

AMENDED ORDINANCE NO. 27 - 25

By: Troy Markham

An Ordinance to amend Title Ten – Bicycles, Motorcycles, Snowmobiles of Part Four of the Codified Ordinances; to amend Section 474.07, Safe Riding Regulations for Bicycles; to amend Section 474.12 Operation of Minibikes, Scooters, Etc. on Sidewalks, Parks, and School Grounds; to amend Section 474.18, Electric Bicycles; and to create Section 475, Motorized Personal Mobility Devices, in order to further regulate the operation of bicycles, electric bicycles, and motorized personal mobility devices, and to declare an emergency.

Whereas: The City of Bexley is committed to promoting the safety and well-being of all residents, particularly minors who may be at increased risk when operating motorized personal mobility devices or electric bicycles; and

Whereas: The increasing use of electric scooters, electric bicycles, and similar devices by minors has raised significant safety concerns due to high speeds, limited protective infrastructure, and inconsistent use of helmets; and

Whereas: Local law enforcement and emergency personnel have responded to incidents and injury accidents involving minors operating motorized personal mobility devices unsafely; and

Whereas: Studies have shown that helmet use significantly reduces the risk of serious injury or death in crashes involving bicycles and similar devices, and mandatory helmet laws are a proven public safety measure; and

Whereas: The City finds it necessary to establish clear regulations to promote safe riding behaviors for all users, and to provide meaningful enforcement tools including impoundment and safety education requirements; and

Whereas: These regulations are consistent with the City's broader goals of fostering a safe, walkable, and family-friendly community environment;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1.

That Title Ten of Part Four be renamed "Title Ten – Bicycles, Motorcycles, Snowmobiles, and Personal Mobility Devices"

Section 2.

That Chapter 474.07 be amended as follows:

474.07 SAFE RIDING REGULATIONS FOR BICYCLES.

- (a) Whenever a person is riding a bicycle upon a sidewalk or street or in a public park, such person shall yield the right of way to any pedestrian and shall give an audible signal before attempting to overtake and pass a pedestrian or another bicycle. This audible signal must be given only by bell or other warning device capable of giving an audible signal and shall be given at such a distance and in such a manner as not to startle the person being overtaken and passed.
- (b) Whenever a person is riding a bicycle upon a sidewalk, no person shall ride a bicycle across or through any intersection involving a through street. Such intersections are to be crossed by walking the bicycle across or through the intersection.
- (c) Whenever a person is riding a bicycle upon a sidewalk, the person, before overtaking and passing a blind person carrying a white or metallic cane, shall dismount and overtake or pass on foot.
- (d) When a bicycle is operated on the street, the operator shall give hand signals before turning, changing lanes or stopping. Such signals shall conform with Section 432.14.
- (e) Every rider of a bicycle shall exercise due care to avoid colliding with any pedestrian or any vehicle upon any roadway, sidewalk or bicycle path, or endangering the life, limb or property of any person while in the lawful use of the streets, sidewalks or any other private or public property.
- (f) No person shall operate a bicycle at a speed greater than is reasonable and proper under the conditions then existing.
- (g) The operator of a bicycle emerging from or turning into an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alley, driveway or building, yield the right of way to all pedestrians approaching on such sidewalk area. Upon entering the street, such operator shall yield the right of way to all vehicles approaching on such street.
- (h) No person shall engage in dangerous behavior while operating a bicycle which threatens the safety of themselves or surrounding pedestrians or other vehicle operators.
Dangerous behavior includes, but is not limited to, the following examples:
 - (1) Engaging in stunt riding, trick riding, or other acrobatic maneuvers.**
 - (2) Operating the device in a reckless or aggressive manner, including but not limited to excessive swerving, abrupt braking, or weaving through pedestrians or vehicles in a manner that creates a dangerous environment.**

Section 3.

That Chapter 474.12 be amended as follows:

474.12 OPERATION OF MINIBIKES, SCOOTERS, ETC. ON SIDEWALKS, PARK AND SCHOOL GROUNDS.

No person shall ride a minibike, motor scooter, motor-assisted bicycle or moped on any sidewalk or in any public park in the City, or in or upon any school ground in the City, except as permitted by regulation adopted by the school authority in charge of such ground. **~~This section shall not be construed to apply to electric bicycles (see 474.18).~~**

Section 4.

That Chapter 474.18 be amended as follows:

474.18 ELECTRIC BICYCLES.

(a) Operation Generally

- (1) No person shall operate an Electric Bicycle on a sidewalk, except in the following circumstances:**
 - (i) Electric Bicycles may be operated on a sidewalk along Main Street, Broad Street, South Drexel Avenue, or Livingston Avenue, provided that the bicycle be operated at speeds below 10 MPH at all times, and below 5MPH when pedestrians or other cyclists are in the vicinity**
- (2) Except as otherwise outlined in this Section, the operation of Electric Bicycles shall comply with all laws pertaining to the operation of bicycles as provided for in Chapter 474.**

(b) Operation on Paths

- (1) The operation of a Class 1 Electric Bicycle and a Class 2 Electric Bicycle is permitted on a path set aside for the exclusive use of bicycles or on a shared-use path, ~~unless the Municipality by resolution, ordinance, or rule prohibits the use of a Class 1 Electric Bicycle or Class 2 Electric Bicycle on such a path.~~**
- (2) No person shall operate a Class 3 Electric Bicycle on a path set aside for the exclusive use of bicycles or a shared-use path unless that path is within or adjacent to a highway ~~or the Municipality by resolution, ordinance, or rule authorizes the use of a Class 3 Electric Bicycle on such a path.~~**
- (3) No person shall operate a Class 1 Electric Bicycle, a Class 2 Electric Bicycle or a Class 3 Electric Bicycle on a path that is intended to be used primarily for mountain biking, hiking, equestrian use, or other similar uses, or any other single track or natural surface trail that has historically been reserved for nonmotorized use, ~~unless the Municipality~~**

~~by resolution, ordinance or rule authorizes the use of a Class 1 Electric Bicycle, a Class 2 Electric Bicycle, or a Class 3 Electric Bicycle on such a path.~~

- (4) Divisions (a)(2) and (a)(3) of this section do not apply to a law enforcement officer, or other person sworn to enforce the criminal and traffic laws of the state, using an electric bicycle while in the performance of the officer's duties.

(c) Operation of Class 1 and Class 2 Electric Bicycles

(1) Operation of a Class 1 Electric Bicycle

(i) No person under twelve years of age shall operate a Class 1 Electric Bicycle.

(ii) A person under sixteen years of age shall comply with the conditions in (c)(3) (i through iii), provided that (c)(3)(ii) may be waived by written permission of a parent or guardian submitted to the City.

(2) No person under fourteen years of age shall operate a Class 2 Electric Bicycle;

(3) No person under sixteen years of age shall operate a Class 2 Electric Bicycle unless:

(i) The City has received written permission from a parent or guardian, on a form prescribed by the City administration.

(ii) The person has completed required training, which shall consist of either ~~or~~ both of the following:

(1) Obtaining a valid probationary motorized bicycle operator's license after the person has passed the test provided for in Ohio R.C. 4511.521; or

(2) Satisfactory completion an electric bicycle driver education course offered by the City of Bexley.

(iii) The Electric Bicycle has been inspected by the City of Bexley and determined to be in compliance with Ohio law relative to the specification and appropriate labeling of Class 2 Electric Bicycle.

(4) No person shall operate or be a passenger on a Class 1 or Class 2 Electric Bicycle unless the person is wearing a protective helmet that meets the standards established by the Consumer Product Safety Commission or the American Society for Testing and Materials.

(d) Operation of Class 3 Electric Bicycles

(1) No person under sixteen years of age shall operate a Class 3 Electric Bicycle; however, a person under sixteen years of age may ride as a passenger on a Class 3 Electric Bicycle that is designed to accommodate passengers.

(2) No person shall operate or be a passenger on a Class 3 Electric Bicycle unless the person is wearing a protective helmet that meets the standards established by the Consumer Product Safety Commission or the American Society for Testing and Materials.

(e) Penalties

(1) Any person who violates or fails to comply with any of the provisions of this chapter may have their Electric Bicycle immediately impounded for a period not exceeding thirty days.

- (i) **Officers may impound vehicles immediately upon observation of a violation of this section.**
- (2) **In addition to the penalties provided herein, a court may prohibit any person who violates or fails to comply with any of the provisions of this chapter from riding an Electric Bicycle for a period not to exceed three months, and may require satisfactory completion of rider education training.**
- (3) Except as otherwise provided in this subsection, whoever operates an electric bicycle in a manner that is prohibited under subsection (a) of this section and whoever violates subsection (b) of this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.
- (4) The offenses established under subsection (c)(1) of this section are strict liability offenses and strict liability is a culpable mental state for purposes of Ohio R.C. 2901.20. The designation of these offenses as strict liability offenses shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

Section 5.

That Section 475 be created as follows:

Section 475 Motorized Personal Mobility Devices

(a) Definitions

- (1) "Motorized Personal Mobility Device" means any electrically or gas-powered device designed for individual transport and not otherwise regulated in this Title, including but not limited to:
 - (i) Motorized scooters, both stand-up and sit-down in design
 - (ii) Motorized skateboards
 - (iii) Motorized unicycles
 - (iv) Motorized self-balancing devices
 - (v) Electric mopeds
 - (vi) Motorized tricyclesElectric wheelchairs and Mobility Scooters are not Personal Mobility Devices for the purpose of this section.
- (2) ~~"Minor" means any individual under the age of sixteen (16).~~
- (3) "Mobility Scooter" means a motorized personal mobility aid designed to assist individuals with limited mobility. Mobility scooters are primarily intended for use by individuals with disabilities or medical conditions that limit walking or standing, with speeds not exceeding 8 mph.
- (4) "Motorized" means outfitted with either an internal combustion engine or an electric drive motor.

- (5) "Helmet" means a protective headgear that meets or exceeds standards set by the U.S. Consumer Product Safety Commission or the American Society for Testing and Materials.

(b) Prohibited Use

- (1) No person shall operate a Motorized Personal Mobility Device on any public sidewalk or path.
- (2) No **individual** under the age of twelve (12) shall operate a Motorized Personal Mobility Device on any public street, sidewalk, path, or public space within the City of Bexley, except as specifically authorized under subsection (3).
- (3) An **individual** under twelve (12) may operate a Motorized Personal Mobility Device:
 - (i) On private property with permission of the property owner, or
 - (ii) When participating in a supervised, City-sponsored safety program or event.

(c) Helmet Requirement

- (1) All operators of Motorized Personal Mobility Devices under the age of eighteen (18) must wear a properly fitted and securely fastened Helmet at all times while operating the device within the City of Bexley.

(d) Enforcement and Penalties

- (1) Any person who violates or fails to comply with any of the provisions of this chapter may have their Motorized Personal Mobility Device immediately impounded for a period not exceeding thirty days.
- (2) In addition to the penalties provided in Sections 408.01 and 408.02, a court may prohibit any person who violates or fails to comply with any of the provisions of this chapter from riding a Motorized Personal Mobility Device for a period not to exceed three months, and may require satisfactory completion of rider education training.

Section 6.

That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety and shall go into full force and effect upon the approval of the Mayor.

Passed: _____, 2025

Monique Lampke, President of Council

Attest: _____
Matt McPeck, Clerk of Council

Approved _____, 2025

Ben Kessler, Mayor

First Reading: October 28, 2025

Second Reading:

Third Reading: