

Proposed Ordinance Revision

11.40.070 – Obedience to Vehicle or Traffic Regulations and Riding Regulations.

For the purpose of this chapter, bicycles and electric bicycles (E-bikes) shall be classified as vehicles and are therefore required to obey all rules dealing with vehicular traffic as set forth in **Wis. Stats. Chapters 340–348**, which are hereby adopted by reference, together with all future amendments. In addition to owners or operators obeying all vehicular traffic regulations, they shall obey the following:

(a) Classification of Electric Bicycles.

Electric bicycles shall be considered vehicles to the same extent as bicycles and are not subject to financial responsibility, operator's license, registration, or certificate of title requirements, pursuant to **Wis. Stat. §346.804** and **§346.806**.

(b) E-bike Classes and Age Restrictions.

(1) A "Class 1 electric bicycle" is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, and ceases to provide assistance when the bicycle reaches 20 miles per hour.

(2) A "Class 2 electric bicycle" is a bicycle equipped with a motor that may be used to propel the bicycle without pedaling, but ceases to provide assistance when the bicycle reaches 20 miles per hour.

(3) A "Class 3 electric bicycle" is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, and ceases to provide assistance when the bicycle reaches 28 miles per hour.

(4) **No person under the age of 16 may operate a Class 3 electric bicycle.** (See **Wis. Stat. §346.806(3)(a)**).

(c) Helmet Requirement.

Every person operating a Class 3 electric bicycle shall wear a protective helmet. (See **Wis. Stat. §346.806(3)(b)**).

(d) Intoxication.

No person shall operate at any time a bicycle or electric bicycle while under the influence of an intoxicant or controlled substance.

(Note: Wisconsin law does not define bicycle riding as an "operating while intoxicated" (OWI) offense; see Wis. Stat. Ch. 346, Subch. IX. This prohibition is a stricter local safety measure.)

(e) Attaching to Motor Vehicles.

No person riding upon a bicycle, electric bicycle, coaster, wagon, roller skates, sled, toboggan, or any toy vehicle shall attach the same or himself to any other motor vehicle on a city street.

(f) Seating and Passenger Limits.

Any person operating a bicycle or electric bicycle shall not ride other than upon or astride a

permanent and regular seat attached thereto, and no bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped with proper seats.

(g) Carrying Objects.

No person operating a bicycle or electric bicycle shall carry any packages, bundle, or article which prevents the operator from keeping at least one hand upon the handlebars at all times.

(h) Lane Position and Hand Signals.

Except when preparing to make a left-hand turn with the proper hand signal, every person operating a bicycle or electric bicycle upon a road or street shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction. (See **Wis. Stat. §346.80(2)(a)–(c)**).

(i) Two-Abreast Riding.

Persons riding bicycles or electric bicycles upon a street or roadway may ride two abreast if such operation does not impede the normal and reasonable movement of traffic. (See **Wis. Stat. §346.80(3)(a)**).

(j) Nighttime Lighting and Reflectors.

No person may operate a bicycle or electric bicycle during the hours of darkness unless it is equipped with or the operator is wearing a lamp emitting a white light visible from a distance of at least 500 feet to the front, and with a red reflector on the rear visible from 50 to 500 feet when in front of lawful upper beams of motor vehicle headlamps. A red lamp visible from 500 feet to the rear may be used in addition to the reflector. (See **Wis. Stat. §347.489(1)**).

(k) Safe Passing by Motor Vehicles.

The operator of a motor vehicle overtaking a bicycle or electric bicycle proceeding in the same direction shall exercise due care, leaving a safe distance of not less than three feet clearance, until the vehicle has safely passed. (See **Wis. Stat. §346.075(1)**).

(l) Racing.

Racing on any street is prohibited unless authorized by permit.

(m) Brakes and Audible Signal.

No person shall operate a bicycle or electric bicycle unless it is equipped with a brake capable of causing the braked wheel or wheels to skid on dry, level, clean pavement. A bell or other device capable of giving an audible signal for a distance of at least 100 feet shall be required. Bicycles shall not be equipped with nor shall any person use upon a bicycle or electric bicycle any siren or whistle.

(n) Sidewalk Riding.

Bicycles and electric bicycles shall not be ridden on sidewalks **in the central business district or where buildings abut the sidewalk**, except where local authorities have expressly permitted such use. In all cases, bicyclists must yield the right-of-way to pedestrians and shall give an audible signal before overtaking and passing a pedestrian. (See **Wis. Stat. §346.94(1)** and **§346.804**).

Summary of Incorporated State Statutes

- **Wis. Stat. §346.804 & §346.806** – Classification and regulation of electric bicycles.
- **Wis. Stat. §346.80(2)(a)–(c)** – Position on roadway and hand signals.
- **Wis. Stat. §346.80(3)(a)** – Riding two abreast.
- **Wis. Stat. §347.489(1)** – Lamps and reflectors required at night.
- **Wis. Stat. §346.075(1)** – Overtaking and passing bicycles; three-foot rule.
- **Wis. Stat. §346.94(1)** – Use of sidewalks.

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