

## **E-BIKE SUB-COMMITTEE**

A Meeting of the E-Bike Sub-Committee was called to order by Mayor Penterman on Wednesday, February 11, 2026, at 2:01 PM

Roll call present: Ald. Antoine, Chief Graff, Attorney Greenwood, Officer Lambie, Ald. Moore, and Mayor Penterman.

Others present: Mark. and Com. Manager Fencil.

### **NEW BUSINESS**

Discussion was held on proposed update to city ordinance # 7.09 Neighborhood Electric Vehicles and Other Motorized Vehicles. Officer Lambie provided updates on his meeting with members of the Eagle Scouts. Officer Lambie had described the existing ordinance to the students, which prohibits those under 13 from riding bicycles (and now E-devices) on sidewalks. The students, many of whom were 14, said they felt uncomfortable riding on the road and that it was safer on the sidewalk. They understood the concern of kids flying past pedestrians walking, and that this should be addressed under the new careless operation should it occur. The students thought that the age of 16 would be a more appropriate threshold for riding on the road vs. the sidewalk. Officer Lambie also described fines to the group of students. The group explained how most students don't start working until they are 16 and that a separate fine amount should be given to those under 16.

Chief Graff and Attorney Greenwood spoke with Judge Hufschmid about what the forfeiture amounts should be. For those under 16, fines for the first offense were \$62 and fines for the second offense were \$124. For those 16 and older, fines for the first offense were \$124 and fines for the second offense were \$248. These amounts are based on fines given for disorderly conduct with motor vehicle charges.

Discussion was held on a community survey and how to best collect community input. One option was to post information to social media and the Kaukauna website on forfeiture amounts and what counts as an e-bike. Marketing and Communications Manager Fencil expressed how social media can be utilized, it should not be the main forum for gathering feedback as not everybody has social media, which limits who can participate. While a public hearing is not required for these ordinance changes, Fencil recommended a public hearing to gather people's feedback.

Attorney Greenwood recommended passing the ordinance changes back to the Legislative Committee, which created the E-Bike Sub-Committee. The Legislative Committee could forward to Common Council with the recommendation to hold a public hearing, the Common Council would approve it and then hold a public hearing at the next Common Council meeting.

Mayor Penterman and Chief Graff left the Council Chambers at 2:25 PM. Enough members were still present for a quorum.

### **ADJOURN**

Motion by Alder Antoine, seconded by Alder Moore to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 2:34 PM.

Kayla Nessmann, Clerk

## 7.09 Neighborhood Electric Vehicles and Personal Motorized Mobility Devices

### 1. *Definition.*

- a. "Electric bicycle" (see Wis. Stat. § 340.01(15ph)) means a bicycle that is equipped with fully operative pedals for propulsion by human power and an electric motor of 750 watts or less and that meets the requirements of any of the following classifications:

1. Class 1 electric bicycle is an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.
2. Class 2 electric bicycle is an electric bicycle that may be powered solely by the motor and is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.
3. Class 3 bicycle is an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour.

Any electric bicycle modified to exceed 28 miles per hour or equipped with a motor exceeding 750 watts shall not be considered an electric bicycle under Wis. Stat. § 340.01(15ph) and may be classified as an "electric motorcycle" as defined below and subject to licensing and registration requirements.

- b. "Electric motorcycle" means a motor vehicle manufactured with an electric motor with more than 750 watts, a seat or saddle requiring the rider to sit astride, not more than 3 wheels in contact with the ground, steering controlled by handlebars, and acceleration and braking controlled with handlebar and/or foot controls and is capable of speeds in excess of 30 miles per hour. Motor vehicles meeting this description shall be considered motorcycles under Wis. Stat. § 340.01(32) and shall require a valid Class M motorcycle license for operation on public roads. Operation without a valid license may constitute a violation of Wis. Stat. § 343.05

and may be subject to enforcement and penalties under state law, including fines and demerit points.

- c. "Electric scooter" (see Wis. Stat § 340.01(15ps)) means a device weighing less than 100 pounds that has handlebars and an electric motor, is powered solely by the electric motor and human power, and has a maximum speed of not more than 20 miles per hour on a paved level surface when powered solely by the electric motor. "Electric scooter" does not include an electric personal assistive mobility device, motorcycle, motor bicycle, electric bicycle, or moped. Any electric scooter modified to exceed 20 miles per hour shall no longer be considered an electric scooter under Wis. Stat. § 340.01(15ps) and may be classified as an "electric motorcycle" as defined above and subject to licensing and registration requirements.
- d. "Motor bicycle" (see Wis. Stat. § 340.01(30)) means a bicycle to which a power unit that is not an integral part of the vehicle has been added to permit the vehicle to travel at a speed of not more than 30 miles per hour with a 150-pound rider on a dry, level, hard surface with no wind and having a seat for the operator. "Motor bicycle" does not include an electric bicycle.
- e. "Neighborhood electric vehicle" means any self-propelled electrically- powered motor vehicle, excluding golf carts, that has a maximum speed of 20 to 25 miles per hour and conforms to the definition and safety requirements for low-speed vehicles under 49 CFR 571.3(b) and 571.500.
- f. "Personal motorized mobility device" means any self-propelled device designed to transport one person, powered in whole or in part by an electric or combustion motor. This term includes, but is not limited to:
  - 1. Electric bicycles.
  - 2. Motor bicycles.
  - 3. Electric Scooters.This term does not include:
  - 1. Neighborhood electric vehicles.
  - 2. Operation of a vehicle properly licensed by the Department of Transportation.
  - 3. Operation of mobility aids used by people with disabilities.
  - 4. Operation of motorized farm equipment.

5. Operation of lawn equipment.
  6. Operation of garden equipment.
2. *Limitations.* Neighborhood electric vehicles, authorized pursuant to Wis. Stats. § 349.26, are allowed to be operated on all public roads with posted speeds of 35 miles per hour or less within the city, except not on those city streets on the state trunk network, marked with S.T.H. or U.S.H. route. Notwithstanding the above, such operation is permitted on:
- a. S.T.H. "55" north of C.T.H. "CE" and south of Desnoyer Street.
  - b. S.T.H. "96" from the west city limits to Claribel Street.
3. State driver's license and registration required for Neighborhood Electric Vehicles.
- a. Any person who operates a neighborhood electric vehicle on any city street must hold a valid state driver's license.
  - b. Any person who operates a neighborhood electric vehicle on any city street must register the neighborhood electric vehicle with the state, if required by state law.
4. Operation of Personal Motorized Mobility Devices.
- a. *Careless Operation.* No person shall operate a Personal Motorized Mobility Device upon a street, sidewalk, alley, or trail in the City carelessly or heedlessly in disregard of, or in danger to, the rights or safety of other's property or person. No person shall operate a Personal Motorized Mobility Device upon the streets of the City without having manual control of the handlebars (if the Personal Motorized Mobility Device is equipped with such maneuvering apparatus) in any manner that necessitates the element of unusual or extraordinary skill or involves unnecessary risk.
  - b. No person shall operate a Personal Motorized Mobility Device at speeds greater than is reasonable and prudent under the conditions and circumstances and having regard for the actual and potential hazards then existing.
5. Operation at the City's Skate Park.
- a. No person shall operate any motorized vehicle, whether powered by a combustion or electric motor, within the boundaries of any city-owned skate park. This prohibition includes, but is not limited to, electric bicycles, electric scooters, motor bicycles, mopeds, motorcycles, and personal motorized mobility devices.
  - b. Mobility aids used by individuals with disabilities are permitted within the skate park for access and observation. However, for safety reasons, such devices shall

not be operated on skate park equipment, including ramps, rails, or other elevated structures designed for skating or biking. This restriction is based on legitimate safety concerns and does not limit general access to the skate park.

- c. This section does not apply to city maintenance vehicles performing official duties.

6. Single Rider and Pet Restriction.

No personal motorized mobility device, as defined above, shall be operated with more than one rider. The transportation of pets on such devices is strictly prohibited.

7. Sidewalk Operation Restrictions for Personal Motorized Mobility Devices

- a. Business Districts. Operation is prohibited on sidewalks in downtown business areas.

- b. Other Districts. Operation is only allowed for:

- 1. Children under 13
- 2. A person over the age of 12 years who is accompanying a bicycle rider who is under the age of 13 years.
- 3. Newspaper carriers performing duties.

- c. Physically handicapped persons. Exempt when using mobility aids like scooters, wheelchairs, or three-wheeled bicycles.

- d. Right-of-way. All persons operating or riding a bicycle on a sidewalk shall yield the right-of-way to any pedestrian and, within a crosswalk, to any motor vehicle, and shall give an audible signal before passing any pedestrian or bicycle rider proceeding in the same direction.

8. Penalties. Violations of this section are subject to the penalties set forth in Ordinance 7.19 of this Code unless otherwise set forth herein.