ORDINANCE NO. 2026-07

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF FROSTBURG, MARYLAND ENTITLED "AN ORDINANCE TO ESTABLISH LEGISLATION PERTAINING TO THE OPERATION OF BICYCLES, RECREATIONAL CONVEYANCES, AND PERSONAL DELIVERY DEVICES."

WHEREAS, the City Code does not include provisions regulating the operation of bicycles, recreational conveyances, and personal delivery devices.

WHEREAS, the prevalence of electric bicycles, electric boards, electric skateboards, and electric low-speed scooters has highlighted the need for such regulations.

WHEREAS, the purpose of this Ordinance is to establish regulations governing the safe operation of such vehicles to protect the safety of their operators and the safety of the public at large.

NOW, THEREFORE:

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF FROSTBURG, MARYLAND, that Section 2-12 of the City Code is renumbered as Section 2-13.

SECTION 2: BE IT FURTHER ORDAINED, that Section 2-12 of the City Code is hereby enacted to read as set forth in Exhibit A attached hereto and incorporated by reference herein.

SECTION 3: BE IT FURTHER ORDAINED, that this Ordinance shall take effect twenty (20) days from the date of its passage.

THE MAYOR AND CITY COUNCIL OF FROSTBURG

By:_____
Todd Logsdon, Mayor

ATTEST:

_____
Patrick O'Brien, City Administrator

Introduced:
Public Hearing:
Adopted:
Effective:

EXHIBIT A

Section 2.12. Bicycles, recreational conveyances, and personal delivery devices.

(a) Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, unless the context clearly indicates a different meaning:

Bicycle has the meaning assigned to it in Md. Transp. Code Ann. § 11-104, as amended from time to time. The definition in effect as of September 1, 2026, is as follows:

"Bicycle" means:

(1) A vehicle that:

(i) Is designed to be operated by human power;

(ii) Has two (2) or three (3) wheels, of which one is more than 14 inches in diameter; and

(iii) Has a drive mechanism other than by pedals directly attached to a drive wheel;

(2) An electric or powered bicycle;

(3) A moped; or

(4) An electric low speed scooter.

Caster board means a human-powered wheeled device consisting of two narrow platforms connected by a flexible or torsional member and mounted on two independently swiveling wheels, designed to be stood upon and propelled by the operator's side-to-side motion, and not equipped with a motor, pedals, handlebars, or a seat.

Electric bicycle has the meaning assigned to it in Md. Transp. Code Ann. § 11-117.1, as amended from time to time. The definition in effect as of September 1, 2026, is as follows:

(a) "Electric bicycle" means a vehicle that:

(1) Is designed to be operated by human power with the assistance of an electric motor;

(2) Is equipped with fully operable pedals;

(3) Has two or three wheels;

(4) Has a motor with a rating of 750 watts or less; and

(5) Meets one of the requirements of subsection (b) of this section.

(b)

(1) A Class 1 electric bicycle is equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour.

(2) A Class 2 electric bicycle is equipped with a motor that provides assistance whether or not the rider is pedaling the bicycle and ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour.

(3) A Class 3 electric bicycle is equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches a speed of 28 miles per hour.

Electric Board means a personal transportation device designed for use by a single rider, powered by an electric motor, lacking handlebars, pedals, and a seat, and intended to be stood upon during operation, including hoverboards, electric skateboards, and similar devices, regardless of the number of wheels or the method of balance. A device shall be deemed an electric board regardless of whether it is marketed as a toy, recreational device, or personal transportation device. The term electric board does not include any other recreational conveyance.

Electric low speed scooter has the meaning assigned to it in Md. Transp. Code Ann. § 11-117.2, as amended from time to time. The definition in effect as of September 1, 2026, is as follows:

(a) "Electric low speed scooter" means a vehicle that:

(1) Is designed to transport only the operator;

(2) Weighs less than 100 pounds;

(3) Has single wheels in tandem or a combination of one or two wheels at the front and rear of the vehicle;

(4) Is equipped with handlebars and a platform designed to be stood on while riding;

(5) Is solely powered by an electric motor and human power; and

(6) Is capable of operating at a speed of up to 20 miles per hour.

(b) "Electric low speed scooter" does not include:

(1) An electric personal assistive mobility device; or

(2) An electric wheelchair or other mobility aid used by a disabled individual.

Highway means the entire width between the boundary lines of any street, alley, or thoroughfare, any part of which is used by the public for vehicular travel, whether or not the way or thoroughfare has been dedicated to the public and accepted by any proper authority.

Play vehicle means a vehicle that:

(1) Is typically designed for recreational use, low speed operation and use by children;

(2) Has two or more wheels;

(3) Is propelled only by human power;

(4) Is not a recreational conveyance; and

(5) Is not designed or intended for highway travel.

Examples of play vehicles include wagons, toy cars, ride-on toys, tricycles, and Big Wheel-style ride-on toys.

Recreational conveyances means bicycles, electric bicycles, unicycles (powered and unpowered), electric boards, scooters, electric low-speed scooters, skateboards, caster boards, roller skates, inline skates, and similar unregistered modes of conveyance used for recreational purposes.

Scooter means a two-wheeled non-motorized vehicle with handles that is designed to be stood upon by the operator.

Skateboard means a device consisting of a flat board mounted on wheels, designed to be stood upon and propelled by human power or by an electric motor, including traditional skateboards, longboards, and electric skateboards.

Personal delivery device has the meaning assigned to it in Md. Transp. Code Ann. § 21-104.3, as amended from time to time. The definition in effect as of September 1, 2026, is as follows:

> A powered device that:
>
> (i) Is operated primarily on shoulders, sidewalks, and crosswalks;
>
> (ii) Is intended for the transport of property on public rights-of-way;
>
> (iii) Weighs not more than 550 pounds, excluding cargo; and
>
> (iv) Is capable of navigating with or without the active control or monitoring of an individual.

(b) State law.

Subtitle 12 of Title 21 of the Transportation Article of the Annotated Code of Maryland includes State laws governing the operation of bicycles, unicycles and play vehicles. This article is intended to establish safety standards that are in addition to and/or more restrictive than State law.

(c) Trick riding.

No person shall, while operating a recreational conveyance, engage in any form of trick riding on any highway sidewalk, or other public property.

(d) Use of recreational vehicles – prohibitions and limitations.

(1) *Purpose.* The purpose of this section is to establish prohibitions and limitations on the use of recreational conveyances on City sidewalks.

(2) *Prohibitions*. The operation of recreational conveyances on City sidewalks is subject to the following prohibitions.

(i) Recreational conveyances with motors may not be operated on sidewalks. If a recreational conveyance has a motor, its rider must dismount before crossing or otherwise traveling on a sidewalk.

(ii) Recreational conveyances may not be operated in City-owned garages or City-owned parking lots.

(iii)Recreational conveyances may not be operated on sidewalks along (1) Main Street from Water Street to Bowery Street, (2) Water Street from Ormand Street to Main Street, and (3) Broadway from Ormand Street to Main Street.

(3) *Speed limit*. Recreational conveyances may not be operated on sidewalks in excess of 5 miles per hour.

(e) Personal delivery devices.

The operator of a personal delivery device must notify the police department in writing of their intent to operate such a device in the City. As to each personal delivery device, the notice must include the following information:

(1) The identification number it is marked with;

(2) The name, address, telephone number and email address of the operator;

(3) If the operator is acting on behalf of a corporate entity, the name and address of the entity and the name, address, telephone number and email address of the entity's contact person; and

(4) The name, address and telephone number of the issuer of the general liability insurance policy or alternative form of security required by section 21-104.3(d)(5) of the Transportation Article of the Annotated Code of Maryland, as amended from time to time, as well as the policy number or the identification number for the alternative form of security.

(f) Seizure of recreational conveyances.

(1) The seizure of recreational conveyances is intended to prevent the continuation or repetition of violations of this article, to ascertain the ownership of recreational conveyances that have been used in violation of the terms of this article, and to hold owners accountable for such violations.

(2) A police officer who observes a person operating a recreational conveyance in violation of this article may temporarily seize the recreational conveyance for the purpose of terminating the prohibited operation and preventing its immediate continuation or repetition, provided that the officer contemporaneously prepares a citation charging the operator with the violation. If the operator is a minor, the recreational conveyance may be temporarily seized notwithstanding that service of the citation upon the minor's parent, guardian, or other person having care or custody has not yet been completed. .

(3) A recreational conveyance seized pursuant to this section shall be released to the owner, or in the case of a minor, to the owner's parent or legal guardian, without fee, either at the site of the seizure or at the police department.

(4) No recreational conveyance shall be permanently forfeited pursuant to this section. However, if the owner fails to reclaim it within ninety (90) days of its seizure, it shall be deemed to be abandoned and may be disposed of accordingly.

(5) The seizure of a recreational conveyance under this section shall not be construed as a penalty, but as a temporary measure to abate a public safety violation.

(g) Penalties.

Any violation of any provision of this article shall be a municipal infraction, punishable by a fine of one hundred dollars ($100.00).