department.

In drafting this ordinance amendment, we consulted with Police Department and Public Works Department staff, Folsom Cordova Unified School District, California State Parks, businesses, and a local nonprofit cycling organization. This collaboration helped ensure the ordinance is well-crafted and allows for safe, appropriate e-conveyance use by riders of all ages.

FINANCIAL IMPACT

This ordinance is expected to generate minimal revenue from fees and fines. Enforcement operational costs are already budgeted within normal personnel and equipment expenses.

ATTACHMENTS

- A. Ordinance No. 1377 - An Ordinance of the City of Folsom Amending Chapter 10.40 “Use of Electric Assist Mobility Devices on Class I Trails” of the Folsom Municipal Code to Prohibit Unsafe Riding on the Class I Bicycle Path Network (Mark Up)
- B. Ordinance No. 1377 - An Ordinance of the City of Folsom Amending Chapter 10.40 “Use of Electric Assist Mobility Devices on Class I Trails” of the Folsom Municipal Code to Prohibit Unsafe Riding on the Class I Bicycle Path Network (Clean Copy)

Submitted,

Kelly Gonzalez, Parks and Recreation Department Director

Attachment 1

ORDINANCE NO. ~~00000~~1377

AN ORDINANCE OF THE CITY OF FOLSOM AMENDING CHAPTER 10.40, "USE OF ELECTRIC ASSIST MOBILITY DEVICE ON CLASS I BIKE TRAILS" OF THE FOLSOM MUNICIPAL CODE TO PROHIBIT UNSAFE RIDING ON THE CLASS I BICYCLE PATH NETWORK

The City Council of the City of Folsom does hereby ~~amend~~ ordain as follows:

SECTION 1 PURPOSE

The purpose of this ordinance is to amend Chapter 10.40, "Use of Electric Assist Mobility Devices on Class I Bike Trails", of the Folsom Municipal Code to Prohibit Unsafe Riding on the Class I Bicycle Path Network.

SECTION 2 ~~AMENDED-AMENDMENT TO CODE~~

~~The~~ Folsom Municipal Code Chapter 10.40, "Use of Electric Assist Mobility Devices on Class I Bike Trails", is hereby amended to read as follows:

~~Strikethrough~~ = Code Deletion

Underline = Code Addition

Chapter 10.40

USE OF BICYCLES, ELECTRIC BICYCLES, MOTORIZED SCOOTERS, AND ELECTRIC ASSIST MOBILITY DEVICES ON CLASS I BIKE ~~PATHS~~ TRAILS

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Sections:

- 10.40.010 Purpose.
- 10.40.020 Definitions.
- 10.40.030 Authority to operate.
- 10.40.040 Use regulations.
- 10.40.050 Promulgation of rules and regulations – Prohibition of electric assist mobility devices.
- 10.40.060 Enforcement.

10.40.010 Purpose.

The purpose of this chapter is to regulate the use of ~~The city council finds and declares that the purpose of the ordinance codified in this chapter is to regulate the safe use of bicycles, electric bicycles, motorized scooters and certain electric assist mobility devices on the city's Class I bike paths trails in order to promote the public peace, health, welfare and safe enjoyment of the Class I bike paths trails by all users. The city council finds and declares that reasonable time, place and manner regulations are necessary as permitted by California Vehicle Code Section 21282 and similar provisions, in order to protect senior citizens, pedestrians, bicyclists and others using the city's Class I bike paths trails. This chapter is not intended to apply to or otherwise restrict "motorized~~

quadricycle,” “motorized tricycle” and “electric wheelchairs,” as defined in California Vehicle Code Section ~~407~~ and ~~407.5~~ or the Americans with Disabilities Act (ADA), utilized by persons who by reason of physical disability are otherwise unable to move about as a pedestrian. (Ord. 1175 § 2 (part), 2013)

10.40.020 Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

Bicycle. Means the same as defined in Vehicle Code Section 231, is a device upon which a person may ride, propelled exclusively by human power, except as provided in Section 312.5, through a belt, chain, or gears, and having one or more wheels. A person riding a bicycle is subject to the provisions of the California Vehicle Code specified in Sections 21200 and 21200.5. An electric bicycle is a bicycle.

Bicycle path. A “bicycle path” or “bike path” is a Class I bikeway, as defined in Section 890.4 (a) of the Streets and Highways Code and Section 231.5 of the California Vehicle Code (CVC); provides a completely separated right-of-way designated for the exclusive use of bicycles and pedestrians with crossflows by motorists minimized.

“Director.” ~~§~~ Shall mean the Director of Parks and Recreation Department of the city, or his/her designee.

~~“Electric assist mobility device” means any electrically driven motor device which assists mobility for individuals to which one or more wheels are attached. This definition includes electric personal assistive mobility device (Segway and similar devices), electric bicycle, and electric scooter as defined herein.~~

E-conveyance. Includes, but is not limited to any electrically motorized scooter, electrically motorized board, motorized bicycle or electric motorcycle which is propelled at least in part by electrical energy, or any other device propelled by an electric motor and designed to transport one or more people. E-conveyances do not include electric vehicles that are required to be registered with the California Department of Motor Vehicles under the California Vehicle Code.

Electric bicycle (e-bikes). Means the same as defined in Vehicle Code Section 312.5, as may be amended or superseded; ~~and which, as of the date of the adoption of this section, provides that an “electric bicycle,” or “e-bike”, is an e-bicycle equipped with fully operable pedals and an electric motor of less than 750 watts, and is categorized by the following:~~

~~1. —CLASS 1. An electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, that is not capable of exclusively propelling the bicycle, and that ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour, and that is not capable of providing assistance to reach speeds greater than 20 miles per hour.~~

2. ~~CLASS 2. An electric bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches a speed of 20 miles per hour.~~

3. ~~CLASS 3. An electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, that ceases to provide assistance when the bicycle reaches a speed of 28 miles per hour and is equipped with a speedometer.~~

“Electric personal assistive mobility device.” has the same definition as set forth in California Vehicle Code Section ~~313~~ as may be amended or superseded.

Electric scooter (e-scooter/motorized scooter). Means the same as defined in Vehicle Code Section 407.5, as may be amended or superseded, and which, as of the date of the adoption of this section, provides that a “motorized scooter” is any two-wheeled device that has handlebars, has either a floorboard that is designed to be stood upon when riding or a seat and footrests in place of the floorboard, and is powered by an electric motor. This device may also be designed to be powered by human propulsion. For purposes of this section, a motorcycle, as defined in Section 400, a motor-driven cycle, as defined in Section 405, or a motorized bicycle or moped, as defined in Section 406, is not a motorized scooter. A device meeting the definition in subdivision (a) that is powered by a source other than electrical power is also a motorized scooter.

Golf cart. Means the same as defined in Vehicle Code Section 345, as may be amended or superseded, is a motor vehicle having not less than three wheels in contact with the ground, having an unladen weight less than 1,300 pounds, which is designed to be and is operated at not more than 15 miles per hour and designed to carry golf equipment and not more than two persons, including the driver.

Motorized bicycle. Means the same as defined in Vehicle Code Section 406, as may be amended or superseded, and which, as of the date of the adoption of this section, provides that a “motorized bicycle” is any two-wheeled or three-wheeled device having fully operative pedals for propulsion by human power, or no pedals if powered solely by electrical energy, an automatic transmission, and a motor which produces less than four gross brake horsepower and is capable of propelling the device at a maximum speed of not more than 30 miles per hour on level ground.

“Electric bicycle” (E-bike) has the same definition as set forth in California Vehicle Code Section ~~406(b)~~ as “motorized bicycle.”

“Electric scooter” (E-scooter/motorized scooters) has the same definition as set forth in California Vehicle Code Section ~~407.5~~ as “motorized scooter” that is powered by an electric motor or human propulsion. For purpose of this title, “electric scooter” does not include a device powered by gasoline. (Ord. 1175 § 2 (part), 2013)

10.40.30 Authority to operate.

~~A. Bicycles, electric bicycles, electric scooter and E~~ electric personal assistive mobility devices may be operated on Class I bike ~~paths~~ trail within the city's boundaries.

~~B. Motorized bicycles and golf carts are prohibited from operating on Class I bike paths within the city's boundaries~~

~~B. Electric bicycles with a license plate required under California Vehicle Code Section 5030 may be operated on a Class I bike path~~ trail within the city's boundaries, subject to the regulations, restrictions and prohibitions set forth in this chapter and Chapter ~~10.24~~.

~~C. Electric scooters may be operated on a Class I bike path~~ trail within the city's boundaries, subject to the regulations set forth in Articles 5 and 6 of Chapter 1, Division 11 of the California Vehicle Code (Section ~~21220~~ et seq.) and the regulations, restrictions and prohibitions set forth in this chapter.

C. Appropriate ~~educational~~ signage shall be posted on the Class I bike ~~paths~~ trail that notifies the public of the permissible use of ~~bicycles, electric bicycles, electric scooters and~~ electric assist mobility device pursuant to this chapter. (~~Ord. 1175 § 2 (part), 2013~~)

10.40.040 Use regulations.

A. ~~Except as otherwise provided in this chapter, E~~every person riding a bicycle, electric bicycle, electric scooter, or electric assist mobility devices on a Class I bike path shall be granted all of the rights, and shall be subject to all of the duties, applicable to them under the California Vehicle Code and the Folsom Municipal Code.

B. It shall be unlawful and a violation of this chapter for any person to operate a bicycle, electric bicycle, electric scooter, or electric assist mobility device in an unsafe manner on any Class I bike path. Operating a bicycle, electric bicycle, electric scooter, or electric assist mobility device in an unsafe manner includes, but is not limited to, any one or more of the following:

1. Violating any provision of the Folsom Municipal Code, including ~~Chapter~~ Section 10.44.040.

~~2., : Applicability of Traffic Laws and Unlawful Operation, Violating any provision of the California Vehicle Code.~~

~~or other existing laws.~~

~~23 A.~~ Bicycles, electric bicycles, electric scooters and ~~E~~electric personal assistive mobility devices shall be operated only on paved portions of the ~~Class I bike paths~~ trail and shall not ~~deviate~~ operate, except in an emergency, on ~~to any~~ unpaved areas ~~s of the any bike paths~~ trail.

~~3 B.~~ Operate a bicycle, electric bicycle, electric scooter or electric assist mobility device ~~electric scooter at with~~ a speed ~~limit~~ in excess of fifteen (15) miles per hour on Class I bike

path. The California Vehicle Code Article 5 Operation of Motorized Scooters Section 21235, The operator of an motorized electric scooter on the city's Glass I bike trail shall not do any of the following:

1. ~~Operate an electric scooter unless it is equipped with a brake that will enable the operator to make a braked wheel skid on dry, level, clean pavement.~~
2. ~~Operate an electric scooter with a speed limit in excess of fifteen miles per hour.~~
3. ~~Operate an electric scooter without wearing, at a minimum, a properly fitted and fastened bicycle helmet that meets the standards described in California Vehicle Code Section 21212.~~
4. ~~Operate an electric scooter without a valid driver's license or instruction permit as required by California Vehicle Code Section 21235.~~
5. ~~Operate an electric scooter with any passengers in addition to the operator.~~
6. ~~Operate an electric scooter carrying any package, bundle, or article that prevents the operator from keeping at least one hand upon the handlebars.~~
7. ~~Operate an electric scooter upon a sidewalk, except as may be necessary to enter or leave adjacent property.~~
8. ~~Operate an electric scooter with the handlebars raised so that the operator must elevate his or her hands above the level of his or her shoulders in order to grasp the normal steering grip area.~~
9. ~~Leave an electric scooter lying on its side on the bike trail, or park an electric scooter on a bike trail in any other position, so that there is not an adequate path for pedestrian or bicycle traffic.~~
10. ~~Towing by any means or any person on a skateboard, skates, scooter, bicycle or other wheeled device, vehicle or another electric assist mobility device. (Ord. 1175 § 2 (part), 2013)~~

4. Operating a bicycle, electric bicycle, electric scooter or electric assist mobility device in a manner it was not designed for, including carrying passengers when not intended for carrying passengers and carrying more passengers than the number for which the device is designed and equipped.

5. Not obeying posted signs, signals, or markings.

6. Riding a bicycle, electric bicycle, electric scooter or electric assist mobility device without a properly fitted and fastened helmet if the rider is under 18 years of age.

7. Attempting to perform any acrobatic trick or stunt on Class I bike path, adjacent open space, or landscaping.

8. Operating a bicycle, electric bicycle, electric scooter or electric assist mobility device in any manner that endangers the operator, passengers, other riders, pedestrians, animals, or property.

9. Operating upon any public open space, drainage facility, culvert, ditch, or channel.

10. Failing to yield to pedestrians.

11. Operating while failing to yield the right-of-way to any and all pedestrians or electric assist mobility device users.

12. Operating upon any unpaved hiking, equestrian, or walking trail, other than designated Class I bicycle paths, ~~unless permitted by the Folsom Municipal Code or by any other provision of law~~ unless signage at the site states that operation of e-bicycles and/or e-conveyances is specifically authorized.

13. Operating a bicycle, electric bicycle, electric scooter or electric assist mobility device while holding and operating a handheld wireless telephone or an electronic wireless communications device unless the wireless telephone or electronic wireless communications device is specifically designed and configured to allow voice-operated and hands-free operation, and it is used in that manner while riding.

10.40.050 Promulgation of rules and regulations – Prohibition of electric assist mobility devices.

- A. The director may promulgate reasonable rules and policies pertaining to the use of bicycles, electric bicycles, electric conveyances, and electric assist mobility devices on the city's Class I bike trail for purpose of maintaining the safe enjoyment of the bike trail by all users.
- B. Notwithstanding any provision to the contrary, the director may restrict or prohibit the use of any bicycles, electric bicycles, electric conveyances, and electric assist mobility device anywhere on the city's Class I bike trails whenever it is determined in the director's discretion that such prohibition is necessary for the protection of public property, for public safety, or when such use is inconsistent with the safe use of the trails by pedestrians and/or bicyclists. Notice of prohibition or restriction, including the location and the duration, shall be posted as quickly as practicable at the affected location on the Class I bike trail within the city's boundaries. ~~(Ord. 1175 § 2 (part), 2013)~~

10.40.060 Enforcement.

~~A. Parental responsibility. See Chapter 10.44 Section 10.44.030.~~

~~B. Penalties. See Chapter 10.44 Section 10.44.030.~~

~~A. Violations of this chapter shall constitute infractions. Violation not abated at the end of the day shall constitute a new violation on the following day. In addition to all other remedies at law or in equity, violations may be punishable by a fine not exceeding fifty dollars for the first violation; a fine not exceeding one hundred dollars for a second violation of the same provision within one year; and a fine not exceeding five hundred dollars for each additional violation of the same provision within one year.~~

~~B. Violations of this chapter may also be enforced pursuant to the provisions of Chapter 1.09. Notwithstanding other provisions of Chapter 1.09, no notice to correct as provided therein shall be required prior to issuance of a notice of violation and imposition of administrative penalties.~~

~~C. The remedies set forth in this chapter are cumulative to any other remedy available to the city. Pursuit of one remedy shall not preclude any other remedy, and nothing contained in this chapter shall limit or be deemed to prevent the city from pursuing any other remedy available to the city under the Folsom Municipal Code or other applicable law.~~

~~D. In addition to the sanctions set forth herein, the chief of police or his/her designee, the director or his/her designee, or any other city employees authorized to enforce the provisions of this chapter shall have the right to:~~

~~1. Impound for a period not to exceed fourteen calendar days any electric assist mobility devices which are being used or operated while the operator is intoxicated or under the influence of alcohol or drugs, or if further operation of the device by the operator would pose a significant danger to the public.~~

~~2. Any combination of allowed sanctions and penalties which the enforcement authority deems appropriate under the circumstances. (Ord. 1175 § 2 (part), 2013)~~

A. Administrative enforcement. A violation of this chapter is designated as an administrative violation subject to enforcement pursuant to the provisions of Chapter 1.09. A violation of this chapter is designated as a Level A violation, as that term is described in Section 1.09.012. The monetary sanction levied for a violation of this chapter shall be \$50 for a first violation, \$100 for a second violation of any provision of this chapter within one year, and \$500 for each additional violation of any provision of this chapter within one year.

B. Parent/Guardian Liability. Whenever a person charged with violation of this chapter is under the age of 18, the enforcement authority shall provide copies of all notices and orders specified in Title 1 to that person's parent(s) and/or legal guardian. The parent(s) and/or legal guardian of a minor who is charged with a violation of this chapter is a responsible person for purposes of any administrative sanction levied under Chapter 1.09. Any administrative sanction

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levied for violation of this chapter may be levied against the minor and the parent(s) and/or legal guardian of the minor. The parent(s) and/or legal guardian shall have the right to a hearing and judicial review as set forth in Chapter 1.09. In the event of a conflict between the terms of this section and Section 1.09.028, the terms of this section shall control.

C. Violation as an Infraction. Violation of this chapter is an infraction, punishable by a fine not exceeding \$50 for a first violation, \$100 for a second violation of any provision of this chapter within one year, and \$500 for each additional violation of any provision of this chapter within one year. A minor's parent(s) and/or legal guardian is not subject to criminal liability under this subsection.

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D. Remedies Cumulative. The remedies and penalties provided for violation of this chapter are cumulative, alternative, and nonexclusive. The use of one does not prevent the use of any other criminal, civil, or administrative remedy or penalty authorized by or set forth in the Folsom Municipal Code. None of the penalties or remedies authorized by or set forth in the Folsom Municipal Code shall prevent the city from using any other penalty or remedy under state law that may be available to enforce this chapter or to abate a public nuisance.

E. Separate violations. Where multiple violations have occurred or are occurring, each separate act in violation of this chapter constitutes a separate violation and shall be subject to a separate sanction.

F. Enforcement. The police chief or designee shall enforce the provisions of this chapter.

SECTION 3 SCOPE

Except as set forth in this ordinance, all other provisions of the Folsom Municipal Code shall remain in full force and effect.

SECTION 4 SEVERABILITY

If any section, subsection, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council declares that it would have passed each section irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared unconstitutional, invalid, or ineffective.

SECTION 5 NO MANDATORY DUTY

This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 6 EFFECTIVE DATE

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This ordinance shall become effective thirty (30) days from and after its passage and adoption, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City.

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on September 8, 2026, and the second reading occurred at the regular meeting of the City Council on _____, 2026.

On a motion by Councilmember _____ seconded by Councilmember _____, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this ____ day of _____, 2026, by the following roll-call vote:

AYES:	Councilmember(s):
NOES:	Councilmember(s):
ABSENT:	Councilmember(s):
ABSTAIN:	Councilmember(s):

Justin Raithel, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

Attachment 2

ORDINANCE NO. 1377

AN ORDINANCE OF THE CITY OF FOLSOM AMENDING CHAPTER 10.40, “USE OF ELECTRIC ASSIST MOBILITY DEVICE ON CLASS I BIKE TRAILS” OF THE FOLSOM MUNICIPAL CODE TO PROHIBIT UNSAFE RIDING ON THE CLASS I BICYCLE PATH NETWORK

The City Council of the City of Folsom does hereby amend as follows:

SECTION 1 PURPOSE

The purpose of this ordinance is to amend Chapter 10.40, “Use of Electric Assist Mobility Devices on Class I Bike Trails”, of the Folsom Municipal Code to Prohibit Unsafe Riding on the Class I Bicycle Path Network.

SECTION 2 AMENDED TO CODE

The Folsom Municipal Code Chapter 10.40, “Use of Electric Assist Mobility Devices on Class I Bike Trails”, is hereby amended to read as follows:

Chapter 10.40

USE OF BICYCLES, ELECTRIC BICYCLES, MOTORIZED SCOOTERS, AND ELECTRIC ASSIST MOBILITY-DEVICES ON CLASS I BIKE PATHS

Sections:

- 10.40.010 Purpose.
- 10.40.020 Definitions.
- 10.40.030 Authority to operate.
- 10.40.040 Use regulations.
- 10.40.050 Promulgation of rules and regulations – Prohibition of electric assist mobility devices.
- 10.40.060 Enforcement.

10.40.010 Purpose.

This chapter shall apply to the use of bicycles, electric bicycles, motorized scooters and electric assist mobility devices on the city’s Class I bike paths in order to promote the public peace, health, welfare and safe enjoyment of the Class I bike paths by all users. The city finds that reasonable time, place and manner regulations are necessary as permitted by California Vehicle Code in order to protect senior citizens, pedestrians, bicyclists and others using the city’s Class I bike paths. This chapter is not intended to apply to or otherwise restrict “motorized quadricycle,” “motorized tricycle” and “electric wheelchairs,” as defined in California Vehicle Code Section 407 and 407.5 or the Americans with Disabilities Act (ADA), utilized by persons who by reason of physical disability are otherwise unable to move about as a pedestrian. (Ord. 1175 § 2 (part), 2013)

10.40.020 Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

Bicycle. Means the same as defined in Vehicle Code Section 231, is a device upon which a person may ride, propelled exclusively by human power, except as provided in Section 312.5, through a belt, chain, or gears, and having one or more wheels. A person riding a bicycle is subject to the provisions of the California Vehicle Code specified in Sections 21200 and 21200.5. An electric bicycle is a bicycle.

Bicycle path. A “bicycle path” or “bike path” is a Class I bikeway, as defined in Section 890.4 (a) of the Streets and Highways Code and Section 231.5 of the California Vehicle Code (CVC): provides a completely separated right-of-way designated for the exclusive use of bicycles and pedestrians with crossflows by motorists minimized.

Director. Shall mean the Director of Parks and Recreation Department of the city, or his/her designee.

E-conveyance. Includes, but is not limited to any electrically motorized scooter, electrically motorized board, motorized bicycle, or electric motorcycle which is propelled at least in part by electrical energy, or any other device propelled by an electric motor and designed to transport one or more people. E-conveyances do not include electric vehicles that are required to be registered with the California Department of Motor Vehicles under the California Vehicle Code.

Electric bicycle (e-bikes). Means the same as defined in Vehicle Code Section 312.5, as may be amended or superseded, and which, as of the date of the adoption of this section, provides that an "electric bicycle," or "e-bike", is an e-bicycle equipped with fully operable pedals and an electric motor of less than 750 watts, and is categorized by the following:

1. CLASS 1. An electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, that is not capable of exclusively propelling the bicycle, and that ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour, and that is not capable of providing assistance to reach speeds greater than 20 miles per hour.
2. CLASS 2. An electric bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches a speed of 20 miles per hour.
3. CLASS 3. An electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, that ceases to provide assistance when the bicycle reaches a speed of 28 miles per hour, and is equipped with a speedometer.

Electric personal assistive mobility device. has the same definition as set forth in California Vehicle Code Section 313.

Electric scooter (e-scooter/motorized scooter). Means the same as defined in Vehicle Code Section 407.5, as may be amended or superseded, and which, as of the date of the adoption of this section, provides that a "motorized scooter" is any two-wheeled device that has handlebars, has either a floorboard that is designed to be stood upon when riding or a seat and footrests in place of the floorboard, and is powered by an electric motor. This device may also be designed to be powered by human propulsion. For purposes of this section, a motorcycle, as defined in Section 400, a motor-driven cycle, as defined in Section 405, or a motorized bicycle or moped, as defined in Section 406, is not a motorized scooter. A device meeting the definition in subdivision (a) that is powered by a source other than electrical power is also a motorized scooter.

Golf cart. Means the same as defined in Vehicle Code Section 345, is a motor vehicle having not less than three wheels in contact with the ground, having an unladen weight less than 1,300 pounds, which is designed to be and is operated at not more than 15 miles per hour and designed to carry golf equipment and not more than two persons, including the driver.

Motorized bicycle. Means the same as defined in Vehicle Code Section 406, as may be amended or superseded, and which, as of the date of the adoption of this section, provides that a "motorized bicycle" is any two-wheeled or three-wheeled device having fully operative pedals for propulsion by human power, or no pedals if powered solely by electrical energy, an automatic transmission, and a motor which produces less than four gross brake horsepower and is capable of propelling the device at a maximum speed of not more than 30 miles per hour on level ground.

10.40.30 Authority to operate.

A. Bicycles, electric bicycles, electric scooter and E electric personal assistive mobility devices may be operated on Class I bike paths within the city's boundaries.

B. Motorized bicycles and golf carts are prohibited from operating on Class I bike paths within the city's boundaries

C. Appropriate signage shall be posted on the Class I bike paths that notifies the public of the permissible use of bicycles, electric bicycles, electric scooters, and electric assist mobility device pursuant to this chapter.

10.40.040 Use regulations.

A. Every person riding a bicycle, electric bicycle, electric scooter, or electric assist mobility devices on a Class I bike path shall be granted all of the rights, and shall be subject to all of the duties, applicable to them under the California Vehicle Code and the Folsom Municipal Code.

B. It shall be unlawful and a violation of this chapter for any person to operate a bicycle, electric bicycle, electric scooter, or electric assist mobility device in an unsafe manner on any Class I bike path. Operating a bicycle, electric bicycle, electric scooter, or electric assist mobility device in an unsafe manner includes, but is not limited to, any one or more of the following:

1. Violating any provision of the Folsom Municipal Code, including Chapter 10.44.040: Applicability of Traffic Laws and Unlawful Operation, the California Vehicle Code, or other existing laws.
2. Bicycles, electric bicycles, electric scooters, and electric personal assistive mobility devices shall be operated only on paved portions of the Class I bike paths and shall not deviate, except in an emergency, onto unpaved areas of the bike paths.
3. Operate a bicycle, electric bicycle, electric scooter, or electric assist mobility device with a speed limit in excess of fifteen (15) miles per hour on Class I bike paths.
4. Operating a bicycle, electric bicycle, electric scooter, or electric assist mobility device in a manner it was not designed for, including carrying passengers when not intended for carrying passengers and carrying more passengers than the number for which the device is designed and equipped.
5. Not obeying posted signs, signals, or markings.
6. Riding a bicycle, electric bicycle, electric scooter, or electric assist mobility device without a properly fitted and fastened helmet if the rider is under 18 years of age.
7. Attempting to perform any acrobatic trick or stunt on Class I bike path, adjacent open space, or landscaping.
8. Operating a bicycle, electric bicycle, electric scooter, or electric assist mobility device in any manner that endangers the operator, passengers, other riders, pedestrians, animals, or property.
9. Operating upon any public open space, drainage facility, culvert, ditch, or channel.
10. Failing to yield to pedestrians.
11. Operating while failing to yield the right-of-way to any and all pedestrians or electric assist mobility device users.
12. Operating upon any unpaved hiking, equestrian, or walking trail, other than designated Class I bicycle paths, unless permitted by the Folsom Municipal Code or by any other provision of law.
13. Operating a bicycle, electric bicycle, electric scooter, or electric assist mobility device while holding and operating a handheld wireless telephone or an electronic

wireless communications device unless the wireless telephone or electronic wireless communications device is specifically designed and configured to allow voice-operated and hands-free operation, and it is used in that manner while riding.

10.40.050 Promulgation of rules and regulations – Prohibition of electric assist mobility devices.

- A. The director may promulgate reasonable rules and policies pertaining to the use of bicycles, electric bicycles, electric conveyances, and electric assist mobility devices on the city's Class I bike trail for purpose of maintaining the safe enjoyment of the bike trail by all users.
- B. Notwithstanding any provision to the contrary, the director may restrict or prohibit the use of any bicycles, electric bicycles, electric conveyances, and electric assist mobility device anywhere on the city's Class I bike trails whenever it is determined in the director's discretion that such prohibition is necessary for the protection of public property, for public safety, or when such use is inconsistent with the safe use of the trails by pedestrians and/or bicyclists. Notice of prohibition or restriction, including the location and the duration, shall be posted as quickly as practicable at the affected location on the Class I bike trail within the city's boundaries. ~~(Ord. 1175 § 2 (part), 2013)~~

10.40.060 Enforcement.

- A. Parental responsibility. See Chapter 10.44 Section 10.44.030.
- B. Penalties. See Chapter 10.44 Section 10.44.030.

SECTION 3 SCOPE

Except as set forth in this ordinance, all other provisions of the Folsom Municipal Code shall remain in full force and effect.

SECTION 4 SEVERABILITY

If any section, subsection, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council declares that it would have passed each section irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be declared unconstitutional, invalid, or ineffective.

SECTION 5 NO MANDATORY DUTY

This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care

towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

This ordinance shall become effective thirty (30) days from and after its passage and adoption, provided it is published in full or in summary within twenty (20) days after its adoption in a newspaper of general circulation in the City.

This ordinance was introduced and the title thereof read at the regular meeting of the City Council on September 8, 2026, and the second reading occurred at the regular meeting of the City Council on _____, 2026.

On a motion by Councilmember _____ seconded by Councilmember _____, the foregoing ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this ____ day of _____, 2026, by the following roll-call vote:

AYES:	Councilmember(s):
NOES:	Councilmember(s):
ABSENT:	Councilmember(s):
ABSTAIN:	Councilmember(s):

Justin Raithel, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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to facilitate double-sided printing
and minimize paper use.*



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DISTINCTIVE BY NATURE