BILL NO: 26-27 **ORDINANCE NO: 2716**

AN ORDINANCE AMENDING TITLE III, TRAFFIC CODE, OF THE MUNICIPAL CODE OF THE CITY OF RICHMOND, MISSOURI TO AMEND CHAPTER 385 BICYCLES, MOTORIZED BICYCLES AND ELECTRIC BICYCLES.

WHEREAS, The Municipal Code of the City of Richmond, Missouri (the "City Code") includes provisions in Title III addressing traffic regulations within the City of Richmond, Missouri (the "City"); and

WHEREAS, the City staff have prepared revisions to amend to Title III of the City Code to address the increasing prevalence of Electric Bicycles in our community by adding new regulations and requirements pertaining to their operation.

WHEREAS, the City Council desires to approve the proposed amendments to Title III of the City Code as set forth in this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHMOND, MISSOURI, AS FOLLOWS:

SECTION I:

That Title III, Traffic Code, of the City Code is hereby amended with additions in bold underline and deletions in ~~strikethrough~~ to read as follows:

Chapter 385 Bicycles, Motorized Bicycles, ~~and~~ Electric Bicycles, and Motorized Play Vehicles

Section 385.010 Bicycle, ~~And~~ Motorized Bicycle, Electric Bicycle, and Motorized Play Vehicle – Defined.

Bicycle

Every vehicle propelled solely by human power upon which any person may ride, having two (2) tandem wheels, or two (2) parallel wheels and one (1) or two (2) forward or rear wheels, all of which are more than fourteen (14) inches in diameter, except scooters and similar devices.

Motorized Bicycle

Any two- or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty (50) cubic centimeters, which produces less than three (3) gross brake horsepower or less than two-thousand-hundred and thirty-seven (2,237) watts (for electric-powered devices), and is capable of propelling the device at a maximum speed of not more than thirty (30) miles per hour on level ground, but excluding an electric bicycle, as defined in Section

385.010 of this Code. A motorized bicycle shall be considered a motor vehicle for purposes of any homeowners' or renters' insurance policy.

Electric Bicycle

Electric bicycle or "E-Bike(s)" as used in this Section shall mean a bicycle equipped with fully operable pedals, a saddle or seat for the operator, brakes that disengage electric assist or cause electric assist function to cease when the bicycle's brakes are applied, and an electric motor of less than seven hundred fifty (750) watts that meets the requirements of one of the following three classes:

1. Class 1 electric bicycle is equipped with a motor that provides assistance only when the operator is pedaling and that ceases to provide assistance when the bicycle reaches the speed of twenty (20) miles per hour;
2. Class 2 electric bicycle is 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 the speed of twenty (20) miles per hour;
3. Class 3 electric bicycle is equipped with a motor that provides assistance only when the operator is pedaling and that ceases to provide assistance when the bicycle reaches the speed of twenty-eight (28) miles per hour and such vehicle shall also be equipped with a speedometer that is capable of displaying speed of travel in miles per hour.

Motorized Play Vehicle

The term "Motorized Play Vehicle" includes devices commonly referred to as mini-motorcycles, pocket bikes, motorized scooters, electric skateboards (including one-wheels), go-carts, and any other vehicle that is capable of transporting a person or persons at a speed in excess of five (5) miles per hour, that is self-propelled by a motor or engine, and is not otherwise defined by the Missouri Revised Statues or the Municipal Code of the City of Richmond, MO, as a motor vehicle, motorcycle, bicycle, electric bicycle, or motorized bicycle. This definition shall not apply to motorized wheelchairs or other similar motorized mobility devices designed for and used by a person with physical disabilities.

Section 385.075 Electric Bicycles – Classification; Rights and Privileges; Requirements, Regulations.

A. Except as otherwise provided in this Section, every person riding an electric bicycle shall be granted all of the rights and shall be subject to all of the duties/provisions of this Chapter applicable to the operator of a bicycle. An electric bicycle shall be considered a vehicle to the same extent as a bicycle.

B. An electric bicycle or a person operating an electric bicycle is not subject to provisions of law that are applicable to motor vehicles, all-terrain vehicles, off-road vehicles, off-highway vehicles, motor vehicle rentals, motor vehicle dealers or franchises, or motorcycle dealers or franchises, including vehicle registration, certificates of title, drivers' licenses, and financial responsibility

C. Beginning August 28, 2021, manufacturers and distributors of electric bicycles shall apply a permanent label to each electric bicycle. The label, which shall be affixed to the electric bicycle in a prominent location, shall contain the classification number, top assisted speed, and motor wattage of the electric bicycle. The text on the label shall be Arial font and in at least nine-point type

D. No person shall tamper with or modify an electric bicycle so as to change the motor-powered speed capability or engagement of an electric bicycle unless he or she replaces the label required under Subsection **(C)** of this Section with a new label indicating the new classification.

E. <u>If the classification of an electric bicycle is altered, the bicycle must be operated in accordance with the regulations applicable to the new classification of the electric bicycle</u>.

F. An electric bicycle shall comply with the equipment and manufacturing requirements for bicycles adopted by the United States Consumer Product Safety Commission, 16 CFR **1512.**

G. An electric bicycle shall operate in a manner so that the electric motor is disengaged or ceases to function when the rider stops pedaling or when the brakes are applied.

H. An electric bicycle may be ridden where bicycles are permitted to travel, subject to the following provisions:

1. ~~An~~ <u>Class 1 and 2</u> electric bicycles may be ridden on bicycle or multi-use paths where bicycles are permitted;

2. Following notice and a public hearing, a municipality, local authority, or State agency having jurisdiction over a bicycle or multi-use path may prohibit the operation of a Class 1 electric bicycle or Class 2 electric bicycle on that path if it finds that such a restriction is needed for safety reasons or compliance with other laws or legal obligations;
3. A municipality, local authority, or State agency having jurisdiction over a bicycle or multi-use path may prohibit the operation of a Class 3 electric bicycle on that path; ~~and~~
4. Class 3 electric bicycles shall not be ridden on multi-use paths or trails; and
5. The provisions of this Subsection shall not apply to a trail that is specifically designated as non-motorized and that has a natural surface tread that is made by clearing and grading the native soil with no added surfacing materials. A local authority or agency of the State having jurisdiction over a trail described in this Subsection may regulate the use of an electric bicycle on that trail.

I. The use of Class 3 electric bicycles shall be subject to the following provisions:

1. No person under sixteen (16) years of age shall operate a Class 3 electric bicycle. A person under sixteen (16) years of age may ride as a passenger on a Class 3 electric bicycle that is designed to accommodate passengers; and
2. All Class 3 electric bicycles shall be equipped with a speedometer that is capable of displaying the speed an electric bicycle is traveling in miles per hour.

J. Electric bicycles being operated on City sidewalks and crosswalks shall be subject to the following provisions:

1. A person may not operate a Class 3 electric bicycle on sidewalks or crosswalks.
2. A person operating a Class 1 electric bicycle, or a Class 2 electric bicycle upon and along a sidewalk, or across a roadway upon and along a crosswalk, shall yield the right-of-way to any pedestrians and shall give audible signal before overtaking and passing such pedestrian.
3. A person operating a Class 1 electric bicycle, or a Class 2 electric bicycle upon and along a sidewalk, or across a roadway upon and along a crosswalk shall have all the rights and duties applicable to a pedestrian under the same circumstances.

K. Electric bicycles being operated on City roadways shall be subject to the following provisions:

1. A Class 1 or Class 2 electric bicycle shall be operated only on roadways with a speed limit of twenty-five (25) miles per hour or less, except when upon a marked paved shoulder or bike lane. This shall not prohibit the use of such vehicle when crossing roadways with speed limits in excess of twenty-five (25) miles per hour.
2. No person shall operate a Class 3 electric bicycle on any street or highway with a designated speed limit greater than forty-five (45) miles per hour, or on any sidewalk or other public property.
3. Every person operating an electric bicycle at less than the posted speed or slower than the flow of traffic upon a roadway shall ride as near to the right side of the roadway as safe, exercising due care when passing a standing vehicle or one proceeding in the same direction, except when making a left turn, when avoiding hazardous conditions, when the lane is too narrow to share with another vehicle, or when on a one-way street.

L. A uniformed City Police Officer may at any time, upon reasonable cause to believe that an electric bicycle is unsafe or not equipped as required by law, or that its equipment is not in proper adjustment or repair, require the person operating the electric bicycle or to stop and submit the electric bicycle to an inspection and such test with reference thereto as may be appropriate.

M. The following helmet provisions apply to the operation of electric bicycles:

1. Every person age sixteen (16) and under operating or being a passenger on an electric bicycle upon any roadway, alleyway, or public right-of-way within the City limits shall wear a bicycle helmet of good fit, fastened securely upon the head with the straps of the helmet.
2. "Bicycle helmet" shall be defined as a piece of headgear which meets or exceeds the impact standard for protective bicycle helmets set by the U.S. Consumer Products Safety Commission Federal safety standards, those developed by the American National Standards Institute (ANSI), the Snell Memorial Foundation or the American Society of Testing and Materials (ASTM).
3. No parent, custodian or legal guardian of a person age sixteen (16) and under shall knowingly permit said person to operate or be a passenger on an electric bicycle operated upon any roadway, alleyway, sidewalk, crosswalk or public right-of-way within City limits without wearing a helmet as required by this Section.

Section 385.080 Penalty For Violation.

Any person seventeen (17) years of age or older who violates any provision of this Chapter, is guilty of an ordinance violation and, upon conviction thereof, shall be punished by a fine. Such violation does not constitute a crime, and conviction shall not give rise to any disability or legal disadvantage based on conviction of a criminal offense. If any person under seventeen (17) years of age violates any provision of this Chapter in the presence of a Police Officer possessing the duty and power of arrest for violation of the general criminal laws of the State or for violation of ordinances of Counties or municipalities of the State, said officer may impound the bicycle, ~~or~~ motorized bicycle, electric bicycle, or motorized play vehicle involved for a period not to exceed five (5) days upon issuance of a receipt to the child riding it or to its owner.

Section 385.100 Motorized Play Vehicles Prohibited; Parental Responsibility

A. No person shall ride on or operate a motorized play vehicle upon any on roadways with a speed limit of twenty-five (25) miles per hour or more, except when upon a marked paved shoulder or bike lane. This shall not prohibit the use of such vehicle when crossing roadways with speed limits in excess of twenty-five (25) miles per hour.

B. Motorized play vehicles may be ridden on sidewalks within the City provided that all motorized play vehicles ridden on the sidewalk shall not operate at a speed in excess of fifteen (15) miles per hour.

C. Every person age sixteen (16) and under riding a motorized play vehicle shall be subject to the same helmet requirements applicable to electric bicycles under Section 385.075.

D. It shall be unlawful for a parent, guardian, legal custodian or person having the care, custody or control of a minor child age sixteen (16) and under to fail to exercise sufficient control over access to a motorized play vehicle so as to allow a minor child to operate a motorized play vehicle in violation of this Section.

SECTION II:

That should any sentence, clause, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared to be invalid.

SECTION III:

This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED, SIGNED, AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY OF RICHMOND, MISSOURI, THIS 13TH DAY OF OCTOBER, 2026.

Mayor Mike Wright

ATTEST:

Saige Mason, City Clerk

First Reading: October 13, 2026

Second Reading: October 13, 2026