

ORDINANCE NO. 486

AN ORDINANCE TO AMEND CHAPTER 76, EARLHAM MUNICIPAL CODE, BICYCLE REGULATIONS, TO RENAME CHAPTER 76 AS PERSONAL TRANSPORTATION DEVICE REGULATIONS AND TO UPDATE THE ORDINANCE AND INCLUDE THE REGULATION OF PERSONAL TRANSPORTATION DEVICES AND UPON THE EFFECTIVE DATE

WHEREAS, the City has determined it is in the best interests for the health, welfare and safety of its citizens to update Chapter 76 of the Earlham Municipal Code and to include regulations concerning the use of personal transportation devices as provided herein on streets, bike lanes, multi-use trails and sidewalks.

BE IT THEREFORE ORDAINED by the City Council of the City of Earlham:

Section 1: Chapter 76, Earlham Municipal Code, should be and the same is hereby repealed and enacted in lieu thereof is as follows:

CHAPTER 76 PERSONAL TRANSPORTATION DEVICE REGULATIONS

76.01 PURPOSE.

The purpose of this Chapter is to set forth regulations for operating bicycles, electric personal assistive mobility devices, electric scooters, high-speed pedestrian conveyances, low-speed electric bicycles, motorized bicycles, other power-driven mobility devices, pedestrian conveyances, skates, and skateboards, on the city's roadways, streets, sidewalks, and multi-use trails as enabled by Code of Iowa, Section 321.235 and 321.236[10].

76.02 DEFINITIONS.

1. "Bicycle" means either of the following: (1) A device having up to four wheels and having at least one saddle or seat for the use of a rider which is propelled by human power. (2) A low-speed electric bicycle.
(Code of Iowa, Sec. 321.1[40.c.])
2. "Bicycle lane" means a portion of a street designed for exclusive or preferential use by persons using bicycles, pedestrian conveyances, or other personal transportation devices. Bicycle lanes are distinguished from the portion of the street used for motor vehicle traffic by physical barrier, striping, marking, or other similar delineation.

3. "Electric personal assistive mobility device" means a self-balancing, nontandem two-wheeled device powered by an electric propulsion system that averages seven hundred fifty watts and is designed to transport one person, with a maximum speed on a paved level surface of less than twenty miles per hour. The maximum speed shall be calculated based on operation of the device by a person who weighs one hundred seventy pounds when the device is powered solely by the electric propulsion system. For purposes of this chapter, "electric personal assistive mobility device" does not include an assistive device as defined in section 216E.1.

(Code of Iowa, Sec. 321.1[20B])

4. "Electric scooter" means a device weighing less than one hundred pounds that is equipped with one, two or three wheels, with handlebars, with or without a seat or saddle, and an electric motor and which is powered by the rider, or by an electric motor capable of propelling the device without additional propulsion supplied by the rider, or both, at a maximum speed on a paved level surface of no more than twenty miles per hour.
5. "High-speed pedestrian conveyance or E-Moto" means any pedestrian conveyance with a motor exceeding seven hundred fifty (750) watts or capable of speeds over twenty miles per hour when powered solely by the motor.
 - A. If such a conveyance is capable of a maximum speed of up to thirty-nine mph, it shall follow the State of Iowa Code and City of Waukee regulations applicable to motorized bicycles.
 - B. If such a conveyance is capable of a maximum speed exceeding thirty-nine mph, it shall follow the State of Iowa Code and City of Waukee regulations applicable to motorcycles.
6. "Low-speed electric bicycle" means a device having a saddle or seat for the use of a rider, two or three wheels equipped with fully operable pedals, and an electric motor that produces not more 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])

7. "Motorized bicycle" means a motor vehicle having a saddle or seat for the use of a rider, designed to travel on not more than three wheels in contact with the ground, and not capable of operating at a speed in excess of thirty-nine miles per hour on level ground unassisted by human power, but excluding a low-speed electric bicycle.
8. "Multi-use trail" or "Shared Use Path" means a paved or an ADA-compliant unpaved surface, separate from the street, in the right-of-way at or greater than eight feet (8') in width under the jurisdiction and control of the state or a local political subdivision thereof for use primarily by bicycles, low-speed electric bicycles, electric scooters, personal transportation devices, and pedestrians.
9. "Other Power-Driven Mobility Device (OPDMD)" means any mobility device powered by batteries, fuel, or other engines that is used by individuals with mobility disabilities for the purpose of locomotion, including, electronic personal assistance mobility devices, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair or a golf cart.
10. "Pedestrian Conveyance" means any human-powered device by which a pedestrian may move other than by walking or by which a pedestrian may move another person, including but not limited to a wheelchair, stroller, skateboard, scooter, or other similar device. "Pedestrian conveyance" also includes an electric personal assistive mobility device and any other device used to move a person sitting or standing on the device regardless of whether the device is powered by an electric motor, so long as the electric motor produces not more than seven hundred fifty watts. "Pedestrian conveyance" does not include a bicycle.

(Code of Iowa, Sec. 321.1[51A])

11. "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel.
12. "Sidewalk" means a paved or unpaved surface, separate from the street, in the right-of-way less than eight feet (8') in width under the jurisdiction and control of the local political subdivision thereof for use primarily by pedestrians.
13. "Skate" means a device, or shoe, worn on the foot containing wheels guided by the user, or rider, powered by any means including, but not limited to, motor, wind or foot power.
14. "Skateboard" means a foot, motor, or wind propelled vehicle consisting of a board which is guided by the user or rider standing on same and pushing the same with foot power or operating with motor or wind power.

15. "Street" means the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic.

76.03 SCOPE OF REGULATIONS.

These regulations shall apply whenever any bicycle, electric personal assistive mobility device, electric scooter, high-speed pedestrian conveyance, low-speed electric bicycle, motorized bicycle, other power-driven mobility device, pedestrian conveyance, skate, or skateboard is operated upon any public land, public street, roadway, park road, any multi-use trail, sidewalk, or in any bicycle lane and path, subject to those exceptions and regulations stated herein.

76.04 TRAFFIC CODE APPLIES.

1. Every person, including a peace officer, using a bicycle, electric personal assistive mobility device, electric scooter, high-speed pedestrian conveyance, low-speed electric bicycle, motorized bicycle, other power-driven mobility device ("OPDMD"), pedestrian conveyance, skate, or skateboard upon a roadway or in a bicycle lane 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 that by their nature can have no application or those for which specific exceptions have been set forth regarding police bicycles. This does not apply to the use of any device in a parade authorized by proper permit from local authorities.

(Code of Iowa, Sec. 321.234[2,5])

2. Bicycles, electric personal mobility devices, electric scooters, low-speed electric bicycles, OPDMD's, and pedestrian conveyances are not subject to registration, licensure, titling, inspection, and proof of financial liability coverage provisions of Code of Iowa, Chapter 321 unless otherwise required by Iowa Code.
3. High-speed pedestrian conveyances, and motorized bicycles are subject to registration, licensure, titling, inspection, and proof of financial liability coverage provisions of Code of Iowa, Chapter 321.
4. Operators of high-speed pedestrian conveyances, and motorized bicycles are required to have possession of a driver's license or permit.
5. Operators of Bicycles, electric personal mobility devices, electric scooters, low-speed electric bicycles, OPDMD's, and pedestrian conveyances are not required to have possession of a driver's license or permit, unless otherwise required by Iowa Code.
6. Whenever such person dismounts from a bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard, the person shall be subject to all regulations applicable to pedestrians.

7. A peace officer using a police bicycle in the line of duty may do any of the following:
 - A. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
 - B. Exceed the maximum speed limits as long as the rider does not endanger life or property.

(Code of Iowa, Sec. 321.231)

76.05 MOTOR VEHICLE OPERATIONS.

1. Bicycle lane right-of-way. Operators of all motor vehicles shall yield the right-of-way to people using any bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard, in a designated bicycle lane and shall not operate a motor vehicle within a bicycle lane, unless provisions of law establish other requirements and regulations affecting such bicycle lanes, then such other provision of law shall control. No person shall drive a motor vehicle in a bicycle lane established on a roadway or street except as follows:
 - A. To park where parking is permitted.
 - B. To enter or leave the roadway or street.
 - C. To prepare for a turn within a distance of 200 feet from the intersection.
2. Lateral Passing Distance. The driver of a motor vehicle overtaking a person using any bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard that is traveling on a paved shoulder or in a bicycle lane, should give at least three feet of lateral passing distance between the outside of the vehicle and the rider and device.
3. Opening Doors. No person shall open any door of a motor vehicle located on a roadway or street without first taking precaution to ensure that this action does not interfere with the movement of traffic or endanger any other person or vehicle. In addition, no person shall leave open any door of a motor vehicle located on a roadway for a period of time longer than necessary to load or unload passengers or cargo.
4. Yield to persons in crosswalks. The driver of a motor vehicle shall yield right-of-way, slowing down or stopping, if need be, to so yield, to a pedestrian or person using any bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard within any marked crosswalk or unmarked crosswalk at an intersection.
5. Parking. Drivers of motor vehicles shall not park a vehicle within or blocking sidewalks, bicycle lanes or on any multi-use trail.

76.06 ACTIONS AGAINST PERSONAL TRANSPORTATION DEVICES.

1. A person operating a motor vehicle shall not steer the motor vehicle unreasonably close to or toward a pedestrian or a person riding any bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard on a roadway or street, including the adjacent shoulder.
2. A person shall not knowingly project any object or substance at or against a pedestrian or a person using any bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard on a roadway or street, adjacent shoulder, sidewalk, multi-use trail, or any other location. Any violation of this subsection is punishable by scheduled fines as listed in Code of Iowa section 805.8A(14. k.).

(Code of Iowa, Sec. 321.281)

76.07 RESPONSIBLE RIDING.

1. Double Riding Restricted. A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto. No bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard shall be used to carry more persons at one time than the number for which it is designed and equipped. This does not apply to such use in a parade authorized by proper permit from local authorities. Any violation of this subsection is punishable by schedule fines as listed in Code of Iowa section 805.8A(9)

(Code of Iowa, Sec. 321.234[3, 4, 5])

2. Speed. A person shall not operate any bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard at a speed 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, grade, and presence of others. A person shall not operate any bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard in excess of the posted or applicable speed limit, or if there is no posted or applicable speed limit, twenty miles per hour.
3. Control of bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard. Operators shall keep any device under directional, speed, and stopping control at all times.
4. Improper riding. No person shall operate any bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard in an irregular or reckless manner so as to disregard the safety of the operator, others, or property.

5. A person under the age of sixteen shall not operate a class 3 low-speed electric bicycle. A person under the age of sixteen may ride as a passenger on a class 3 low-speed electric bicycle in compliance with Code of Iowa section 321.234.
(Code of Iowa, Sec. 321.235B[6])
6. A person under the age of sixteen shall not operate an electric personal assistive mobility device.
(adapted from Code of Iowa, Sec. 321.235A)
7. Right of way. Users of any bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard shall yield right of way to pedestrians, human-powered bicycles, and other human-powered conveyances. Riders of bicycles and other human powered devices shall yield right of way to pedestrians.
8. Emerging from a Multi-Use Trail, Sidewalk, Alley or Driveway. The operator of any bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard emerging from an alley, multi-use trail, sidewalk, 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. Upon entering the roadway, the operator of any bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard shall yield the right-of-way to all vehicles or others present or approaching on said roadway, unless such intersection is controlled by a traffic control device in which case the user shall obey the traffic control device.
9. Hand Signals. Riders of any bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard may, but shall not be required to, signal their turning movements and stopping with their hands and arms as follows:
 - A. Left Turn - left hand and arm extended horizontally to the left.
 - B. Right turn - left arm extended upward to the left with an approximately 90-degree bend at the elbow to position the hand up, or right hand and arm extended horizontally to the right.
 - C. Stopping or slowing - left hand and arm extended downward.
10. Following Emergency Vehicles. No person using any bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard shall follow closer than 500 feet of an emergency vehicle as defined by Iowa Code section 321.1 which has emergency lights and/or siren activated, and shall not stop, park, or leave a bicycle within 500 feet of an emergency vehicle stopped in response to an emergency.

11. Towing. It is unlawful for any person using any bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard to attach the device or themselves to any moving motor vehicle by tow rope, hand grip or otherwise. This section shall not prohibit attaching a trailer to a bicycle that is designed to accommodate such a device.

76.08 PLACE OF RIDING.

1. Roadways and Streets.

- A. When riding on any roadway or street, riders of any bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard shall ride in the same location and manner and follow the same state and local laws applicable to motorized vehicles, unless a bicycle lane or multi-use trail exists adjacent to a roadway or street in which case riders may ride in the bicycle lane or on the multi-use trail according to applicable regulations and laws
- B. The operation or riding of electric scooters, pedestrian conveyances, skates or skateboards on a roadway or street is prohibited unless a Sidewalk, Trail, or bicycle lane does not exist in or adjacent to a roadway or street. This subsection does not apply to bicycles, electric personal mobility devices, low-speed electric bicycles, or OPDMD's.
- C. The use of any electric scooters, pedestrian conveyances, skates or skateboards is prohibited on any City of Waukee roadway or streets which have a speed limit of greater than 25 mph. This subsection does not apply to bicycles, electric personal mobility devices, low-speed electric bicycles, or OPDMD's.
- D. This section does not apply to the use of devices in a parade or special event authorized by the city.

2. Public Sidewalks and Multi-Use Trails.

- A. Public Sidewalks: Bicycles, electric personal mobility devices, electric scooters, low-speed electric bicycles, OPDMD's, pedestrian conveyances, skates, or skateboards may be operated upon the public sidewalks in a careful and prudent manner except where signs or pavement markings explicitly prohibit riding on the sidewalk, or in specified dismount zones where users shall walk their bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, pedestrian conveyance, skate, or skateboard.
- B. Multi-Use Trails: Bicycles, electric personal mobility devices, electric scooters, low-speed electric bicycles, pedestrian conveyances, skates, or skateboards may be operated upon multi-use trails that are equal to or greater than eight feet (8') in width except where signs or pavement markings explicitly prohibit riding on the multi-use trail.

- C. When operated inside city parks or green spaces bicycles, electric personal mobility devices, electric scooters, low-speed electric bicycles, pedestrian conveyances, skates, or skateboards shall only be ridden on the paved portion of the bicycle paths, trails, or sidewalks.
- D. Operation of any bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard shall at all times be subject to the limitations and obligations created by state law and municipal law, including the responsible rider requirements of Section 76.07.
- E. High-speed pedestrian conveyances and motorized bicycles are expressly prohibited from operation on sidewalks, multi-use trails and City parks or green spaces. High-speed pedestrian conveyances and motorized bicycles, and their operators, are subject to all requirements referenced in section 76.04.

76.09 PARKING.

Parking locations for any bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, or pedestrian conveyance shall not impede, restrict, block or interfere with access to:

1. ADA-compliant pedestrian pathways
2. fire hydrants
3. US Postal Service mailboxes
4. crosswalk or curb ramps
5. loading zones
6. transit zones, including bus stops, shelters, or other passenger waiting areas
7. accessible parking spaces
8. street furniture or amenities that require pedestrian access
9. entryways
10. driveways.

76.10 EQUIPMENT REQUIREMENTS.

Every person using any bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard shall be responsible for providing and using equipment as provided herein:

1. Every bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, or pedestrian conveyance when in use between sunset and sunrise and when weather conditions provide insufficient lighting to render clearly discernable persons and vehicles on the road at a distance of 300 feet ahead, shall be equipped with a lamp on the front emitting a white light visible from a distance of at least three hundred (300) feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of 300 feet to the rear except that a red reflector on the rear, may be used in lieu of a rear light. The lamps or reflector may be attached to the rider of the device rather than the device itself provided the visibility requirements are met. A peace officer riding a police bicycle is not required to use either front or rear lamps if duty so requires. Any violation of this subsection is punishable by schedule fines as listed in Code of Iowa section 805.8A.

(Code of Iowa, Sec. 321.384 and Sec. 321.397)

2. Equivalent equipment such as headlamps and red-light attachments to the head, back, arm, or leg may be used in lieu of a lamp on the front and a red light on the rear of the device.
3. Braking Mechanism Required. Every bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard shall have a mechanism which will enable the operator to bring the device to a complete stop within a safe distance.
4. Any Low-speed electric bicycle shall be compliant with all requirements listed within the Code of Iowa section 321.235B.
5. No bicycle, electric personal mobility device, electric scooter, low-speed electric bicycle, OPDMD's, pedestrian conveyance, skate, or skateboard shall be equipped with, and a person shall not use upon such device, any siren or whistle. This shall not apply to bicycles ridden by peace officer in the line of duty. Any violation of this subsection is punishable by schedule fines as listed in Code of Iowa section 805.8A.

(Code of Iowa, Sec. 321.434)

76.11 VIOLATIONS.

Violations of this chapter constitute a simple misdemeanor punishable by the imposition of a fine of twenty-five (25) dollars and any applicable surcharges and costs, unless otherwise noted above as applicable to Code of Iowa scheduled fines.

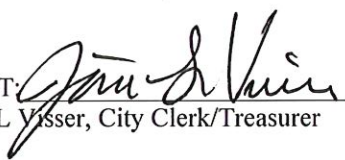
Section 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. Upon the effective date of this ordinance as provided herein, Chapter 77 ("Skateboards") of the Earlham Municipal Code should be and the same is hereby repealed.

Section 3. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provisions or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective Date. This ordinance shall be in full force and effect after its final passage, approval, and publication as provided by law.

Passed and approved by the City Council of the City of Earlham, Iowa, this 10 day of

August, 2026.

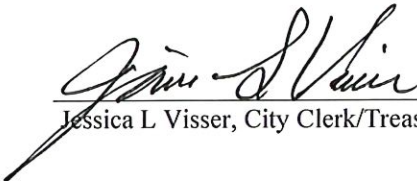
ATTEST: 
Jessica L Visser, City Clerk/Treasurer


Jeff Lillie, Mayor

Passed First Reading: 8-10-26
Passed Second Reading: waived
Waived Third Reading waived

<u>Member</u>	<u>1st Reading</u>	<u>2nd Reading</u>	<u>3rd Reading</u>
Fredericksen	x	x	x
Miller	x	x	x
Mudge	x	x	x
Nelsen	x	x	x
Visser	x	x	x

I certify that the foregoing Ordinance was published as Ordinance No.486 on the 10 day of August, 2026.


Jessica L Visser, City Clerk/Treasurer

