CHAPTER 76A

ELECTRIC BICYCLE AND ELECTRIC SCOOTER REGULATIONS

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76A.01 DEVICES COVERED

A. Low speed electric bicycle.

(Code of Iowa, Sec 321.1(40.c))

B. "Electric scooter" means a device weighing less than one hundred pounds that is equipped with two or three wheels, handlebars, and an electric motor, and which is solely powered by the rider or by an electric motor capable of propelling the device without additional propulsion supplied by the rider, at a maximum speed on paved level surface of no more than twenty miles per hour, or both.

C. "Low speed electric bicycle" means a device having a saddle or seat for the use of a rider, up to four wheels, equipped with fully operable pedals, and an electric motor of less than seven hundred fifty watts that meets the requirements of one of the following classes:

a. "Class 1 low-speed electric bicycle" means a low-speed electric bicycle equipped with a motor that may be used to provide assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour or more.
b. "Class 2 low-speed electric bicycle" means a low speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle reaches a speed of twenty miles per hour or more.
c. "Class 3 low-speed electric bicycle" means a low-speed electric bicycle equipped with a motor that may be used to provide assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour or more.

(Code of Iowa, Sec. 321.1(36A))

76A.02 SCOPE OF REGULATIONS. These regulations shall apply whenever an electric bicycle or electric scooter is operated upon any street or upon any public path set aside for the exclusive use of electric bicycles or electric scooters, subject to those exceptions stated herein.

76A.03 TRAFFIC CODE APPLIES. Every person riding an electric bicycle or electric scooter upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of the State declaring rules of the road applicable to vehicles or by the traffic code of the City applicable to the driver of a vehicle, except as to those provisions which by their nature can have no application. Whenever such person dismounts from a bicycle the person shall be subject to all regulations applicable to pedestrians.

(Code of Iowa, Sec. 321.235B)

76A.04 DOUBLE RIDING RESTRICTED. A person propelling an electric bicycle or electric scooter shall not ride other than astride a permanent and regular seat attached thereto. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

76A.05 TWO ABREAST LIMIT. Persons riding electric bicycle or electric scooter upon a roadway shall not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles, electric bicycles or electric scooters. All electric bicycle or electric scooter ridden on the roadway shall be kept to the right and shall be operated as near as practicable to the right-handedge of the roadway.

76A.06 BICYCLE PATHS. Whenever a usable path for bicycles, electric bicycles or electric scooters has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

76A.07 SPEED. A person shall not operate an electric bicycle or electric scooter at a speed greater than is careful and prudent at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the surroundings and environment, such as inclement weather, infrastructure conditions, and grade. A person shall not operate an electric bicycle or electric scooter in excess of the posted or applicable speed limit, or if there is no posted or applicable speed limit, twenty-miles per hour. Electric bicycles or electric scooters riding on sidewalks are restricted to no more than 10 miles per hour

(Code of Iowa, Sec. 321.235B [9.b])

76A.08 EMERGING FROM ALLEY OR DRIVEWAY. The operator of electric bicycle or electric scooter emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of- way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

76A.09 **CARRYING ARTICLES.** No person operating electric bicycle or electric scooter shall carry any package, bundle or article which prevents the rider from keeping at least one hand upon the handlebars.

76A.10 **RIDING ON SIDEWALKS.** No person shall ride an electric bicycle or electric scooter upon any sidewalk that is zoned as Central Business District (C-1) or Commercial Highway District (C-2). When riding in a permitted area on a sidewalk, riders of electric bicycle or electric scooters shall yield to pedestrians.

76A.11 **TOWING.** It is unlawful for any person riding an electric bicycle or electric scooter to be towed or to tow any other vehicle, object, or person upon the streets of the City, unless the item has been specifically manufactured to be towed by such a device.

76A.12 **IMPROPER RIDING.** No person shall ride an electric bicycle or electric scooter in an irregular or reckless manner such as zigzagging, stunting, speeding or otherwise so as to disregard the safety of the operator or others.

76A.13 **PARKING.** No person shall park an electric bicycle or electric scooter upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such a manner as to afford theleast obstruction to pedestrian traffic.

Bicycles, electric scooters, electric personal assistive mobility devices or personal transportation devices shall be parked in a manner which allows access to:

a. An ADA-compliant pedestrian pathway.
b. A fire hydrant.
c. A US Postal Service mailbox.
d. A crosswalk or curb ramp.
e. Loading zones.
f. Transit zones, including bus stops, shelters, or other passenger waiting areas.
g. Accessible parking spaces.
h. Entryways.
i. Driveways.

76A.14 **EQUIPMENT REQUIREMENTS.** Every person riding an electric bicycle or electric scooter shall be responsible for providing and using equipment as provided herein:

1. Helmet: All riders under the age of 18 shall wear a bicycle helmet that fits property and is fastened according to the manufacturer of the helmet.

2. Brakes Required. Every electric scooter or electric bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

73A.15 USE OF ELECTRONIC DEVICES WHILE RIDING. No person shall ride an electric scooter or electric bicycle while using any electronic device while riding and electric bicycle or electric scooter while on the roadway.

1. For the purpose of this section electronic devices are defined as those devices listed in Iowa Code 321.276.

2. A person does not violate this section by using an electronic device in a voice activated or hands-free mode.

76A.16 ENFORCEMENT UNDER AGE 12. For persons under the age of 12 who violate the provisions of this chapter, the citation shall be issued to the minor's parent or guardian.

76A.17 LIGHTING. Any electric bicycle or electric scooter operated on a city street between sunset and sunrise must be equipped with the following:

1. A lamp on the front exhibited a white light visible from a distance of at least three-hundred feet to the front and with a lamp on the rear exhibiting a red light visible form a distance of three-hundred feed to the rear.

76A.18 PENALTY. Violations of this chapter are punishable by fines set forth in Chapter 4.10 of the Code of Ordinances. The established fine for violations of this chapter are: 1st offense $20; 2nd Offense $50, and third and subsequent offenses are $100.

76A.19 SPECIAL PENALTY. Any person violating the provisions of this chapter may, in lieu of the scheduled fine for electric scooter or electric bicycle or standard penalty provided for violations of the Code of Ordinances, have their electric scooter or electric bicycle impounded by the City for not less than five (5) days for the first offense, ten (10) days for a second offense and thirty (30) days for a third offense.