

Ordinance No. O-2122-____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 13-2004 AND 13-2009, IN ARTICLE XX (PUBLIC TRANSPORTATION) OF CHAPTER 13; AMENDING SECTIONS 20-103, 20-118, AND 20-134 OF ARTICLE I (DEFINITIONS) AND AMENDING SECTIONS 20-401 THROUGH 20-407 IN ARTICLE IV (BICYCLES), ALL IN CHAPTER 20 (TRAFFIC REGULATIONS); AND ADOPTING SECTIONS 20-136 AND 20-137 WITHIN ARTICLE I (DEFINITIONS), ADOPTING SECTION 20-908 IN ARTICLE IX (PEDESTRIANS), AND ADOPTING A NEW ARTICLE XIII (LOW SPEED ELECTRICAL VEHICLES), INCLUDING SECTIONS 20-1301 AND 20-1302, ALL IN CHAPTER 20, IN ORDER TO UPDATE TERMINOLOGY AND ADD REFERENCES TO MOTORIZED SCOOTERS AND LOW SPEED ELECTRICAL VEHICLES, TO ADOPT REVISIONS PROVIDING CONSISTENCY INTERNALLY AND WITH STATE LAW, AND OTHER RELATED UPDATES TO PROVISIONS IN ORDER TO CLARIFY THE OPERATION AND LICENSING REQUIREMENTS, AND RELATED TRAFFIC OFFENSES, REGARDING CERTAIN TYPES OF VEHICLES AND DEVICES; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 1. That Section 13-2004 of Chapter 13 shall be amended as follows:

SEC. 13-2004. – Definitions.

The following words and phrases shall, for the purposes of Article XX within this chapter, have the meanings respectively ascribed to them as follows, except where the context otherwise requires:

(a) *For hire* refers to an arrangement whereby a motorized or non-motorized vehicle is employed by a person to transport any other persons upon City streets for any compensation, including tips only.

(b) *Motorized vehicle* has the same meaning as “Motor vehicle” defined in Chapter 20, Section 20-118 of this code~~refers to any vehicle which is self propelled or drawn upon City streets by means other than solely animal or human power and~~which includes, but is not limited to, taxicabs, motorbuses, and limousines.

(c) *Non-motorized vehicle* has the same meaning as “Non-motor vehicle” defined in Chapter 20, Section 119 of this code~~refers to any vehicle which is propelled or drawn upon City streets solely by animal or human power and~~which includes, but is not limited to, pedicabs.

(d) *Pedicab* refers to a bicycle or other opened or closed non-motorized vehicle with three (3) or more wheels operated and propelled by the physical effort of one (1) person for the purpose of, or capable of, transporting passengers in seats or a platform made a part of the pedicab.

(Ord. No. 0-1819-4, § 5)

§ 2. That Section 13-2009 of Chapter 13 shall be amended as follows:

SEC. 13-2009. – Vehicles.

(a) Every taxicab or pedicab operated under the terms of this chapter may be painted in a color scheme as desired by the holder of the license and as described in the application. All taxicabs or pedicabs, whether painted in a particular color scheme or not, shall have the following information painted on them in lettering that shall be at least two (2) inches in height, and shall be of such color as will contrast distinctly with the color of the body of the taxicab:

The name of the owner or trade name and the word "taxicab" or "pedicab," as applicable, if not appearing in the trade name. With respect to taxicabs only, the serial body number corresponding to the metal license identification plate shall be on each side and on the rear exterior of the taxicab and shall cover a space no less than ten (10) inches by twelve (12) inches. With respect to pedicabs only, the a City-issued decal assigning a unique identification number for each pedicab must be placed on the rear side of all pedicabs operating in the City, and must be renewed annually, along with all other licenses as provided for in this chapter. In addition, any company operating a vehicle for hire whose primary business is not in Norman must include an identifier that adds the primary City of business to the company name, i.e. Yellow Cab OKC.

(b) Every vehicle operating under this chapter shall be kept in a clean and sanitary condition, including the frame, wheels, trunk, and the upholstery and headliner, as applicable, in good repair.(c)Vehicles are to meet standards before any license is issued. All vehicles to be licensed and used as motorized vehicles for hire, including taxicabs, limousines, or motorbuses, or non-motorized vehicles for hire, including pedicabs, shall be inspected annually by City of Norman Fleet Maintenance Division according to a checklist and at a fee to be set administratively.

(1) All motorized vehicles for hire shall have as standard equipment and in good operating condition:

- (a) Four-wheel brakes;
- (b) Parking brake;
- (c) Front and rear bumpers, all trim and matching hubcaps;
- (d) Heater, defroster, and air conditioner;
- (e) Right and left side and interior rear view mirrors;
- (f) Speedometer, exposed to view, and maintained in accurate operating condition;
- (g) Windshield wipers;
- (h) Tires with a minimum of 2/32-inch tread;
- (i) Factory-recommended shock absorbers;

(j) Turn signals;

(k) Taximeter;

(l) All door and window glass shall be safety glazed glass equal to manufacturer's standard specifications; and

(m) Placards as required by ordinance.

(n) No low-speed vehicle shall operate as a vehicle for hire unless it meets the minimum equipment requirements specified in 49 C.F.R. § 571.500. A low-speed vehicle that is in compliance with the equipment requirements in 49 C.F.R. § 571.500 shall be deemed to be in compliance with the provisions of this subsection.

(2) Inspection. All non-motorized vehicles for hire shall at all times be in good operating condition and may not be such condition or operate in any manner that poses a risk to the public. Upon inspection, the City of Norman Fleet Maintenance Division shall verify passenger capacity of each non-motorized vehicle for hire, including pedicabs. Where a non-motorized vehicle has submitted to and passed inspection with another municipality located within the state of Oklahoma, the result of that inspection as well as the determination of passenger capacity shall be accepted by the City of Norman and applicant will not be charged a fee for inspection relative to that non-motorized vehicle for hire. Each pedicab must, however, pay for, obtain, and display an initial and annual renewal decal(s), as applicable, for each pedicab operated within Norman city limits, in addition to any similar decal or insignia issued by any other municipality within the state of Oklahoma.

(3) Illumination. All non-motorized vehicles for hire shall be illuminated at any time from one-half (½) hour after sunset to one-half (½) hour before sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the roadways are not clearly discernible at a distance of one thousand (1,000) feet or less. In accordance with State law, every pedicab shall be equipped with:(a)A lighted lamp visible from both sides from a distance of at least one thousand (1,000) feet if operated on a street with a speed limit of more than twenty-five (25) miles per hour;(b)A red reflector which shall be visible for six hundred (600) feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle;(c)A lamp on the front emitting a white light visible from a distance of at least one thousand (1,000) feet to the front if operated on a street with a speed limit of more than twenty-five (25) miles per hour; and(d)With a lamp on the rear emitting a red light visible from a distance of at least one thousand (1,000) feet to the rear if operated on a street with a speed limit of more than twenty-five (25) miles per hour.

(Ord. No. 0-0405-38, § 9; Ord. No. 0-1819-4, § 9)

§ 3. That Section 20-103 of Chapter 20 shall be amended as follows:

SEC. 20-103. - Bicycle.

A bicycle is a ~~vehicle device~~ having at least two (2) ~~tandem wheels, either of which is more than sixteen (16) inches in diameter, or having three (3) wheels in contact with the ground, any of which is more than~~

~~sixteen (16) inches in diameter~~, propelled solely by human power through a belt, chain or gears, upon which ~~any~~ person or persons may ride, excluding mopeds. As used in this code, the term “bicycle” shall also include tricycles, quadcycles or similar human-powered devices, electric- or motor-assisted bicycles and motorized bicycles as defined by the laws of the state of Oklahoma.

(Ord. No. 0-7273-67; Ord. No. 0-9798-44)

§ 4. That Section 20-118 of Chapter 20 shall be amended as follows:

SEC. 20-118. – Motor vehicle.

A motor vehicle is any vehicle which is self-propelled. The definition of “motor vehicle” shall not include implements of husbandry, electric personal assistive mobility devices and motorized wheelchairs as defined by the laws of the state of Oklahoma, or vehicles propelled solely by human or animal power.

(Ord. No. 0-7273-67; Ord. No. 0-9394-48)

§ 5. That Section 20-134 of Chapter 20 shall be amended as follows:

SEC. 20-134. – ~~Mopeds and motorized bicycles.~~

~~A motorized bicycle or moped~~ is any vehicle having fully operative pedals for propulsion by human power, an automatic transmission and a motor with a cylinder capacity not exceeding fifty (50) cubic centimeters, which produce no more than two (2) brake horsepower, and is capable of propelling the vehicle at a maximum design speed of not more than thirty (30) miles per hour on level ground.

(Ord. No. 0-8485-84; Ord. No. 0-9394-48)

§ 6. That Section 20-136 shall be adopted into Chapter 20 and read as follows:

SEC. 20-136. – Motorized scooter.

A motorized scooter is any vehicle having no more than three wheels in contact with the ground, handlebars and a foot support or seat for the use of the operator, and a power source that is capable of propelling the vehicle at a maximum design speed of not more than 25 miles per hour on level ground.

(a) if the power source is a combustion engine, the engine will have a piston or rotor displacement of no greater than 35 cubic centimeters (35 cu cm) regardless of the number of chambers in the power source.

(b) if the power source is electric, the power output will not exceed one thousand (1,000) watts.

The term “motorized scooter” shall include low speed electric vehicles and electronic scooter or “e-scooter” devices, whether commercially-utilized and/or individually-owned. The term “motorized scooter” shall not include electric personal assistive mobility devices and motorized wheelchairs as defined by the laws of the state of Oklahoma.

§ 7. That Section 20-137 shall be adopted into Chapter 20 and read as follows:

SEC. 20-137. – Low-speed electrical vehicle.

A low-speed electrical vehicle is any four-wheeled electrical vehicle that is powered by an electric motor that draws current from rechargeable storage batteries or other sources of electrical current and whose top speed is greater than twenty (20) miles per hour but not greater than twenty-five (25) miles per hour and is manufactured in compliance with the National Highway Traffic Safety Administration standards for low-speed vehicles in 49 C.F.R. 571.500.

§ 8. That Article IV of Chapter 20 shall be amended to read as follows:

ARTICLE IV. – BICYCLES, MOTORIZED SCOOTERS, AND SIMILAR DEVICES

§ 9. That Section 20-401 of Chapter 20 shall be amended to read as follows: `

SEC. 20-401 – Traffic laws apply to bicycle and motorized scooter riders.

Every person riding a bicycle or motorized scooter upon a street shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this chapter, except:

- (1) As to those special provisions contained in this article; and
- (2) As to those provisions of this chapter which by their nature can have no application.

(Ord. No. 0-7273-67; Ord. No. 0-9394-48)

§ 10. That Section 20-402 of Chapter 20 shall be amended to read as follows:

SEC. 20-402 – Riding upon bicycles and motorized scooters.

(a) No person shall ride upon a bicycle or motorized scooter other than astride a permanent and regular seat attached thereto, or otherwise upright as the device was designed for riding, and with at least one (1) hand upon the handlebars.

(b) No person shall carry persons upon a bicycle or motorized scooter in excess of the number for which the bicycle or motorized scooter was designed and equipped.

(c) No person under 14 years of age may operate a motorized scooter upon a public road or sidewalk unless supervised by a parent, guardian or other responsible adult. With respect to scooter rented from a private rental company or provider, any applicable rules of operation that impose greater burdens than those set by City ordinance or regulation must also be followed.

(d) No more than one (1) person may ride upon a motorized scooter, unless such device is designed to safely transport more than one (1) person.

(Ord. No. 0-7273-67; Ord. No. 0-8485-84; Ord. No. 0-9394-48)

§ 11. That Section 20-403 of Chapter 20 shall be amended to read as follows:

SEC. 20-403 – Riding on sidewalk.

(a) No person shall ride a bicycle, motorized scooter or skateboard upon any sidewalk or sidewalk area where such riding is specifically prohibited by signs.

(b) Where a sidewalk abuts a road with a marked speed limit of more than 25 miles per hour, motorized scooters must be ridden on the sidewalk. If any such sidewalk does not allow riding by sign, then scooters may not be ridden in that area on the street or upon the sidewalk.

(b) Persons exempt from the provisions of subsection (a) of this section are police officers ~~on bicycles~~ in the normal course of police duties who are exercising due caution.

(Ord. No. 0-7273-67; Ord. No. 0-9192-10; Ord. No. 0-9394-48; Ord. No. 0-9798-20)

§ 12. That Section 20-404 of Chapter 20 shall be amended to read as follows:

SEC. 20-404. – Riding on streets.

(a) Any person operating a bicycle or motorized scooter upon a roadway at less than normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the right-hand curb or edge of the roadway, except under any of the following situations:

(1) When overtaking and passing another bicycle, motorized scooter or vehicle proceeding in the same direction.

(2) When preparing for a left turn at an intersection or into a private road or driveway.

(3) When reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving vehicles, bicycles or similar device, pedestrians, animals or surface hazards.

(b) Any person operating a bicycle or motorized scooter on a one-way highway with two (2) or more marked traffic lanes may ride as near the left-hand curb or edge of such roadway as practicable.

(c) Persons riding bicycles or motorized scooters upon a roadway shall not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles or similar devices. Persons riding two (2) abreast shall not impede the normal and reasonable use of traffic and, on a ~~laned~~ striped roadway, shall ride within a single lane.

(d) A person riding a bicycle or motorized scooter across a roadway and within a crosswalk shall walk the bicycle or motorized scooter as a pedestrian and have all the rights and duties applicable to a pedestrian under the same circumstances.

(e) Where a street has a marked speed limit of 25 miles per hour or less, motorized scooters may not be ridden upon abutting sidewalks but must be ridden upon the said street, and in compliance with the other regulations set forth by City Ordinance.

(Ord. No. 0-7273-67; Ord. No. 0-8485-84; Ord. No. 0-9394-48; Ord. No. 0-9798-44)

§ 13. That Section 20-405 of Chapter 20 shall be amended to read as follows:

SEC. 20-405. – Carrying articles.

No person shall carry any packages, bundles or articles upon a bicycle or motorized scooter which prevents the rider from keeping at least one (1) hand upon the handlebars.

(Ord. No. 0-7273-67; Ord. No. 0-9394-48)

§ 14. That Section 424.2 of Chapter 22 shall be amended to read as follows:

SEC. 20-406. – Parking.

No person shall park a bicycle upon a street other than in a standing position upon the roadway against the curb, or upon the sidewalk in a rack to support the bicycle, or against a building, or adjacent to the curb, in such a manner so as to afford the least obstruction to pedestrian traffic.

No person shall park, stage or place a motorized scooter upon a street or sidewalk other than in a standing position and in such a manner so as to afford the least obstruction to traffic, including pedestrian traffic. Further, motorized scooters shall be parked in accordance with the following:

- a. Motorized scooters shall only be parked in the furnishings or frontage zone of the sidewalk, beside a bicycle rack or in another area specifically designated area, including bicycle parking. On sidewalks adjacent to residences in residential neighborhoods, scooters may only be parked upright on the vegetated right-of-way side immediately adjacent to the sidewalk, where available, and not left stationary upon the paved sidewalk;
- b. Motorized scooters shall not be parked so as to block, obstruct, or present a danger to those utilizing the through pedestrian zone of the sidewalk, including space necessary to access the buttons or other devices activating the crosswalk signal lights, any fire hydrant, call box, or other emergency facility, or any utility pole or box;
- c. Motorized scooters shall not be parked in such a manner as to impede or interfere with the reasonable use of any commercial window display or access to or from any building;
- d. Motorized scooters may be parked on streets without sidewalks only where:
 - i. Placed parallel to and immediately against the curb or other roadway perimeter;
and
 - ii. Where travel lanes, including bicycle lanes or paths, and pedestrian clear zones are not impeded.
- e. Motorized scooters shall not be parked in the furnishings or frontage zones directly adjacent to or within the following areas, such that access is impeded to:
 - i. Transit zones, including bus stops, shelters, passenger waiting areas and bus layover and staging zones excepting bicycle racks;
 - ii. Loading zones;
 - iii. Accessible parking spaces and zones;

- iv. Street furniture or fixtures requiring pedestrian access;
- v. Curb ramps;
- vi. Entryways; and
- vii. Driveways, excepting a driveway serving the operator's own residence.
- f. No more than five (5) motorized scooters may be visibly parked, placed or staged within a radius of fifty (50) feet.

(Ord. No. 0-7273-67; Ord. No. 0-9394-48)

§ 15. That Section 20-407 of Chapter 20 shall be amended to read as follows:

SEC. 20-407. ~~BICYCLE RACING~~

(a) Motorized scooter racing is strictly prohibited.

(b) Bicycle racing on the highways is prohibited herein and by section 20-547, except as follows:
~~authorized in this section.~~

- (bi) Bicycle racing on a highway shall not be unlawful when a racing event has been approved by State or City authorities. Approval of bicycle highway racing events shall be granted only under conditions which assure reasonable safety for all race participants, spectators and other highway users, and which prevent unreasonable interference with traffic flow which would seriously inconvenience other highway users.
- (eii) By agreement with the approving authority, participants in an approved bicycle highway racing event may be exempted from compliance with any traffic laws otherwise applicable thereto, provided that traffic control is adequate to assure the safety of all highway users.

(Ord. No. 0-9394-48)

§ 16. That Section 20-908 shall be adopted into Chapter 20 and read as follows:

SEC. 20-908. – Wheelchair operators.

Every person operating a wheelchair or a motorized wheelchair shall have all of the rights and all of the duties applicable to a pedestrian contained in this chapter except those provisions which by their nature can have no application.

§ 17. That Article XIII, including Sections 20-1301 and 20-1302 of Chapter 20 shall be adopted and shall read as follows:

ARTICLE XIII. – LOW SPEED ELECTRICAL VEHICLES

SEC. 20-1301. – Equipment and Operation Requirements.

(a) Only low-speed electrical vehicles that have been licensed by the State of Oklahoma and bear a state-issued tag located in a clearly visible location on the front or back of the vehicle may operate on public roads and streets of the City.

(b) All low-speed electrical vehicles must be properly equipped pursuant to 49 C.F.R. 571.500, including, but not limited to headlamps, front and rear turn signal lamps, tail lamps, stop lamps, reflex reflectors, exterior mirrors, parking brake, windshield, VIN, and seat belt system.

(c) The owner/operator of a low-speed electrical vehicle shall carry in such vehicle at all times a current owners security verification form listing the vehicle or an equivalent issued by the State, and shall produce such form upon request for inspection by any law enforcement officer or representative of the Department of Public Safety and in case of a collision, the form shall be produced upon request to any person affected by said collision. All owners/operators of low-speed electrical vehicles shall comply with the provisions of the Oklahoma Compulsory Insurance Law, 47 O.S. § 7-600, et seq.

(d) No person shall operate a low-speed electrical vehicle upon the public roads and streets of the City without first obtaining a motor vehicle driver's license from the Oklahoma Department of Public Safety.

(e) Every operator and passenger of a low-speed electrical vehicle shall wear a properly adjusted and fastened safety seat belt system pursuant to Section 20-608 of this Code.

SEC. 20-1302. – Operational Restrictions.

(a) Low-speed electrical vehicles may not be operated, under any circumstances, upon: (a) public sidewalks, public trails, bicycle paths or lanes; and (b) public roads and streets within the City with a posted speed limit of thirty-five (35) miles per hour or more.

(b) The provisions of subsection (a) of this section shall not prohibit a low-speed vehicle from crossing a street or highway with a posted speed limit greater than thirty-five (35) miles per hour.

(c) No all-terrain vehicles may be operated, under any circumstances, upon any: (a) public sidewalks, public trails, bicycle paths or lanes; and (b) public roads and streets within the City.

§ 18. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

ADOPTED this _____ day
of _____, 2020.

(Mayor)

NOT ADOPTED this _____ day
of _____, 2020.

(Mayor)

ATTEST:

(City Clerk)