



City of Boise
Ordinance
First/Second/Third Reading

Legal
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Boise, ID 83702
(208) 972-8531

7.D.3

TO: Mayor and Council

FROM: Jennifer Pitino, Legal

NUMBER: **ORD-30-26**

DATE: June 17, 2026

SUBJECT: Amending Boise City Code Title 6, Chapter 13, Bicycles, E-Bikes, and E-Scooters

BACKGROUND:

Recently, there has been an influx of electric motored vehicles being sold and operated in the City as “E-bikes” despite these vehicles having motors that exceed 750 watts, the capability of top speeds above 28 miles an hours, or the lack of operable pedals to propel the vehicle, thus falling outside the defined parameters of a Class 1, 2, or 3 E-bike under state code and outside the City’s definition of an E-bike as well. Currently, the Idaho Code does not clearly define the new varieties of electric motor vehicles. Consequently, the public lacks meaningful guidance on whether such vehicles require a vehicle license, title, and insurance, or whether their operators must meet certain state driving standards and restrictions (e.g., age requirements, driver’s license, or special license endorsement).

There has been a concerning surge in the number of physical injuries associated with the use of E-bikes, E-scooters, and other undefined electric motorized vehicles within the City. The seasonal demand to use City public rights-of-way (e.g., roads, bike paths, the Greenbelt, sidewalks, trails, etc.) by pedestrians, cyclists, and operators of E-bikes, E-scooters, and other undefined electric motorized vehicles exacerbates the danger to the public and risk to the City.

The City seeks to establish clarity and standards for high-power, high-speed electric motorized vehicles to prevent, reduce, and avoid injuries arising from their use within the City. The proposed code amendments provide definitions and set standards and restrictions for high-power, high-speed electric motorized vehicles used upon public rights-of-way within the City.

FINANCIAL IMPACT:

None

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ATTACHMENTS:

- Exhibit A - Ordinance Summary (DOCX)

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Ordinance NO. ORD-30-26

BY THE COUNCIL

CORLESS, HALLYBURTON, MORALES,
NASH, STEAD AND WILLITS.

AN ORDINANCE AMENDING BOISE CITY CODE TITLE 6, CHAPTER 13, SECTION 1 TO UPDATE THE DEFINITION OF THE TERM “E-BIKE” AND TO PROVIDE A NEW TERM “E-MOTO” DEFINITION; AMENDING BOISE CITY CODE TITLE 6, CHAPTER 13, SECTION 3, TO ADD REQUIREMENTS AND RESTRICTIONS ON E-MOTOS AND OTHER ELECTRIC MOTORIZED VEHICLES THAT DO NOT FALL WITHIN THE DEFINITION OF AN “E-BIKE,” “E-SCOOTER,” OR “E-MOTO”; PROVIDING FOR A WAIVER OF THE READING RULES; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, there is an influx of electric motored vehicles being sold and operated in the city of Boise City (“City”) as “E-bikes” despite these vehicles having motors that exceed 750 watts, the capability of top speeds above 28 miles an hours, or the lack operable pedals to propel the vehicle, thus falling outside the defined parameters of a Class 1, 2, or 3 E-bike under state code and outside the City’s definition of an E-bike as well; and,

WHEREAS, there has been a marked and concerning rise in the number of physical injuries associated with the use of E-bikes, E-scooters, and other electric motorized vehicles that do not fit within the definitions of E-bike or E-scooter; and,

WHEREAS, the current Idaho Code does not clearly define these new varieties of electric motored vehicles or set forth whether such vehicles require a vehicle license, title, and insurance, as well as imposing operator standards and restrictions (e.g., age requirements, driver’s license, or special license endorsement); and,

WHEREAS, the use of City public rights-of-way by pedestrians, bicyclists, E-bike and E-scooter operators, and the operators of high-powered and high-speed electric motorized vehicles that lack a clear definition and regulation poses a significant risk to the public as well as to the City; and,

WHEREAS, the seasonal increase in the use of the City’s public rights-of-way by the myriad of various personal transportation modes increases the danger to the public and the City; and,

WHEREAS, the City desires to provide some clarity and standards regarding high-power, high-speed electric motorized vehicles to prevent, reduce, and avoid injuries arising from their use within the City.

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BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE CITY, IDAHO:

Section 1. That existing Boise City Code Title 6, Chapter 13, Section 1, shall be, and hereby is, amended to add a new definition and amend an existing one to read as follows:

6-13-1: DEFINITIONS:

For the purposes of this Chapter, the following terms, phrases, words, and derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. Words used throughout this Chapter, but not defined herein, shall have their plain, ordinary, and common meaning. Words in any gender shall apply to the feminine, masculine, and neuter genders.

ABANDONMENT: A bicycle, E-bike, E-scooter, or any part thereof, that is left or remains unattended or unused in a public place for seventy two (72) consecutive hours or longer after it is tagged with a notice of intention to abate.

ADAPTIVE DEVICE: A vehicle that is accessible to people with various physical disabilities, having at minimum three (3) wheels, an electric motor that is incapable of propelling the device at a speed of more than fifteen (15) miles per hour, and is equipped with either a seat or self-balancing capabilities and handlebars.

BICYCLE: Every vehicle having two (2) tandem wheels, or two (2) parallel wheels and one forward wheel, any two (2) of which are not less than twelve inches (12") in diameter, propelled exclusively by human power upon which any person may ride, except scooters and similar devices.

BIKE LANE: A portion of a roadway designated for preferential or exclusive use by bicycles, E-bikes, or E-scooters that is distinguished from that portion of the roadway to be used by motor vehicles by a painted strip and other pavement markings.

BIKE PATH: A completely separate right-of-way designated primarily for use by bicycles, E-bikes, E-scooters, or pedestrians, including but not limited to the Greenbelt. Conflicts with pedestrians are kept to a minimum while cross-flows by motor vehicles are discouraged. The term bike path includes both the paved

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	surface and a minimum of two feet (2') on either side.
BIKE PATH APPROACH:	That area where a transition is made between a roadway, parking lot, sidewalk, or other facility and a bike path. This area is generally identified by wooden bollards, pavement markings, and a parking prohibition.
BIKE/PEDESTRIAN CURB RAMP:	A break in a curb designated to facilitate movement by the operator of a bicycle, E-bike, or E-scooter, pedestrian or person with a disability from a street or parking lot to a sidewalk or bicycle facility.
BIKE ROUTE:	Any roadway specifically signed for shared use by bicycles, E-bikes, or E-scooters, and motor vehicles.
BOISE RIVER GREENBELT (GREENBELT):	The paved or improved pathways and connecting trails and the twenty feet (20') of publicly owned greenspace on either side, including picnic tables, barbeque stands, benches, and other improvements and fixtures connecting Boise Parks along the Boise River and maintained by the Department of Parks and Recreation and delineated generally in the publication known as the map, or specifically in the Inventory of Park Properties at the Office of the Director of the Department of Parks and Recreation. Greenbelt does not include any private property which may lie within twenty feet (20') of the paved or improved pathways and connecting trails.
CITY:	The City of Boise City, Idaho.
E-MOTO:	<u>A two or three-wheeled vehicle propelled in part or wholly by an electric motor exceeding seven hundred fifty (750) watts, or capable of a top speed of more than twenty-eight (28) miles per hour. Based on these characteristics, E-motos are not E-bikes as defined by Idaho Code or this Code, and do not fall within any other motorized vehicle definition within Title 49, Chapter 1 of the Idaho Code.</u>
ELECTRIC POWER-ASSISTED BICYCLE (E-BIKE):	<u>A bicycle vehicle having two (2) tandem wheels or two (2) parallel wheels and one forward wheel, and two (2) of which are not less than twelve inches (12") in diameter, equipped with fully operable pedals and an electric that is designed to</u>

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~~be operated by human power with the assistance of an electric~~ motor that has a power output of not more than seven hundred fifty (750) watts that: a) is incapable of propelling the vehicle at a speed of more than twenty (20) miles per hour; and b) disengages or ceases to function when the vehicle's brakes are applied. An E-bike is not a motor vehicle for purposes of this Chapter.

ELECTRIC POWER-
ASSISTED SCOOTER (E-
SCOOTER):

A two (2) or three (3) wheeled device that is operable from either a standing or seated position; that has handlebars and a floorboard; and is powered by an electric motor that has a power output of not more than five hundred (500) watts that: a) is incapable of propelling the device at a speed of more than fifteen (15) miles per hour; and b) disengages or ceases to function when the device's brakes are applied. An E-scooter is not a motor vehicle for purposes of this Chapter.

FOOTHILLS TRAILS:

Paths and trails in the Ridge to Rivers Trail Network that are located entirely and solely on property owned by the City.

OBSTRUCTIVE BICYCLE, E-
BIKE, OR E-SCOOTER:

Any bicycle, E-bike, E-scooter, or any part thereof, left in a public place that obstructs or impedes vehicular or pedestrian traffic.

PARK or PARKING:

The process or result of stopping, standing, or leaving unattended any Device.

PUBLIC PLACE:

Any publicly owned property, including, but not limited to, sidewalks, streets, alleys, parks, and plazas located within the City's jurisdictional limits.

SHARED MICROMOBILITY
DEVICE:

An E-bike, E-scooter, bicycle, or Adaptive Device owned and offered for rent to the public by a Shared Micromobility Program Service Provider.

SHARED MICROMOBILITY
PROGRAM:

A system of bicycles, E-bikes, E-scooters, Adaptive Devices, or any combination thereof, staged in the public right-of-way, for self-service hire and use through a mobile application or phone-based accessibility option, operated by a Shared Micromobility Program Service Provider, which does not require a docking station, rack, or other object.

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SHARED MICROMOBILITY PROGRAM SERVICE PROVIDER (or SERVICE PROVIDER): A person who owns, manages, operates, or acts on behalf of a Shared Micromobility Program, including third-party subcontractors.

Section 2. That existing Boise City Code Title 6, Chapter 13, Section 3, shall be, and hereby is, amended to read as follows:

~~6-13-3: TRAFFIC LAWS APPLY; TO PERSONS RIDING BICYCLES, E-BIKES, AND E-SCOOTERS; EXEMPTIONS; GENERAL REQUIREMENTS; VIOLATIONS:~~

A. ~~Traffic Laws Apply~~Requirements: Every person who operates a bicycle, E-bike, or E-scooter upon a roadway, public parking lot, sidewalk, bike path, bike lane, or other public vehicular rights-of-way in the City shall be granted the same rights and subject to the same responsibilities applicable to a motor vehicle operator by the laws of the State of Idaho, and the provisions of this title not in conflict with and as authorized under title 49, Idaho Code; except where provisions of those laws and ordinances by their very nature can have no application to bicycles, E-bikes, or E-scooters, or where portions of this Chapter direct otherwise.

B. Exemptions to Traffic Laws:

1. Any peace officer, as defined in Idaho Code Title 19, Chapter 51, operating a bicycle, E-bike, or E-scooter in the course and scope of his official duties is exempt from the requirements of subsection A of this section, if the bicycle, E-bike, or E-scooter is being operated under any of the following circumstances:

- a. In response to an emergency call.
- b. While engaged in rescue operations.
- c. In the immediate pursuit of an actual or suspected violator of the law.

2. This subsection does not relieve a peace officer from the duty to operate a bicycle, E-bike, or E-scooter with due regard for the safety of all persons.

C. General Requirements:

1. Every owner or operator of a vehicle (partially or wholly powered by an electric motor or gas engine) that does not qualify as an E-bike or E-scooter under this Chapter must comply with all Idaho Code provisions and Idaho Transportation Department rules or regulations regarding such motor vehicles, including but not limited to licensing, titling, registration, and rider restrictions.

2. E-moto Requirements and Prohibitions: For the purposes of this Code, any vehicle that falls within the definition of an E-moto and is operated on a public roadway or highway within the City, shall be treated as a motor vehicle that must obtain a motor vehicle license, title, and insurance to be operated on public streets and highways within the City.

a. Any E-moto that cannot obtain vehicle licensing, title, and insurance from the state of Idaho is prohibited from operating on any public roadway or highway within the City.

b. Any person operating a licensed, titled, and insured E-moto upon any public roadway or highway within the City, shall comply with all Idaho Code driver restrictions and requirements.

c. E-motos are always prohibited from operation on City sidewalks, pathways, and bike paths. E-motos are only permitted on trails owned or managed by the City that are specifically

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designated for use by motorcycles or other motor vehicles.

D. Violations: Any person who violates the provisions of this section, except subsection A, shall be guilty of a misdemeanor and, upon conviction, subject to the penalty as provided in section 1-4-1 of this Code.

Section 3. That the summary of this Ordinance, attached as Exhibit A, be, and the same is, approved as to both form and content.

Section 4. That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the members of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same is hereby, dispensed with, and accordingly, this Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

EXHIBIT "A"

**STATEMENT OF BOISE CITY ATTORNEY
AS TO ADEQUACY OF SUMMARY
OF ORDINANCE NO. [ORD-xx-xx]**

The undersigned, Jennifer Pitino, in her capacity as Deputy City Attorney of the city of Boise City, Idaho, hereby certifies that she is a legal advisor of the City and has reviewed a copy of the attached Summary of Ordinance No. [ORD-xx-xx] of the City of Boise City, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A(3).

DATED this _____ day of _____ 20____.

Jennifer Pitino
Deputy City Attorney

**SUMMARY OF ORDINANCE NO. [ORD-xx-xx]
OF THE CITY OF BOISE CITY, IDAHO**

PUBLIC NOTICE IS HEREBY GIVEN that the city of Boise City, Idaho, adopted at its regular meeting of _____, 20____, that Ordinance No. [ORD-xx-xx] entitled:

AN ORDINANCE AMENDING BOISE CITY CODE TITLE 6, CHAPTER 13, SECTION 1 TO UPDATE THE DEFINITION OF THE TERM "E-BIKE" AND TO PROVIDE A NEW TERM "E-MOTO" DEFINITION; AMENDING BOISE CITY CODE TITLE 6, CHAPTER 13, SECTION 3, TO ADD REQUIREMENTS AND RESTRICTIONS ON E-MOTOS AND OTHER ELECTRIC MOTORIZED VEHICLES THAT DO NOT FALL WITHIN THE DEFINITION OF AN "E-BIKE," "E-SCOOTER," OR "E-MOTO"; PROVIDING FOR A WAIVER OF THE READING RULES; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

This ordinance amends Boise City Code Title 6, Chapter 13, Section 1 by updating the existing definition of an "E-bike" and by adding a new term, "E-moto" definition. The ordinance amends Boise City Code Title 6, Chapter 13, Section 3, to add requirements and restrictions on E-motos and other electric motorized vehicles that do not fall within the definitions of "E-bike," "E-scooter," or "E-moto" that are operated on public rights-of-way within the City.

The ordinance provides for a waiver of the reading rules, establishes an ordinance effective date, and approves this ordinance summary. The effective date of the Ordinance is the date of its passage, approval and publication. A copy of the full text of the Ordinance is available at the City Clerk's office, 150 North Capitol Boulevard, in Boise, Idaho 83701. Examination may be

requested in writing or in person during regular business hours of the City Clerk's office, from 8:00 a.m. until 5:00 p.m. pursuant to Idaho Code Title 50, Chapter 9, Section 01A(4).

DATED this _____ day of _____, 20____.

City of Boise City, Idaho

ATTEST:

MAYOR

Lauren McLean

CITY CLERK

Jamie Heinzerling