

Ordinance No. 1026

MEDINA CITY COUNCIL

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, REGARDING SAFETY FOR RIDERS OF ELECTRIC-ASSISTED BICYCLES AND MOTORIZED FOOT SCOOTERS, DEFINING THE SAME AND REQUIRING COMPLIANCE WITH "RULES OF THE ROAD" AND REQUIRING HELMETS, PROVIDING FOR SEVERABILITY AND CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, there are an increasing number of people using electric-assisted bicycles and motorized foot scooters; and

WHEREAS, because these types of small-scale individualized transport vehicles utilize roads, sidewalks, and trails and can operate at higher speeds than fully human powered bikes and scooters, when collisions or accidents occur, the riders can be severely injured; and

WHEREAS, in addition to the riders, there are sometimes additional individuals who are riding as a passenger on or in tow of the scooter or electric-assist bicycle and those individuals also can be severely injured when a collision or accident occurs; and

WHEREAS, the Medina City Council wants to ensure that the riders of these electric or motorized bicycles or scooters follows the same rules of the road as other vehicles and wants to protect those riders from harm by requiring helmets, therefore a new code section should be adopted to address these concerns; and

WHEREAS, the City Council adoption of this Ordinance supports the public health, safety and welfare;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Council adopts the recitals above as findings for this Ordinance.

Section 2. A new Section 10.48.030 is hereby added to the Medina Municipal Code to read as follows:

10.48.030 Motorized Foot Scooters and Electric-Assisted Bicycles.

A. Definitions:

1. RCW 46.04.336: "Motorized foot scooter" means a device with two or three wheels that has handlebars, a floorboard that can be stood upon while riding, and is powered by an internal combustion engine or electric motor that has a maximum speed of no greater than twenty miles per hour on level ground. For purposes of this section, a motor-driven cycle, a moped, an electric-assisted bicycle, or a motorcycle is not a motorized foot scooter.
2. RCW 46.04.169: "Electric-assisted bicycle" means a bicycle with two or three wheels, a saddle, fully operative pedals for human propulsion, and an electric motor. The electric-assisted bicycle's electric motor

must have a power output of no more than seven hundred fifty watts. The electric-assisted bicycle must meet the requirements of one of the following three classifications:

- a. "Class 1 electric-assisted bicycle" means an electric-assisted bicycle in which the motor provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of twenty miles per hour;
 - b. "Class 2 electric-assisted bicycle" means an electric-assisted bicycle in which the motor may be used exclusively to propel the bicycle and is not capable of providing assistance when the bicycle reaches the speed of twenty miles per hour; or
 - c. "Class 3 electric-assisted bicycle" means an electric-assisted bicycle in which the motor provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of twenty-eight miles per hour and is equipped with a speedometer.
- B. Duty to Obey Traffic-Control Signs and Rules of the Road.
1. Any person operating a motorized foot scooter, electric-assisted bicycle, or similar device shall obey all the rules of the road applicable to vehicle or pedestrian traffic, as well as the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.
- C. Helmets Required.
1. Any person operating a motorized foot scooter, electric-assisted bicycle, or similar device, or riding as a passenger on or in tow of a motorized foot scooter, electric-assisted bicycle, or similar device, upon any public area in the City of Medina shall wear a helmet designed for safety and shall have either a neck or chin strap on the helmet fastened securely while the a motorized foot scooter, electric-assisted bicycle, or similar device is in motion. No person shall transport any person on or in tow of a motorized foot scooter, electric-assisted bicycle, or similar device upon a public area in the jurisdiction of the City of Medina unless the passenger is wearing a helmet that meets the requirements of this chapter and does not exceed the maximum rider limit of the vehicle.
- D. Penalty.
1. A person violating the provisions of this section is guilty of a violation punishable by a fine not to exceed \$100.00.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or other portion of this Ordinance or its application to any person is, for any reason, declared invalid, illegal, or unconstitutional in whole or in part by any court or agency of competent jurisdiction, said decision shall not affect the validity of the remaining portions hereof.

Section 4. Corrections. Upon the approval of the city attorney, the city clerk and/or code publisher is authorized to make any necessary technical corrections to this Ordinance, including but not limited to the correction of scrivener's/clerical errors, references, Ordinance numbering, section/subsection numbers, and any reference thereto.

Section 5. Effective Date. This Ordinance shall take effect and be in force five days after passage and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON THE 8th DAY OF APRIL 2024 BY A VOTE OF ___ FOR, ___ AGAINST, AND ___ ABSTAINING, AND IS SIGNED IN AUTHENTICATION OF ITS PASSAGE THE 8th DAY OF APRIL 2024.

Jennifer H. Garone, Acting Mayor

Approved as to form:
Inslee, Best, Doezie & Ryder, P.S.

Attest:

Jennifer S. Robertson, City Attorney

Aimee Kellerman, City Clerk

PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.: 1026 / AB