



Common Council Agenda Item

Meeting Date:	October 6, 2026
Agenda Item:	Review, discuss, and direct staff regarding changes to Chapter 11.40 Bicycles.
Staff Contact (name, email, phone):	Kevin Boehm, kboehm@whitewater-wi.gov , 262-473-0122

BACKGROUND

(Enter the who, what when, where, why)

Staff was asked to explore options related to requiring helmets for individuals operating bicycles, electric bicycles (e-bikes), and electric scooters within the City of Whitewater.

Wisconsin statutes establish rules of operation for bicycles, e-bikes, and electric scooters. Under current state law, e-bikes are generally afforded the same rights and are subject to the same duties as bicycles. State law also provides that a person under the age of 16 may not operate a Class 3 e-bike. Electric scooters are addressed separately throughout Wisconsin's rules of the road, including provisions governing their operation on roadways, bicycle ways, and sidewalks.

Wisconsin law does not currently establish a general helmet requirement for operators of bicycles, e-bikes, or electric scooters. As a result, discussion has focused on whether the City should establish a local helmet requirement for younger operators of e-bikes and electric scooters while continuing to encourage helmet use for other riders.

The proposed approach discussed by the City's advisory boards would:

- **Require** individuals **under the age of 16** operating an electric scooter or e-bike to wear an appropriate protective helmet.
- Continue to **recommend**, but not require, helmet use for bicycle riders.
- Continue to **recommend** helmet use for individuals age 16 and older operating electric scooters or e-bikes.

The intent of bringing this matter before the Common Council is not to present a final ordinance for adoption at this time. Rather, staff is seeking Council discussion and direction regarding whether the City Attorney's Office should evaluate the City's existing ordinances and applicable Wisconsin statutes and prepare appropriate ordinance language for future consideration.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

September 3, 2026 – Pedestrian and Bicycle Advisory Commission

The Pedestrian and Bicycle Advisory Commission discussed potential helmet requirements for bicycles, e-bikes, and electric scooters.

The Commission recommended:

- Requiring individuals under the age of 16 operating an electric scooter or e-bike to wear a helmet.
- Not requiring helmets for individuals riding traditional bicycles, while continuing to recommend helmet use.
- Recommending helmet use for individuals age 16 and older operating electric scooters or e-bikes.

September 16, 2026 – Park and Recreation Board

The Park and Recreation Board further discussed the proposed helmet requirements and supported the recommendation of the Pedestrian and Bicycle Advisory Commission.

The Park and Recreation Board further recommended that the matter be forwarded to the Common Council for discussion and consideration at its October 6, 2026 meeting.

FINANCIAL IMPACT

(If none, state N/A)

None

STAFF RECOMMENDATION

Staff recommends that the Common Council discuss the recommendations forwarded by the Pedestrian and Bicycle Advisory Commission and the Park and Recreation Board regarding helmet use for electric scooters and e-bikes.
--

If the Common Council wishes to proceed, staff recommends directing the City Attorney's Office to review **City Code §11.40 – Bicycles**, applicable Wisconsin statutes, and the City's authority to regulate electric scooters and e-bikes and determine whether the most appropriate approach is to:

1. Amend City Code §11.40 to address bicycles, e-bikes, and electric scooters; or
2. Develop a separate ordinance specifically addressing electric scooters and e-bikes.

Any ordinance brought back for future Common Council consideration should be consistent with current Wisconsin statutes and should include, if legally permissible, a provision requiring individuals under the age of 16 operating an electric scooter or e-bike to wear an appropriate protective helmet.

The ordinance review should also address definitions, applicability, enforcement, penalties, and any other provisions necessary to ensure that the City's regulations are clear, enforceable, and consistent with state law.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

Current City Code 11.40 Bicycles
