



TOWN ATTORNEY

To: Mayor and Town Council

From: Terrence S. Welch, Town Attorney

Through: Mario Canizares, Town Manager
Doug Kowalski, Chief of Police

Re: Electric Bicycle Ordinance

Town Council Meeting – April 8, 2025

Strategic Visioning Priority: 4. Provide Excellent Municipal Services

Agenda Item:

Consider and act upon an ordinance amending the Code of Ordinances, Chapter 12, "Traffic and Vehicles", Section 12.01.001, "Definitions", of Article 12.01 "General Provisions" by adding a definition of "Electric Bicycle" and amending the definition of "Vehicle or Motor Vehicle".

Description of Agenda Item:

The purpose of this Ordinance is to amend the Town's existing traffic regulations to include a definition of "electric bicycle" and further, to include an electric bicycle as a "vehicle or motor vehicle," as referenced in the Town's traffic ordinances. This ordinance amendment would result in the ability of police officers to issue citations for electric bicycles that are operated off-pavement or off the main-traveled portion of a roadway onto any private or public property (which includes parks and other Town property) without the effective consent of the owner. Practically, if an electric bicycle is operated on Town property (other than a roadway, for example) without the Town's consent, the Town could issue a citation. This ordinance does not prohibit the operation of electric bicycles as authorized by Chapter 664 of the Texas Transportation Code. Chapter 664 generally recognizes an electric bicycle as a bicycle.

Additionally, since electric bicycles include labels or decals that identify them as Class 1, 2 or 3 electric bicycles, the label or decal designating an electric bicycle as a Class 1, 2 or 3 electric bicycle is *prima facie* evidence of such classification.

Budget Impact:

There is no budgetary impact affiliated with this item.

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the attached Ordinance as to form and legality.

Attached Documents:

1. Ordinance

Town Staff Recommendation:

The Town Attorney recommends that the Town Council approve adopting an ordinance amending Chapter 12, "Traffic and Vehicles", Section 12.01.001, "Definitions", of Article 12.01 "General Provisions" by adding a definition of "Electric Bicycle" and amending the definition of "Vehicle or Motor Vehicle".

Proposed Motion:

I move to approve an ordinance an ordinance amending Chapter 12, "Traffic and Vehicles", Section 12.01.001, "Definitions", of Article 12.01 "General Provisions" by adding a definition of "Electric Bicycle" and amending the definition of "Vehicle or Motor Vehicle".