

EXHIBIT A

Chapter 10.36 – ELECTRIC MOTORCYCLES

Sections:

- 10.36.010 Definitions.
- 10.36.020 General Operation Requirements and Penalties.
- 10.36.030 Parent or Guardian Responsible.
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- 10.36.050 Helmet Required and Penalty.
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10.36.010 Definitions.

- A. “City property” means any park, parking lot, municipal facility or other real property owned by the city.
- B. “City Street” means every public highway, road or street, as defined in Chapter 46.04 RCW, or part thereof, located within the city.
- C. “Electric motorcycle” means a motorcycle, as defined by RCW 46.04.330, which is powered by an electric motor and:
 - 1. Is not equipped with fully operable pedals capable of propelling it. Foot pegs are not considered pedals; or
 - 2. Has a motor with a power output that exceeds 750 watts; or
 - 3. Has a motor that continues to provide assistance when the vehicle reaches the speed of twenty-eight miles per hour.
- D. “Guardian” means a parent, legal guardian, or adult responsible for the care and supervision of a minor.
- E. “Helmet” means a protective covering for the head consisting of a hard outer shell, padding adjacent to and inside the outer shell, and a neck or chin strap type retention system, with the manufacturer's certification applied in

accordance with 49 C.F.R. Sec. 571.218 indicating that the helmet meets standards established by the United States department of transportation.

- F. "Impound" means removal of a vehicle, electric motorcycle, or similar motorized device to a storage facility either by a law enforcement officer of the Snoqualmie Police Department or by a contractor for towing and storage. ~~"City Street" means every public highway, road or street, as defined in Chapter 46.04 RCW, or part thereof, located within the city.~~
- G. "Minor" means any person under the age of 18.
- H. "Ward" means a minor or incapacitated adult placed under the protection of a guardian.

10.36.020 General Operation Requirements and Penalties.

- A. The following regulations apply to the operation of electric motorcycles in the City of Snoqualmie streets, right-of-way, easements, publicly accessible parking lots, parks, and open space.
 - 1. No person under the age of 16 shall operate an electric motorcycle within the City of Snoqualmie.
 - 2. No person shall operate an electric motorcycle that is not registered with the Washington State Department of Licensing and does not have a valid license plate.
 - 3. To be operated on a public street or road, an electric motorcycle must meet the requirements of RCW 46.61.705.
 - 4. No person shall use or operate an electric motorcycle upon any sidewalk, public trail, city park, or city open space within the city of Snoqualmie.
 - 5. Every electric motorcycle when in use during hours of darkness as defined in RCW 46.37.020 shall display a lighted headlight, lighted stop light, and at least two illuminating rear reflectors.
 - 6. No person shall operate an electric motorcycle while carrying a passenger, ~~unless equipped for a passenger by the original manufacturer.~~

7. No person shall tow any person or thing while operating an electric motorcycle.
- B. Any person violating the provisions of this section shall be deemed to have committed a traffic infraction and shall be subject to the following penalties:
 1. First offense: \$250
 2. Second offense: \$500
 3. Third and subsequent offenses: \$750

10.36.030 Parent or Guardian Responsible.

- A. No person shall cause or knowingly permit his or her child or ward under the age of eighteen years to operate an electric motorcycle in violation of this chapter.
- B. Any person violating the provisions of this section shall be deemed to have committed a non-traffic infraction and shall be subject to the following penalties:
 1. First offense: \$250
 2. Second offense: \$500
 3. Third and subsequent offenses: \$750

10.36.040 Traffic Laws Apply.

Every person riding an electric motorcycle upon a public way shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle pursuant to Chapter 46.61 RCW, except special regulations in RCW 46.61.750 through 46.61.780 shall apply to persons operating a motorized foot scooter or electric motorcycle and except as to those provisions of Chapter 46.61 RCW which by their nature can have no application.

10.36.050 Helmet Required and Penalty.

- A. Any person operating an electric motorcycle on city streets, right-of-way or alleys of the city of Snoqualmie, or on any city property as defined in SMC 10.35.010(D), shall wear a helmet and shall have either the neck or chin strap of the helmet fastened securely while the electric motorcycle is in motion.
- B. Any person violating the provisions of this section shall be deemed to have committed a traffic infraction and shall be subject to a penalty of \$75.00.

10.36.060 Impoundment.

- A. A law enforcement officer may impound any electric motorcycle operated in violation of this chapter.
- B. The Police Department shall, as soon as practicable after impounding any vehicle, obtain the name and address of the registered owner of the impounded vehicle shown by the records of the authority last licensing the vehicle. After obtaining such information, the Police Department, shall provide written notice to such owner that the vehicle has been impounded, or send the written notice via United States Postal Service Certified Mail.
- C. All towing and hauling and storage charges on each vehicle impounded pursuant to this chapter shall be paid by the owner thereof or his or her agent, or other persons redeeming the vehicle. If the vehicle is not redeemed, such charges shall be paid as provided in RCW 46.52.110. In no event shall the city be liable for any such charge, and the owner of each garage approved as a vehicle pound, pursuant to this chapter, by accepting his or her city contract shall be considered as so stipulating.

10.36.070 Enforcement Authority.

The Snoqualmie Police Department is authorized to enforce the provisions of this chapter and may issue civil infractions, impound vehicles, and take other lawful actions necessary to protect public safety and ensure compliance.