

ORDINANCE NO. 1231

AN ORDINANCE ADDING SECTION 22-203 TO CHAPTER 22 OF THE CODE OF ORDINANCES OF THE CITY OF OELWEIN, IOWA, REGULATING FOOT-POWERED SCOOTERS AND ELECTRIC STAND-UP SCOOTERS

BE IT ORDAINED by the City Council of the City of Oelwein, Iowa:

SECTION 1. NEW SECTION ADOPTED.

Chapter 22 of the Code of Ordinances of the City of Oelwein, Iowa, is amended by adding the following new section:

SEC. 22-203. FOOT-POWERED AND ELECTRIC STAND-UP SCOOTERS.

1. PURPOSE AND CONSTRUCTION.

The purpose of this section is to establish age-appropriate equipment, speed, location, and safety requirements for scooters and to protect pedestrians, scooter operators, motorists, and other users of public property. This section shall be interpreted consistently with applicable State and federal law. If a conflict exists, controlling State or federal law shall govern to the extent of the conflict.

2. DEFINITIONS.

For purposes of this section:

- A. "Adult" means a person 18 years of age or older.
- B. "Approved intersection" means an intersection containing a marked crosswalk, traffic-control signal, stop sign controlling the operator's approach, or another crossing location designated by the City.
- C. "Central Business District" means the area zoned C-1 Central Business District under the Oelwein Code of Ordinances.
- D. "Electric stand-up scooter" means a device intended primarily to transport a person in a standing position that has two or more wheels, a floorboard or deck, handlebars or another steering mechanism, and an electric motor producing less than 750 watts. The term does not include a bicycle, low-speed electric bicycle, motorized bicycle, motorcycle, wheelchair, mobility device used by a person with a disability, or another device separately regulated by State law.
- E. "Foot-powered scooter" means a device intended primarily to transport a standing person upon a floorboard or deck, equipped with two or more wheels, and propelled solely by human power.
- F. "Governed speed" means the highest speed at which the motor can propel an electric stand-up scooter on level pavement, as limited by a digital, electronic, mechanical, or physical device or setting that is installed, enabled, and not bypassed.
- G. "Multi-use path" means a paved or improved public trail or path intended for pedestrians, bicycles, and other authorized forms of personal transportation.
- H. "Operator" means a person riding, controlling, or otherwise operating a scooter.
- I. "Scooter" means a foot-powered scooter or electric stand-up scooter.

3. AGE, MOTOR-POWER, GOVERNED-SPEED, AND OPERATING-AREA REQUIREMENTS.

An electric stand-up scooter operated on public property shall comply with the following requirements based upon the operator's age. A more restrictive location-specific speed limit or prohibition in this section controls over this subsection.

AGE	MAXIMUM MOTOR POWER	MAXIMUM GOVERNED SPEED	PERMITTED AREAS
Under 8	Under 100 watts, or foot powered	5 mph	Permitted sidewalks only, outside the Central Business District; adult supervision required. No roadway.
8 to 11	Up to 150 watts	10 mph	Permitted sidewalks and multi-use paths, outside the Central Business District. No roadway.
12 to 15	Up to 250 watts	15 mph	Permitted sidewalks; paths and trails, with a 10 mph maximum; bicycle lanes; and local streets posted at 25 mph or less. All route and district prohibitions apply.
16 or older	Less than 750 watts	20 mph	Permitted sidewalks; paths and trails, with a 10 mph maximum; bicycle lanes; and permitted roadways. All route and district prohibitions apply.

- A. An operator under eight years of age may operate a foot-powered scooter or a qualifying electric stand-up scooter only while accompanied and directly supervised by an adult.
- B. No person shall operate, and no parent, guardian, or owner shall knowingly permit a minor to operate, an electric stand-up scooter that exceeds the motor-power or governed-speed limit applicable to the operator's age.
- C. The speed governor required by this section shall be installed and enabled while the scooter is operated. No person shall disable, bypass, alter, or defeat the governor for operation by a person subject to a lower speed tier.
- D. Actual operating speed shall never exceed the applicable governed-speed limit, a lower location-specific limit, or a speed that is reasonable and prudent under existing conditions.

4. PROOF AND ENFORCEMENT OF EQUIPMENT LIMITS.

- A. For enforcement, an officer may rely upon a manufacturer's label, model number, owner's manual, published manufacturer specifications, digital settings displayed by the device, statements or admissions, observed speed, or other reasonably reliable evidence of motor power or governed speed.
- B. An officer is not required to conduct a roadside dynamometer test, electrical test, or other field measurement of motor wattage to establish probable cause or prove a violation.
- C. Evidence that a scooter exceeded the governed-speed limit applicable to the operator's age is prima facie evidence that the scooter was not properly governed at the time of operation, subject to rebuttal by competent evidence.

5. HELMETS.

- A. An operator under 18 years of age shall wear a properly fitted and fastened protective helmet designed for bicycle or scooter use while operating a scooter on public property.
- B. A parent or guardian shall not knowingly permit a minor to violate this subsection.

6. NUMBER OF OCCUPANTS AND CONTROL.

- A. A scooter shall carry no more persons than the number for which it was designed and equipped by the manufacturer.
- B. No operator shall carry another person on the handlebars, deck, stem, or frame; carry a person in the operator's arms; tow another person or wheeled device; or attach the scooter or operator to a moving motor vehicle.
- C. Every operator shall maintain reasonable control, keep at least one hand on the steering mechanism, obey traffic-control devices and lawful directions, and exercise due care to avoid a collision.

7. PEDESTRIAN RIGHT-OF-WAY AND SIDEWALK OPERATION.

- A. Pedestrians have the right-of-way on sidewalks, crosswalks, multi-use paths, and other areas primarily intended for pedestrian travel.
- B. Except where prohibited, a scooter may be operated on a sidewalk at no more than 10 mph and at a lower speed whenever pedestrian traffic, congestion, visibility, surface conditions, entrances, driveways, alleys, or other circumstances require.
- C. An operator shall reduce speed when approaching or overtaking a pedestrian, provide reasonable clearance, give an audible warning when reasonably necessary, and stop when necessary to avoid a collision.
- D. The City may prohibit scooter operation on a narrow, congested, or otherwise unsuitable sidewalk by official sign. An electric stand-up scooter shall not be operated on a sidewalk posted as closed to powered scooters.

8. CENTRAL BUSINESS DISTRICT.

- A. No electric stand-up scooter, regardless of motor power, shall be operated upon any street, roadway, sidewalk, alley, public parking area, or other public right-of-way within the Central Business District.
- B. A foot-powered scooter may be operated on a sidewalk within the Central Business District at a careful and prudent speed, not exceeding 5 mph, and shall yield to every pedestrian.
- C. No foot-powered scooter shall be operated in the traveled portion of a street or roadway within the Central Business District.
- D. A person may possess, carry, walk, or manually push a scooter while dismounted in a place where pedestrian travel is otherwise lawful.

9. MULTI-USE PATHS.

- A. Subject to the age-based permitted-area restrictions in Subsection 3, scooters may be operated on City-owned or City-controlled paths and trails unless prohibited by official sign. No electric stand-up scooter shall exceed 10 miles per hour on any off-road walking path, bicycle path, multi-use path, recreational trail, or similar off-road facility, regardless of age or governed speed. Any lower age-based or posted speed limit controls.
- B. When passing within six feet of a pedestrian, an operator shall not exceed 5 mph and shall provide sufficient clearance to complete the pass safely.
- C. No operator shall weave between pedestrians, race, engage in unsafe stunt riding, operate abreast when interfering with others, or pass where clearance or visibility is insufficient.
- D. The City Administrator or designee may temporarily or permanently restrict scooter operation on a City path due to design, congestion, construction, maintenance, special

events, hazardous conditions, or public safety. A permanent restriction shall be designated by appropriate signage.

10. STREETS, ROADWAYS, AND PROHIBITED ROUTES.

- A. An operator under 12 years of age shall not operate a scooter in the traveled portion of any public street or roadway.
- B. Subject to all other provisions of this section and State law, an operator 12 years of age or older may operate a qualifying scooter in a bicycle lane or upon a local street posted at 25 mph or less, as close as practicable to the right-hand curb or edge of the roadway, except where operation is prohibited by Paragraph C.
- C. No electric stand-up scooter, regardless of motor power or the operator's age, shall be operated upon:
 - (1) A State highway;
 - (2) West Charles Street;
 - (3) East Charles Street;
 - (4) A street or roadway having a posted speed limit greater than 25 mph;
 - (5) A street or roadway within the Central Business District; or
 - (6) A fully controlled-access highway.
- D. A scooter may cross a roadway listed in Paragraph C only at an approved intersection. The operator shall cross by the shortest practical route, approximately perpendicular to the roadway at a 90-degree angle, obey all traffic-control devices, and yield as required by law.
- E. Nothing in this subsection independently authorizes operation where prohibited by State law. Nothing prohibits a dismounted person from walking or manually pushing a scooter where pedestrian travel is lawful.

11. LIGHTING AND EQUIPMENT.

- A. An electric stand-up scooter operated between sunset and sunrise or during insufficient visibility shall have, or the operator shall wear or carry, a white light visible from the front and a red light or red reflector visible from the rear.
- B. An electric stand-up scooter shall have a functioning braking system and shall not be operated with a braking, steering, wheel, tire, or other condition that makes it unsafe.

12. RECKLESS OR UNSAFE OPERATION.

No person shall operate a scooter carelessly or recklessly; faster than is reasonable and prudent; while weaving through pedestrians or moving traffic; while racing; while performing a stunt, jump, or wheelie that endangers another person; without due regard for weather, visibility, traffic, or surface conditions; or in a manner that prevents reasonable directional, speed, or stopping control.

13. PARKING, OBSTRUCTION, AND REMOVAL.

- A. A scooter shall not be parked or left in a manner that obstructs pedestrian movement, an accessible route, curb ramp, crosswalk, entrance, exit, driveway, fire hydrant, accessible parking space or access aisle, bicycle rack, transit stop, loading area, or City operation; creates a tripping hazard; or threatens public safety.
- B. A peace officer or authorized City employee may move or cause the movement of an unattended scooter that creates an obstruction or hazard, interferes with City operations, or reasonably appears abandoned. Any seizure or impoundment shall occur only as otherwise authorized by law.

14. PERSONS WITH DISABILITIES.

This section shall not be interpreted or enforced to restrict or interfere with the lawful use of a wheelchair, mobility device, or other power-driven mobility device by a person with a disability.

15. COMMERCIAL OR SHARED SCOOTER OPERATIONS.

No person or entity shall place, stage, distribute, or make available one or more scooters for short-term rental or shared public use on City property or within the public right-of-way without prior City Council authorization. The Council may impose reasonable conditions concerning insurance, indemnification, fleet size, parking, removal, operating areas, speed limitations, and public safety. This subsection does not apply to privately owned scooters or their casual lending.

16. PARENTAL AND OWNER RESPONSIBILITY.

A parent, guardian, or owner having custody or control of a scooter shall not knowingly authorize or permit a minor to operate the scooter in violation of the age, motor-power, governed-speed, helmet, supervision, or operating-area requirements of this section.

17. ENFORCEMENT AND PENALTY.

- A. A peace officer may issue a verbal or written warning when appropriate after considering the operator's age, the nature and severity of the violation, danger created, injury or damage, and prior warnings or violations.
- B. A violation is a municipal infraction punishable as provided by Section 1-10 of the Oelwein Code of Ordinances and applicable Iowa law. Each separate occurrence constitutes a separate violation.
- C. Nothing limits immediate enforcement reasonably necessary to protect public safety or prosecution under State law when the conduct also violates State law.

SECTION 2. REPEALER.

All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict.

SECTION 3. SEVERABILITY.

If any section, provision, or part of this Ordinance is adjudged invalid or unconstitutional, the adjudication shall not affect the validity of this Ordinance as a whole or any section, provision, or part not adjudged invalid or unconstitutional.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its final passage, approval, and publication as provided by law.

First reading -	September 28, 2026
Second reading -	October 12, 2026
Third reading -	October 26, 2026

Brett DeVore, Mayor

Attest:

Dylan Mulfinger, City Administrator

Recorded October 27, 2026.

First Reading on: September 28, 2026. It was moved by _____ and seconded by _____ that the Ordinance as read be adopted, and upon roll call there were:

AYES	NAYS	ABSENT
ABSTAIN		
Ricchio		
Weber		
Payne		
Cantrell		
Cannon		
Gearhart		

Second Reading on: October 12, 2026. It was moved by _____ and seconded by _____ that the Ordinance as read be adopted, and upon roll call there were:

AYES	NAYS	ABSENT	ABSTAIN
Ricchio			
Weber			
Payne			
Cantrell			
Cannon			
Gearhart			

Third and Final Reading on: October 26, 2026. It was moved by _____ and seconded by _____ that the Ordinance as read be adopted, and upon roll call there were:

AYES	NAYS	ABSENT	ABSTAIN
Ricchio			
Weber			
Payne			
Cantrell			
Cannon			
Gearhart			