



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Meeting Agenda - Final

### Bicycle-Pedestrian Advisory Committee

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Tuesday, January 14, 2025

8:30 AM

City Hall - Miller Room

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Members of the public will be able to attend the meeting in person in the Miller Room at City Hall located at 400 La Crosse St in La Crosse or online via video conferencing with the link below.

Join Zoom Meeting:

<https://cityoflacrosse-org.zoom.us/j/83941902780?pwd=dm96S21idGJMdWdxUkdRRE96RUZSdz09>

Meeting ID: 839 4190 2780

Passcode: 856024

Dial by your location

1-312-626-6799

#### Call to Order

#### Roll Call

#### Approval of Minutes from the December 10th, 2024 meeting.

#### Agenda Items:

1. [25-0045](#) Annual Code of Ethics Policy Review.

**Attachments:** [City of La Crosse Code of Ethics Policy.pdf](#)

2. Green Complete Streets Review of 2024-2026 Street Projects.

3. [25-0043](#) Downtown Bike Parking Expansion

**Attachments:** [Downtown Bike Parking Expansion Presentation](#)

4. [24-1118](#) Discussion on electric scooters.

**Attachments:** [Electric Scooters in Other Communities](#)

[Electric Scooters State and Local.pdf](#)

[ARTICLE\\_VI.\\_BICYCLES\\_SKATES\\_AND\\_PLAY\\_VEHICLES.docx](#)

5. [25-0044](#) Updates and Call for Future Agenda Items.

**Attachments:** [Clinton Street Parking Count.pdf](#)

## Adjournment

*Notice is further given that members of other governmental bodies may be present at the above scheduled meeting to gather information about a subject over which they have decision-making responsibility.*

### *NOTICE TO PERSONS WITH A DISABILITY*

*Requests from persons with a disability who need assistance to participate in this meeting should call the City Clerk's office at (608) 789-7510 or send an email to [ADAcityclerk@cityoflacrosse.org](mailto:ADAcityclerk@cityoflacrosse.org), with as much advance notice as possible.*

Bicycle and Pedestrian Advisory Committee Members: CM Larry Sleznikow, Brooke Pataska, Grace Janssen, Jeff Fennie, Randi Pueschner, Robert Young, Stephanie Sward, Chelsey Boldon



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Text File

File Number: 25-0045

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**Agenda Date:**

**Version:** 1

**Status:** Agenda Ready

**In Control:** Bicycle-Pedestrian Advisory Committee

**File Type:** Resolution

**Agenda Number:** 1

## DIVISION 2. - CODE OF ETHICS

*Footnotes:*

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**State Law reference**— *Code of ethics for public officers and employees, Wis. Stat. § 19.41 et seq.; code of ethics for local government officials, employees and candidates, Wis. Stat. § 19.59.*

### Sec. 2-126. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Anything of value* means any money or property, favor, service, payment, advance, forbearance, loan or promise of future employment, but does not include compensation and expenses paid by the City, fees, honorariums and expenses which are permitted and reported under Wis. Stat. § 19.56, political contributions which are reported under Wis. Stat. ch. 11 or hospitality extended for a purpose unrelated to City business by a person other than an organization.

*Public employee* means any person excluded from the definition of a public officer who is employed by the City of La Crosse.

*Public officer* means all City officers as defined in Wis. Stat. § 62.09 and all members of Boards, Commissions and Agencies established or appointed by the Mayor or Common Council, whether paid or unpaid.

(Code 1980, § 2.48(A))

**Cross reference**— Definitions and rules of construction, § 1-2.

### Sec. 2-127. - Declaration of policy.

It is declared that high moral and ethical standards among City officers and employees are essential to the conduct of good representative government and that a Code of Ethics for the guidance of Public officers and employees will help them avoid conflicts with improved standards of public service and will promote and strengthen the confidence of the residents of this City in their public officers and employees.

(Code 1980, § 2.48(B))

Sec. 2-128. - Distribution of division.

- (a) The City Clerk shall cause to be distributed to each public officer and employee a copy of this division before entering upon the duties of the public officer or employee's office or employment.
- (b) Each public officer, the President of the Common Council, the Chair of each board, commission or agency and the head of each department shall, between January 1 and January 31 each year, review the provisions of this division and with fellow Council, board, commission, agency members or subordinates, as the case may be, and certify to the City Clerk by February 15 that such annual review had been undertaken. A copy of this division shall be continuously posted on each department bulletin board wherever situated.

(Code 1980, § 2.48(F))

Sec. 2-129. - Ethics Board.

(a) *Membership.*

- (1) The Ethics Board shall be composed of five voting members. The members shall be citizens chosen from the private sector who shall not have an affiliation with City government in any capacity. The members shall be appointed by the Mayor with the approval of the majority vote of the City Council.
- (2) Terms of office of the citizen members shall be three years.

(b) *Officers and staff.*

- (1) The Ethics Board shall have its own Chair and Vice-Chair.
- (2) The City Attorney shall furnish the Ethics Board whatever legal assistance, which may become necessary. The Ethics Board may determine the need for private counsel.

(c) *Advisory opinions.* Any person governed by this Code may apply in writing to the Ethics Board for an advisory opinion. Applicants shall present their interpretation of the facts at issue and of the applicability of the provision of this Code before the advisory opinion is rendered. All opinions shall be in writing and adopted by the Ethics Board by resolution. The Ethics Board's deliberations and action

upon such applications shall be in meetings not open to the public, but notice of such meetings shall be given pursuant to Wis. Stat. § 19.84, Record of the Ethics Board opinions, opinion request and investigations of violations may be closed to public inspection, as permitted by Wis. Stat. ch. 19. The Ethics Board, however, may make such records public with the consent of the applicant.

(Code 1980, § 2.48(G)(1), (G)(2))

**Cross reference**— Boards and commissions, ch. 2, art. X.

Sec. 2-130. - Violations and complaints.

- (a) The City Clerk shall accept from any person, except a member of the Ethics Board, a signed original complaint that states the name of the official or employee alleged to have violated this Code and that sets forth the material facts involved in the allegation. The City Clerk shall forward the original complaint to the Ethics Board Chair within three working days.
- (b) Time limitations. No action may be taken on any complaint that is filed more than one year after a violation of this division is alleged to have occurred.
- (c) Ethics Board procedures. Following the receipt of a complaint:
  - (1) The Ethics Board shall notify the accused within ten calendar days.
  - (2) The Ethics Board shall convene within 20 calendar days.
  - (3) The Ethics Board may make preliminary investigations with respect to alleged violation of this Code. A preliminary investigation shall not be initiated unless the accused official or employee is notified in writing within ten calendar days from the initial meeting. The notice shall state the purpose of the investigation and the individual's specific action or activities to be investigated.
  - (4) The Ethics Board shall make every effort to conclude within 120 calendar days.
- (d) Hearings. If the Ethics Board finds that probable cause exists for believing the allegations of the complaint, the Ethics Board may issue an order setting a date for a hearing. If the Ethics Board elects to hold a hearing, the Ethics Board shall give the accused at least 20 calendar days' notice of the hearing date. Such hearing shall be conducted pursuant to the contested case hearing requirements of Wis. Stat. ch. 227 at open session unless the accused petitions for a hearing closed to the public and good cause to close the hearing is shown.
- (e) Right of representation. During all stages of an investigation or proceeding conducted under this section, the accused or any person whose activities are under investigation is entitled to be represented by counsel of personal choice and at personal expense.

- (f) Due process. The accused or the accused's representative shall have an adequate opportunity to:
  - (1) Examine all documents and records to be used at the hearing within a reasonable time before the date of the hearing as well as during the hearing;
  - (2) Have witnesses heard;
  - (3) Establish all pertinent facts and circumstances; and
  - (4) Question or refute any testimony or evidence, including the opportunity to confront and cross-examine adverse witnesses.
- (g) Power to subpoena and administer oaths. The Ethics Board shall have the power to administer oaths and compel the attendance of witnesses by issuing subpoenas as granted other boards and commissions.
- (h) Vote of the Ethics Board. The majority vote of the Ethics Board shall be required for any action taken by the Ethics Board.
- (i) Evidentiary standard. If the recommendation is that a violation of this division has occurred, the Ethics Board must be convinced by clear and convincing evidence that such violation occurred.
- (j) Violations.
  - (1) If the Ethics Board finds that a violation of this division has occurred, the Ethics Board shall report their findings in writing to the City Council, complainant, and accused, through the City Clerk, within ten working days after reaching a conclusion.
  - (2) If the Ethics Board determines that an official or employee has violated any provision of this Code, the Ethics Board may, as part of its report to the City Council, make any of the following recommendations:
    - a. In case of an official who is an elected City Council Member, that City Council considers sanctioning, censuring or removing the person.
    - b. In the case of a citizen member or other elected or appointed City officer, that the City Council consider removing the person from the committee, board or office.
    - c. In the case of an employee, that the employee's appointing authority consider discipline up to and including discharge of the employee.
    - d. That the City Council consider imposing a civil forfeiture in an amount not exceeding \$1,000.00 for each offense.
  - (3) If the Ethics Board finds that no violation has occurred, the Ethics Board shall notify the complainant, the accused, and City Clerk in writing within five working days.
- (k) Penalties.

- (1) If the Ethics Board files a report with the City Council finding that an official or employee has violated the Ethics Code, such report shall be referred to the Judiciary and Administration Committee for a report. The Judiciary and Administration Committee may recommend to the City Council a penalty for the violation and/or recommendation that a hearing be held on the issue of the penalty. If a hearing is recommended by the Judiciary and Administration Committee, then the Mayor shall schedule a hearing before the City Council and cause notice to be mailed to the interested parties, including the person accused of the violation at least ten days prior to the date set for the hearing. At the hearing, the evidence in support of the penalty recommendations by the Ethics Board and/or Judiciary and Administration Committee shall be presented by the City Attorney or by a member of the City Attorney's staff. The accused, who may appear in person or who may be represented by an attorney, shall be entitled to present the City Council such evidence as may be relevant, competent and material in regard to the penalty for the violation.
- (2) Upon completion of the hearing or other proceeding by the City Council, judgment shall be entered by the City Council determining the penalty for violation of this division found by the Ethics Board and may include a recommendation of discipline of the person to the person's appointing authority up to and including discharge from employment or removal from office, in accordance with Wis. Stat. Ch. 17.
- (3) Any person violating this division may be subject to a Class A forfeiture for each offense.

(Code 1980, § 2.48(G)(3)—(G)(12))

**Cross reference**— Class A forfeitures, § 1-7.

Sec. 2-131. - Standards of conduct.

- (a) There are certain provisions of the Wisconsin Statutes which should, while not set forth herein, be considered an integral part of any Code of Ethics.
- (b) Accordingly, the provisions of the following sections of the Wisconsin Statutes are made a part of this division and shall apply to public officers and public employees whenever applicable, to-wit:
  - Wis. Stat. § 946.10 - Bribery of Public Officers and Employees
  - Wis. Stat. § 946.11 - Special Privileges from Public Utilities
  - Wis. Stat. § 946.12 - Misconduct in Public Office



Wis. Stat. § 946.13 - Private Interest in Public Contract Prohibited

(Code 1980, § 2.48(C))

Sec. 2-132. - Disclosures.

In addition to the foregoing statutory provisions, the following disclosure and related requirements are hereby established:

- (1) *Disclosure of interest in legislation.* To the extent that a member of the Common Council and any public officer or employee of the City of La Crosse knows thereof, such member, officer or employee, whether paid or unpaid, who participates in the discussion or gives official opinion to the Council on any legislation before the Council, shall publicly disclose the nature and extent of any direct or indirect financial or other private interest such person has in such legislation.
- (2) *Disclosure of interest in other matters.* To the extent that a member of a board, commission or agency, and any other public officer or public employee of the City of La Crosse knows thereof, such member, officer or employee, whether paid or unpaid, who participates in discussion or gives official opinion to any such board, commission or agency on any matter before it, shall publicly disclose the nature and extent of any direct or indirect financial or other private interest such person has in such matters.
- (3) *Confidential information.* No public officer or employee may intentionally use or disclose information gained in the course of or by reason of such public officer or employee's official position or activities in any way that could result in receipt of anything of value for such person, or such person's immediate family as defined by Wis. Stat. § 19.42, or for any other person or organization, if the information has not been communicated to the public or is not public information.
- (4) *Special privileges.* No public officer or employee may use or attempt to use any public position to influence or gain unlawful benefits, advantages or privileges for the public officer or employee or others.
- (5) *Conduct after termination of employment.* No public officer or employee, after the termination of service or employment with the City, shall appear before any Board or Agency of the City of La Crosse in relation to any case, proceeding or application in which the public officer or employee personally participated during the period of service or employment, or which was under the public officer or employee's active consideration.

(Code 1980, § 2.48(D))

Sec. 2-133. - Gifts and gratuities.

- (a) No public officer or employee shall receive or offer to receive, either directly or indirectly, any gift, gratuity, or anything of value which the public officer or employee is not authorized to receive from any person, if such person:
  - (1) Has or is seeking to obtain contractual or other business or financial relationships with such public employee's employer or the governmental body of the public official;
  - (2) Conducts operations or activities which are regulated by such public employee's employer or the governmental body of a public official; or
  - (3) Has interests which may be substantially affected by such public employee's employer or the governmental body of the public official.

The receipt of any gift, gratuity, or anything of value as denoted in this subsection (a) is contrary to the public policy of the City of La Crosse.

- (b) The following is the policy to be followed in determining whether or not public officer or employees of the City of La Crosse may attend as a guest:
  - (1) It will be the choice of the official or employee to accept or not accept guest status when such individual is the primary speaker or on the program agenda as a participant in the program.
  - (2) It will be the choice of the official or employee to accept or not accept guest status when such individual is honored for distinguished service.
  - (3) It will be the choice of the official or employee to accept or not accept guest status when such individual attends functions in other capacities than that as an elected official or as an employee of the City.
  - (4) It will be the choice of the official or employee to accept or not accept a meal at meetings which are instructional and job-related and, if the employee or official chooses to accept a meal, the cost of such should be submitted to the City of La Crosse for payment.

(Code 1980, § 2.48(E))

Secs. 2-134—2-164. - Reserved.



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Text File

File Number: 25-0043

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**Agenda Date:**

**Version:** 1

**Status:** Agenda Ready

**In Control:** Bicycle-Pedestrian Advisory Committee

**File Type:** General Item

**Agenda Number:** 3.

# Downtown Bike Parking Expansion

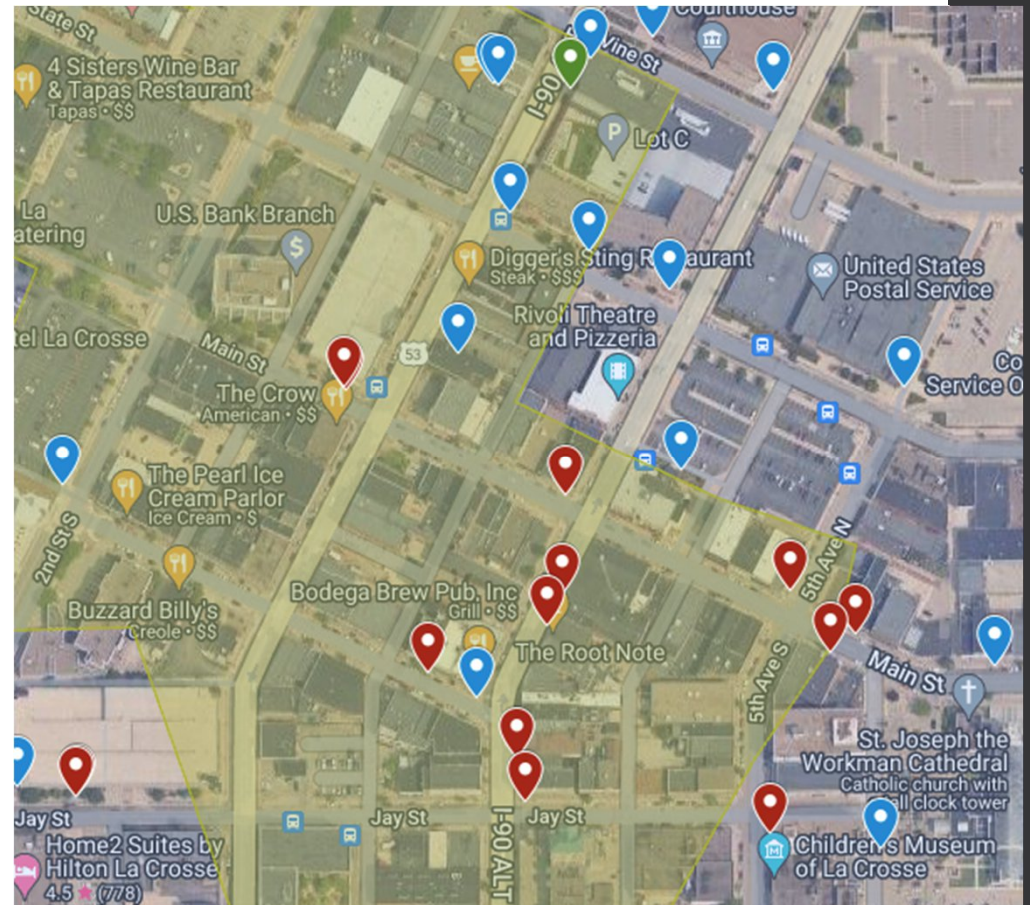
Andrew Ericson and Quinn McClure for BPAC on 1/14/25

# Project Overview

- Purpose: Bring more convenient bicycle parking to frequented areas of downtown La Crosse to promote active transportation.
- Funding: \$5,000 from Youth Climate Action Fund Grant (Bloomberg Philanthropies – City of La Crosse)
- Worked collaboratively with Quinn McClure, Environmental Studies Capstone student with project.

# Existing Bike Parking

- Blue markers = bike racks
- Red markers = bike posts



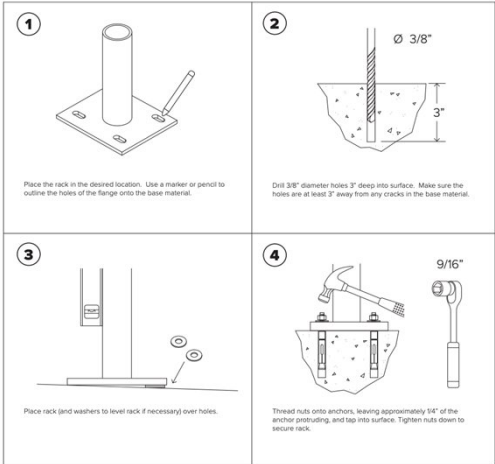
# Finalized Locations

- Filled in gaps, targeted highly frequented locations. Needed to install on concrete not bricks.
- Result: 20 total posts installed
  - 15 downtown locations
    - 1 post per location
  - 1 Riverside Park location
    - 5 posts



# Bike Hitch

- Dero Bike Hitch
- Easy to install







Questions, Comments, Concerns,  
Quarrels, Squabbles, Feuds...?



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Text File

File Number: 24-1118

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**Agenda Date:**

**Version:** 1

**Status:** Received and Filed

**In Control:** Bicycle-Pedestrian Advisory Committee

**File Type:** General Item

**Agenda Number:** 4.

City	What type of scooter do they have (brand)?	Is it docked/in central location or parked anywhere?	Do they regulate where they can be (sidewalk/road) or where they can be ridden?	Do they have speed limits?	How does community feel?	Do they have a bikeshare? Have scooters impacted bike share?	How has program overall been going?
Winona: Winona City Clerk Monica Mohan 507-457-8256	2-3 years ago they signed a license agreement with Bird Scooters. They are charged annually (1st year was \$500, now \$1000). Permits the scooters to be ridden anywhere in city limits. Some restrictions: not used on bike path around Lake Winona, or city parks/trail paths. They are allowed on city streets. First 2 years there was high usage, she's not sure what the numbers are right now. She suggested to make sure the company has insurance and provides insurance in case people riding them get injured. Stress wearing helmets and protective gear and lower speeds.	They do not have designated parking or docking areas. She would recommend having 2 or 3 areas downtown that are set up for them to be docked or parked. And that they can't be parked outside that area. People are riding them more for recreation, not necessarily for work etc. More people are buying them personally and it is hard to enforce them.	They can only be operated in the city and the company geofenced in the city. She suggests they can't start up unless 1-2 blocks away from where you want the geofence. They can still operate them past the area, but once they release the throttle it won't allow them to continue. Some people try to operate them outside the city and then they leave them outside the city. The company then has to retrieve them, they are pretty responsive and a local manager takes care of them. She is not aware of any accidents. They are used more on weekends and during late hours 11pm-1am.	Same as bikes. Since they started in 2022, there have been 6 accidents, 9 thefts, 6 traffic complaints involving them. An operator can be arrested for DWI, but they have yet to make an arrest on a subject riding a Bird Scooter.	She said there have been no major complaints. The ones they do have are when a scooter is left at an intersection blocking handicap access. She said that part of the license agreement is to call the company and have them come and move them. She said it might take a few hours before they are moved. She would recommend wording/language in the license agreement that they have to move them within a certain period of time or allow other city employees access to move them. City council majority think it's great. Mayor self-bikes and think it's great. Some council members hear complaints but most people voice that it is better mobility.	They do not have a bike share program. But she feels it is 2 separate uses. Bikes are more for exercise/ commute. Scooters are more recreation. She noted it was mentioned that scooters are seen or used to go to and from known drug houses.	The program has been going well overall. She would encourage language to be moved in timely manner so not blocking sidewalks, and prohibits youth under 16 from riding them. Recommend language to put enforcement actions or what the enforcement would be if a 15 year old is riding them. Or if they are not wearing a helmet etc. They also see more than 1 person riding them and their ordinance doesn't cover that. She would recommend license agreement language match the ordinance language and make sure to check any state statutes.
Rochester	Lime scooters, been there over 2 years	Lime picks them up and replaces batteries or moves some out of the way or moves some to the docking stations. But there is at least one docking station.	College students don't treat them well, throw them off parking ramps. HS or college-aged kids drive the wrong way on road. Or they weave through people on side walks. If you get them, control the time they start and end. They are tough to enforce and they cause the police department a lot of headaches.	15 mph	the local people aren't into them, kids are normally the ones messing with them and riding them around. Police don't see tourists using them.	no they don't have bike share, but bike share seems better with more people being respectful on them.	Owners of businesses complain to police on kids doing wheelies and riding in and out of people walking.
Whitewater: Lt. Shawn Reif	Bird Scooters	No, they are not docked. This is seen as a pro and con from their perspective. Riders are able to leave the scooter at their destination instead of returning it to a specific spot. But they are then left pretty much anywhere. Including: streets, along sidewalks, in downtown business district.	Where they are parked is not regulated. But the operators are supposed to follow the rules of the road. Some double-ride which is a safety issue. Have to be 18 to ride them, from police perspective sometimes it is hard to tell a persons age; which may be hard to enforce.	They note max speed of 15 mph. They are also not 24/7, they can only be operated from 4am-10pm. This is a pro from police side because not as many intoxicated people using them. they can ride in hours of dark, because they have a headlight and taillight.	The person I spoke with gave police and community pros/cons. Community likes that they provide a cheap mode of transportation, simple to operate, can be operated in hours of dark and they can leave them at any destination. Community cons: they are left everywhere, not 24/7, general commuters may view them as dangerous or annoying when they are operated on the highway. Police pros/cons are pros: no cost to city or PD, scooters have generated very few complaints and few traffic concerns. From police side, since June 2022 they have had 6 incidents involving scooters. 3 were crashes, 1 theft, 2 from Bird Inc. Bird is in charge of collecting them and charging them and putting them back out for use.	They do not have a bike share program.	They have used them for several years now. They don't have a municipal code specific to Bird scooters, they rely on WI traffic laws to enforce any illegal conduct taking place on them.

Attoona: Lt. Scott Kelley	They don't currently have one. The company stalled because the company didn't think they would get enough money.			Their ordinance noted, they can't over 25 mph, can go on bike trails. They did get complaints from walkers and bikers on them being on trails. Slowly they are becoming more and more accepted. He personally took a trip to Baltimore and noticed them all over. Younger group using them, mid-20's and younger. He noticed they would zip in and out of traffic. He also noticed they would either run out of battery or the person was just done with them and they leave them where they are, in the middle of the sidewalk.			
Appleton	Appleton was contracted with Bird up until this Summer (2024). The reason Appleton terminated their contract was because *Bird filed for bankruptcy *Failed to pay fees owed to city *Did not develop solution to riders parking rental scooters in right-of-way	The system is dockless. The staff person I spoke to stated this is the reason most issues have arisen. Enforcement on leaving them in undesignated spots has been difficult.	Scooters not allowed to be parked on bridges or in city parking ramps.	Maximum speed of 20 MPH.	When first launching the pilot program, the city asked the public to fill out an online survey about Bird scooters. More than 1,500 responses were received with mixed feedback. There was overall concern about where the scooters get left.	None	The program was not successful in Appleton. Appleton contracted with bird for three years but ultimately decided to cease negotiations for the 2024 season. Staff said there were concerns with safety, aesthetics, and accessibility. Along with unresolved issues with the company, Appleton decided to end their negotiations with Bird and create an ordinance prohibiting short-term rental of electric scooters to the general public. The city will not look to negotiate further with any company until 2025 at the earliest.
Neenah	Neenah contracted directly with Bird Scooters. Bird does all the work (maintenance, storage during winter, etc.). The City receives a small payment for hosting. First year received 10 cents a ride, third year bumped up to 20 cents. Bird has fleet manager and other employees who work in Appleton, Menasha, and Neenah to maintain scooters.	No docking station, some regulations around where they can be parked.	Scooters could not be parked on bridges, in parking ramps, in roundabouts and in certain spots in downtown. The scooters are not prohibited by code to ride on the sidewalk and are intended to operate similar to bikes.	Speed limit was established in the agreement between the city and Bird. Speed limit is 20 miles per hour and goes down to 12 miles per hour on bridges.	Overall, they stated the community was supportive of and enjoyed having the escooters in the community. By last November, they had 8,800 rides in the 2023 season and 20,500 miles traveled. They said the city received approximately 10 complaints within the first year of operation. Bird received 100 complaints. However, they said the data showed people were using them a lot. The complaints they received were mostly from people calling to say there was a scooter parked in their sidewalk. Those who complained said it looked junky and they didn't want that outside their house. Something they just started dealing with in 2023 was kids starting to ride them. There is nothing in the ordinance stating that you must be a certain age to operate an escooter. However, Bird has an 18+ rule that was not being followed.	No bike share.	For the most part, they stated that the program has been going well with anticipated complaints. However, because Appleton has pulled out of contract, Bird has paused agreement with Menasha and Neenah. Appleton had their own situation than what Neenah dealt with. They stated they liked the scooters for tourism purposes and people became more accepting as time went on. Bird was fairly responsive but not as responsive as they had promised. Overall, they said it was a nice commodity for mobility realizing their will be hiccups. They suggested starting internal discussion with community development, public works, parks and rec, police, and downtown main street.

Janesville	Janesville contracted with Bird via a Memorandum of understanding. Janesville was originally approached by bird in 2022 and the Council directed staff to look at an MOU to move forward with a fleet of scooters in the city.	No docking station for scooters. At the request of the city, Bird turned on the feature where users had to take a photo to end their ride. During the first year, they had people concerned that scooters would be laying on the sidewalk but it did not end up being an issue.	The first year the city worked with Bird to establish a geofence where scooters were only allowed downtown as part of a pilot. The geofence got relaxed during the second year. Based on ridership data, the scooters were very rarely used to commute (outside of downtown). 81% of rides began and ended in downtown Janesville. If contract would have continued they would have explored time restrictions.	Maximum speed of 20 MPH.	During the first year of operation, there was a vocal minority concerned about the scooters. However, the city said that the second year this had faded due to the responsive local fleet manager. Before they signed their first MOU with Bird they held public hearings and held feedback sessions throughout the first year. Overall, the city said it seemed like people liked the program and were disappointed when Bird pulled the business out for the 2024 year. During 2023, there were 10,000 trips and 18,000 miles traveled.	No bike share.	The City said that their overall experience was positive but still included growing pains. The city said they were very fortunate to have a responsive fleet manager. The fleet manager was a husband and wife team who own a local bike shop. They would be out at 4 or 5 am putting out charged scooters and making sure scooters were correctly stored. They said they think having a responsive fleet manager will make or break the program. Once Bird filed bankruptcy, the company became less responsive to them and local fleet managers. The City said they would be prepared to welcome another program if approached.
Green Bay	Green Bay has an open contract with Bird. Green Bay suggested having an open contract if moving forward with a provider. Green Bay does not get paid for the operation of Bird, but also feels this takes the responsibility off the city and puts it onto the company. Having an open contract allows them to keep the company in check.	Not docked.	The City said they have quite a few parameters on where the scooters can/cannot be. The scooters are allowed pretty much anywhere in the city except inaccessible area on the west side. The county trails do not allow electric devices, so they are not allowed on those trails. The parking ramps are geofenced and off-limits (people were speeding down parking ramps on scooters). During special events they will change geofence. Technically e-scooters are allowed to operate as bikes and should dismount scooter on sidewalks if there is a nearby pedestrian. Because the geofence isn't perfect and can slow a scooter down before it hits the area, they said it would be difficult to box them out from riding on sidewalks.	Speed limit is 15 MPH which slows down to 12 MPH in downtown and other areas.	Overall, there was support from the community. Their suggestion was to make sure the Police Department and the downtown businesses are aware of the everything because they will be dealing with it the most. They said Green Bay has a really good local team (2 local managers, with 3-4 employees each) who rebalance every morning to make sure scooters are charged and in the correct places. They stated that scooters being in the way in sidewalks is definitely still a problem. The biggest complaint they have received so far is that kids are on the scooters although it is only supposed to be 18+. The City said they were fielding a lot of complaints the first year but people have gotten used to them since.	Yes, community has bike share with Bird as well.	Overall, they said the program is running smoothly. If moving forward, they suggested engaging people early to let them know it will be happening. They also said make sure to have the community think of what they want and make sure the program has all the things we want. They are interested in additional incentives (income qualified, etc.). In 2023 there were 28,075 trips taken for approximately 51,386 miles.



To: Bicycle-Pedestrian Advisory Committee

Date: December 4, 2024

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## **I. OVERVIEW OF WISCONSIN STATUTES GOVERNING ELECTRIC SCOOTERS.**

Most electric scooters regulations are contained in Wisconsin Statutes Chapters 340-349. This document provides a non-exhaustive overview of applicable statutes.

### **Electric Scooter Definition:**

#### **Wisconsin Statute § 340.01(15):**

“Electric scooter” means a device weighing less than 100 pounds that has handlebars and an electric motor, is powered solely by the electric motor and human power, and has a maximum speed of not more than 20 miles per hour on a paved level surface when powered solely by the electric motor. “Electric scooter” does not include an electric personal assistive mobility device, motorcycle, motor bicycle, electric bicycle, or moped.

### **Rules of the Road for Electric Scooters:**

The main “rules of the road” applicable to electric scooters are in Ch 346 of the Wisconsin Statutes. Some statutes pertain directly to electric scooters while other general traffic laws, e.g., adherence to traffic signs and signals, are applied via **Wisconsin Statute § 346.02(12)**:

An electric scooter and an electric personal assistive mobility device shall be considered a vehicle for purposes of ss. 346.04 to 346.10, 346.12, 346.13, 346.15, 346.16, 346.18, 346.19, 346.20, 346.215 (3), 346.23 to 346.28, 346.31 to 346.35, 346.37 to 346.40, 346.44, 346.46, 346.47, 346.48, 346.50 to 346.55, 346.57, 346.59, 346.62, 346.65 (5m), 346.67 to 346.70, 346.78, 346.80, 346.87, 346.88, 346.90, 346.91, and 346.94 (4), (5), (9), and (10), except those provisions which by their express terms apply only to motor vehicles or which by their very nature would have no application to electric scooters or electric personal assistive mobility devices.

Below are the titles of those statutes enumerated in Wis. Stat. § 346.02(12):

- 346.04 Obedience to traffic officers, signs and signals; fleeing from officer.
- 346.05 Vehicles to be driven on right side of roadway; exceptions.
- 346.06 Meeting of vehicles.
- 346.07 Overtaking and passing on the left.
- 346.072 Passing stopped emergency or roadside service vehicles.
- 346.075 Overtaking certain vehicles and devices.
- 346.08 When overtaking and passing on the right permitted.
- 346.09 Limitations on overtaking on left or driving on left side of roadway.
- 346.10 When passing at a railroad crossing, intersection, bridge, viaduct or tunnel prohibited.

- 346.12 Driving through safety zones prohibited.
- 346.13 Driving on roadways laned for traffic.
- 346.15 Driving on divided highway.
- 346.16 Use of controlled-access highways, expressways and freeways.
- 346.18 General rules of right-of-way.
- 346.19 What to do on approach of emergency vehicle.
- 346.20 Right-of-way of funeral processions and military convoys.
- 346.215 Emergency vehicles operated as escorts and rights-of-way related to escorted vehicles.
- 346.23 Crossing controlled intersection or crosswalk.
- 346.24 Crossing at uncontrolled intersection or crosswalk.
- 346.25 Crossing at place other than crosswalk.
- 346.26 Blind pedestrian on highway.
- 346.27 Persons working on highway.
- 346.28 Pedestrians to walk on left side of highway; drivers to yield on sidewalks.
- 346.31 Required position and method of turning at intersections.
- 346.32 Required position for turning into private road or driveway.
- 346.33 U-turns.
- 346.34 Turning movements and required signals on turning and stopping.
- 346.35 Method of giving signals on turning and stopping.
- 346.37 Traffic-control signal legend.
- 346.38 Pedestrian control signals.
- 346.39 Flashing signals.
- 346.40 Whistle signals.
- 346.44 All vehicles to stop at signal indicating approach of train.
- 346.46 Vehicles to stop at stop signs and school crossings.
- 346.47 When vehicles using alley or nonhighway access to stop.
- 346.48 Vehicles to stop for school buses displaying flashing lights.
- 346.50 Exceptions to stopping and parking restrictions.
- 346.503 Parking spaces for vehicles displaying special registration plates or special identification cards.
- 346.505 Stopping, standing or parking prohibited in parking spaces reserved for vehicles displaying special registration plates or special identification cards.
- 346.51 Stopping, standing or parking outside of business or residence districts.
- 346.52 Stopping prohibited in certain specified places.
- 346.53 Parking prohibited in certain specified places.
- 346.54 How to park and stop on streets.
- 346.55 Other restrictions on parking and stopping.
- 346.57 Speed restrictions.
- 346.59 Minimum speed regulation.
- 346.62 Reckless driving.
- 346.65 Penalty for violating sections 346.62 to 346.64.
- 346.67 Duty upon striking person or attended or occupied vehicle.
- 346.675 Vehicle owner's liability for failing to stop at the scene of an accident.
- 346.68 Duty upon striking unattended vehicle.
- 346.69 Duty upon striking property on or adjacent to highway.
- 346.70 Duty to report accident; assistance following accident.
- 346.78 Play vehicles not to be used on roadway.
- 346.80 Riding bicycle, electric scooter, or electric personal assistive mobility device on roadway.
- 346.87 Limitations on backing.



- 346.88 Obstruction of operator's view or driving mechanism.
- 346.90 Following emergency vehicle.
- 346.91 Crossing fire hose.
- 346.94 Miscellaneous prohibited or restricted acts.

The operating while intoxicated ("OWI") statute is **NOT** included in the above list. Wis. Stat. § 346.63. Therefore, while most rules of the rules of the road apply to electric scooters, a person cannot get an OWI on an electric scooter.

Additional rules of the road apply to electric scooters. For example, electric scooters are exempt from registration but must follow certain lighting and equipment requirements. See Wis. Stat. §§ 341.058 and 347.489.

### **Power of Cities to Regulate Scooters:**

#### **Wisconsin Statute § 349.237:**

The governing body of any municipality or county may, by ordinance, regulate the rental and operation of electric scooters in a manner consistent with the regulation of bicycles in the municipality or county, except that the governing body of any municipality or county may do any of following:

- (1) Restrict or prohibit the operation of electric scooters on any roadway under its jurisdiction having a speed limit of more than 25 miles per hour.
- (2) Restrict or prohibit the operation of electric scooters on any sidewalk or bicycle way under its jurisdiction.
- (3) Establish requirements for and limitations on the parking of electric scooters on roadways, sidewalks, bicycle lanes, or bicycle ways under its jurisdiction.
- (4) Restrict or prohibit the short-term commercial rental of electric scooters to the general public.

#### **Wisconsin Statute § 349.23(3):**

The governing body of any city, town, village or county may by ordinance prohibit the use of bicycles and motor bicycles on a roadway over which they have jurisdiction, after holding a public hearing on the proposal.

## **II. LOCAL GOVERNMENT REGULATION.**

### **City of La Crosse Municipal Code:**

**Section 44-198. - Skateboards, roller skates, roller skis, play vehicles, in-line skates and motorized scooters, mini-bikes, skateboards and go-carts. Sec. 44-198(e):**

No person shall operate any motorized scooter, motorized mini-bike, motorized skateboard or motorized go-cart on any street, sidewalk or public property in the City. A motorized scooter is a vehicle that is designed to be stood or sat upon by the operator and that has two wheels and is powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion. A motorized scooter shall not include a device defined as an electric personal assistive mobility device under Wis. Stats. § 340.01(15pm).

**Section 44-2. - State traffic laws adopted. Sec. 44-2(a):**

Except as otherwise specifically provided in this Code, the statutory provisions in Wis. Stats. chs. 340—348, 350 and 351, describing and defining regulations with respect to vehicles and traffic, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment are hereby adopted and by reference made a part of this Code as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this Code. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this Code in order to secure uniform statewide regulation of traffic on the highways, streets and alleys of the State of Wisconsin.

Many other municipalities adopt state traffic law similarly to La Crosse Municipal Code Sec. 44-2, including, but not limited to: Appleton, Eau Claire, Green Bay, Kenosha, Madison, Oshkosh, Racine, and Waukesha. In addition, some of these municipalities have more specific ordinances concerning general electric scooter usage and some directly regulate commercial rental of electric scooters. Excerpts from the following Municipal Codes are copied below for review: Appleton, Green Bay, Madison, Oshkosh, and Racine.

**Appleton:**

**Sec. 19-161. Definitions.**

**Electric scooter** means a device weighing less than 100 pounds that has handlebars and an electric motor, is powered solely by the electric motor and human power, and has a maximum speed of not more than 20 miles per hour on paved level surface when powered solely by the electric motor.

**Sec. 19-182. Applicability of traffic regulations to persons operating bicycles and electric scooters.**

Every person operating a bicycle or electric scooter upon a roadway shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles or by the traffic ordinances of the City applicable to the driver of a vehicle,

except as to special regulations in this article and except as to those provisions of laws and ordinances which by their nature have no application.

**Sec. 19-183. Riding bicycle or electric scooter on sidewalk.**

- (a) Bicyclists and electric scooter operators exercising due care may operate their bicycle or electric scooter upon the sidewalk, except on the sidewalks on College Avenue between Drew Street and Badger Avenue (this exception shall not apply to law enforcement officers operating designed police bicycles).
- (b) It shall be unlawful for any person operating a bicycle or electric scooter on the sidewalk to attempt to pass another person going in the same direction on the walk without giving an audible signal as warning and until it becomes evident that the person so warned is aware of the approach of such person operating the bicycle or electric scooter. Pedestrians shall at all times have the right-of-way upon sidewalks and, if necessary, the person operating such bicycle or electric scooter shall vacate the sidewalk or dismount and walk the bicycle or electric scooter to prevent an accident. Any person operating a bicycle or electric scooter upon the sidewalk must have the bicycle or electric scooter under control at all times.
- (c) Electric scooters shall not be operated in all City-owned parking ramps.

**Green Bay:**

**Sec. 40-139. Electric scooter regulations.**

- (a) *Defined.* Electric scooter means a device weighing less than 100 pounds that has handlebars and an electric motor, is powered solely by the electric motor and human power, and has a maximum speed of not more than 15 miles per hour on paved level surface when powered solely by the electric motor.
- (b) *State laws applicable.* Every person using an electric scooter upon a public roadway shall be subject to the provisions of all ordinances and state laws applicable to the operator of any vehicle, except those provisions with reference to the equipment of vehicles and those provisions that, by their nature, would have no application.
- (c) *Where prohibited.* No electric scooters shall be operated on any public sidewalks, any City-owned parking ramps, or any roadway, trail, path, or property where a sign is erected indicating that bicycles and/or electric scooters are prohibited. In addition, no electric scooter shall be operated on any of the following streets under any circumstances:
  - (1) Mason Street (Tilleman Bridge) from the intersection of Tenth Avenue to Jackson Street.
  - (2) Ashland Avenue from the intersection of Ninth Street to Third Street.
- (d) *Riding on roadway.*

- (1) Every person using an electric scooter upon a two-way public street shall ride as near as practicable to within five feet of the right curb or edge of the roadway, except when passing another vehicle or making a left-hand turn; and when riding in groups, users of electric scooters shall ride in single file, except on residential streets which are not divided by painted or other marked extra lines where they may ride two abreast. On one-way roads, the user may ride as near as practicable to within five feet of the left-hand curb or edge of the roadway.
  - (2) Persons using electric scooters shall not impede the normal movement of motor vehicle traffic.
- (e) *Bicycle ways.* Operation of electric scooters shall be permitted on any ways, lanes, trails, paths, or other property designated for the use and operation of bicycles.
  - (f) *Clinging to other vehicles.* No person using an electric scooter shall cling to or attach themselves or an electric scooter to any moving vehicle.
  - (g) *Contests with other vehicles; stunt riding.* No person using an electric scooter shall participate in any race, speed, or endurance contest with any other moving vehicle on a city roadway or practice any fancy or acrobatic riding or stunts while operating such electric scooter.
  - (h) *Observance of traffic regulations and speed limits.* Every person using an electric scooter upon a public roadway shall obey all the instructions of official traffic-control devices, signs, and signals applicable to vehicles and shall not operate an electric scooter at a speed greater than the speed limit.
  - (i) *Yielding to traffic.* The operator of a vehicle shall yield the right-of-way to a person using an electric scooter in the same manner as for bicyclists and pedestrians. When using an electric scooter, every person shall, upon entering a public roadway, yield the right-of-way to motor vehicles, except that a person using an electric scooter shall be subject to the same regulations as bicyclists and pedestrians. Operators of electric scooters shall offer the right of way to bicycles in bike lanes and on bike paths.
  - (j) *Towing of persons, vehicles, trailers, prohibited.* The operator of an electric scooter shall not tow, drag, or caused to be drawn behind the electric scooter any coaster, sled, toy vehicle, trailer, person on in-line skates, or any other type of conveyance.
  - (k) *Carrying of passengers.* No electric scooter shall be used to carry more persons at one time than the number for which it is designed and equipped.
  - (l) *Age limits.* No person less than eight years of age shall operate an electric scooter on City roadways, except that persons six or seven years of age may do so during daylight hours if accompanied by an adult capable of remaining close enough to ensure the safe operation of the scooter by the six- or seven-year-old, such as by walking or running alongside, using their own electric scooter or bicycle, or engaging in a similar activity. This subsection is intended to permit usage of electric scooters by families.

- (m) *Headphones prohibited.* Operators of electric scooters shall not wear any headphones, earphones, or earbuds covering or inserted into both ears while operating an electric scooter.
- (n) *Equipment regulations; lamps and reflectors.* Every person using electric scooters between one-half hour after sunset and one-half hour before sunrise shall be equipped with a lamp firmly attached to the front of such electric scooter exhibiting a white light to the front, and with a reflector or a lamp mounted on the rear of the vehicle visible at a distance of 500 feet. The reflector shall not be less than three inches in diameter.

**Madison:**

**Section 12.796 DOCKLESS TRANSPORTATION SYSTEMS.**

- (1) Definitions. In this section:

"Dockless" means a system of self-service vehicles made available for shared use to individuals on a temporary basis, which are GPS enabled, and may be tracked and remotely disabled, and which may be rented via a smart-phone application, vendor website, vendor customer service number, or a pre-paid personal identification number and which do not require structures at permanent, fixed locations where rides must begin and end.

"Motorized scooter" means a vehicle that is designed to be stood or sat upon by the operator and that has two (2) small diameter wheels in tandem, upright t-shaped handlebars and is powered by an internal combustion engine or electric motor capable of propelling the device with or without human power.

"Owner" means any person who owns, offers to rent or lease, collects, distributes, repairs, services, charges or otherwise asserts control of a dockless motorized scooter system.

"Person" means any individual, sole proprietorship, firm, corporation, limited liability company, partnership, association, or organization of any kind.

- (2) Prohibitions. No person may operate, own, offer to rent or lease, collect, distribute, repair, service, charge, or otherwise assert control of a dockless motorized scooter in the City upon the highway including public streets and sidewalks. No person shall park or place a dockless motorized scooter in the City upon the highway including public streets and sidewalks.
- (3) Exception. Notwithstanding the foregoing, a dockless motorized scooter system shall be permitted if authorized through a pilot study administered by the City Department of Transportation. Participation in the pilot study may only occur upon application and approval of the Director of the City Department of Transportation or their designee. This pilot study shall become effective only on or after the date amendments to state statutes authorize motorized scooters to be operated and parked upon public highways in the State of Wisconsin.
- (4) Removal and Disposal of Dockless Motorized Scooters.
  - (a) Removal and Impoundment. If the Chief of Police, Director of Transportation, or any of their designees finds on any highway, street, sidewalk, or public place within the city, any dockless motorized scooter in violation of this Section 12.796,

they may have the dockless motorized scooter immediately removed to a suitable place of impoundment. Upon removal of the vehicle the authorized agent of the City or their designee shall notify the Chief of Police or their designee of the dockless motorized scooter and of the location of the impounded vehicle. Any vehicle in violation of sub. (2) shall be removed and impounded until lawfully claimed or disposed of under the provisions of sub. (c). However, if it is deemed by the Chief of Police or their designee that the cost of towing and storage charges for the impoundment would exceed the value of the vehicle, the vehicle may be junked or sold by the City prior to expiration of the impoundment period upon determination by the Chief of Police or their designee that the vehicle is not stolen or otherwise wanted for evidence or other reason. All substantially complete vehicles in excess of nineteen (19) model years of age shall be disposed of in accordance with sub. (c).

- (b) Storage, Notice, and Reclaimer. Any dockless motorized scooter which is impounded and not disposed of under sub. (a) of this subsection shall be retained in storage for a minimum period of ten (10) days after certified mail notice has been sent to the owner, if known or readily ascertainable, to permit reclamation of the vehicle after payment of accrued charges. Such notice shall set forth the vehicle's identifying information, the place where the vehicle is being held, and shall inform the owner of their right to reclaim the vehicle. The notice shall state that the failure of the owner to exercise their rights to reclaim the vehicle under this ordinance shall be considered a waiver of all right, title and interest in the vehicle and a consent to the sale of the vehicle. Any dockless motorized scooter which may be lawfully reclaimed may be released upon the payment of all accrued charges, including towing, storage and notice charges, including but not limited to any towing forfeiture imposed under Sec. 12.1331 of these ordinances, and upon presentation of the vehicle title or other satisfactory evidence to the Chief of Police or their designee to prove an ownership or lienholder interest in said vehicle.
  - (c) Disposal. Any dockless motorized scooter not reclaimed by its owner may be sold. The City may dispose of the vehicle by sealed bid or auction sale. At such sale, the highest bid for any such vehicle shall be accepted unless the same is considered inadequate by the Chief of Police or designee, in which event all bids may be rejected. If all bids are rejected, or no bid is received, the City may either readvertise the sale, adjourn the sale to a definite date, sell the vehicle at a private sale, or junk the vehicle. Any interested person may offer bids on each vehicle to be sold. Public notice of said sales shall be posted at the City of Madison Police Department headquarters. The posting shall be in the same form as the certified mail notice sent to the owner. The purchaser shall have ten (10) days to remove the vehicle from the storage area, but shall pay a reasonable storage fee established by the City for each day that the vehicle remains in storage after the second business day subsequent to the sale date. Ten (10) days after the sale, the purchaser shall forfeit all interest in the vehicle, and the vehicle shall be considered to be abandoned and may be sold again. Any listing of vehicles to be sold by the City shall be made available to any interested person or organization which makes a written request for such list. The City may charge a fee for the list.
- (5) Owner Responsible For Costs. The owner of any dockless motorized scooter removed under this provision shall be responsible for all costs of impounding, storing, and disposing of the dockless motorized scooter which shall be in addition to any forfeiture

imposed for a violation of this ordinance and any towing forfeiture imposed under Sec. 12.1331 of these ordinances. Costs not recovered from the sale of the dockless motorized scooter may be recovered in a civil action by the City against the owner. The City assumes no responsibility for damage to dockless motorized scooters impounded under the provisions of Sec. 12.796.

- (6) Penalty. Any person violating the provisions of Sec. 12.796 shall, upon conviction thereof, be subject to a forfeiture of not less than \$50 nor more than \$500 per day, per vehicle. For each second or subsequent violation, the forfeiture shall be not less than \$500 nor more than \$1,000, per day, per vehicle.
- (7) This ordinance shall not be construed to deter or limit the applicability and enforcement of any other ordinance of this City or statute of this state.

### **Oshkosh:**

## **SECTION 27-66.4 ELECTRIC SCOOTER AND ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE REGULATIONS**

(A) Definitions. The following words, when used in this section, shall have the following meanings:

- (1) "Electric Scooter" has the meaning given in section 340.01 of the Wisconsin Statutes.
- (2) "Electric Personal Assistive Mobility Device" has the meaning given in section 340.01 of the Wisconsin Statutes. Electric Personal Assistive Mobility Devices are also known to the public as Segways or Segway type devices.

(B) General Regulations for Operation of Electric Scooters and Electric Personal Assistive Mobility Devices. Consistent with the authority in Wis. Stat. 349.236 and Wis. Stat. 349.237, the following restrictions apply to the operation and rental of Electric Scooters and Electric Personal Assistive Mobility Devices:

- (1) State traffic laws applicable. Every person operating an Electric Scooter or an Electric Personal Assistive Mobility Device upon a public roadway shall be subject to the provisions of all ordinances and State laws applicable to the driver of any vehicle, including but not limited to obedience of traffic signals, yielding of right-of-way, and stopping and turning; except those provisions with reference to equipment of vehicle and except those provisions which by their nature would have no application.
- (2) Prohibition on Roadways with speed limits in excess of 25 mph. The operation of an Electric Scooter or an Electric Personal Assistive Mobility Device on a roadway having a speed limit of more than 25 miles per hour is prohibited except within designated bike lanes.
- (3) Prohibition on Sidewalks. The operation of an Electric Scooter or an Electric Personal Assistive Mobility Device on any sidewalk is prohibited. This provision does not apply to the operation of an Electric Scooter or an Electric Personal

Assistive Mobility Device on any sidewalk at a permanent or temporarily established driveway.

- (4) Drivers to stay on right side of road. Every Electric Scooter or an Electric Personal Assistive Mobility Device when operated on a public roadway shall be kept as close to the right hand curb as possible, except where bicycle lanes designate otherwise.
  - (5) Clinging to moving vehicles prohibited. It shall be unlawful for any person operating an Electric Scooter or an Electric Personal Assistive Mobility Device to cling to or attach him/herself or the device to any other moving vehicle upon a public roadway.
  - (6) Passengers and towing. In addition to the driver, an Electric Scooter or an Electric Personal Assistive Mobility Device designed to carry only the driver may not be used to carry or transport any other person or any trailer or other device attached to the Electric Scooter or the Electric Personal Assistive Mobility Device.
  - (7) Racing prohibited. No person operating an Electric Scooter or an Electric Personal Assistive Mobility Device upon a public roadway shall participate in any race or speed or endurance contests with any other vehicle.
  - (8) Acrobatic riding prohibited. No rider of any Electric Scooter or an Electric Personal Assistive Mobility Device shall remove both hands from the handlebars, or practice any acrobatic, trick or reckless riding on any public roadway or public parking lot, or private parking lot without permission of the owner.
  - (9) No parking on sidewalks. No Electric Scooter or Electric Personal Assistive Mobility Device shall be left or parked in the right-of-way unless the Electric Scooter or Electric Personal Assistive Mobility Device is properly parked within or fastened or chained to a bicycle rack. No Electric Scooter or Electric Personal Assistive Mobility Device shall be left in a manner to obstruct a sidewalk. Any Electric Scooter or Electric Personal Assistive Mobility Device in violation of this provision shall be subject to impoundment pursuant to Section 27-66.6.
- (C) Short-term Commercial Rental of Electric Scooter or an Electric Personal Assistive Mobility Device.
- (1) The short-term commercial rental of Electric Scooters and Electric Personal Assistive Mobility Devices to the public is prohibited.
  - (2) Notwithstanding the foregoing, the short-term commercial rental of Electric Scooters and Electric Personal Assistive Mobility Devices to the public shall be permitted if conducted through Docked Mobility Systems and authorized through a pilot program administered by the Department of Community Development. See Section 27-66.6 for further information regarding the Docked Mobility System Pilot Program.



## **SECTION 27-66.6 DOCKLESS AND DOCKED MOBILITY SYSTEMS**

(A) Definitions. The following words, when used in this section, shall have the following meanings:

- (1) “Docked Mobility System” shall mean a system of Mobility Devices, made available for shared use to individuals on a short-term basis and require structures at permanent fixed locations where rides must begin and end.
- (2) “Dockless Mobility System” shall mean a system of Mobility Devices, made available for shared use to individuals on a short-term basis which do not require structures at permanent fixed locations where rides must begin and end.
- (3) “Mobility Device” means a vehicle, whether motorized or not, including a bicycle, electric scooter, and Electric Personal Assistive Mobility Devices, skateboards, or any other micro-mobility vehicle that is exempt from state registration under Wis. Stat. Ch. 341.
- (4) “Operator” Means any person who owns, leases, offers to rent, collects, distributes, repairs, services, charges, or otherwise control a Dockless Mobility System or Docked Mobility System.
- (5) “Person” Means any individual, firm, corporation, limited liability company, partnership or association.

(B) Prohibitions

- (1) No person shall operate a Dockless Mobility System within the City.
- (2) No person shall operate a Docked Mobility System within the City unless the Operator participates in a pilot program administered by the Department of Community Development. Participation in the pilot program shall only occur upon application to the Department of Community Development and approval by Common Council.

(C) Docked Mobility System Pilot Program

- (1) Application: Upon receipt of pilot program application, the Department of Community Development shall forward the application to the Common Council for consideration as an action item. The Department of Community Development shall also provide Common Council with a report and recommendation. Prior to forwarding the application to Common Council, the Department of Community Development may consult with the applicant, City Departments, City Boards or Commissions, or others deemed by the City as having information or interests that may assist the Common Council when making their decision on the application.
- (2) Denial of Application: Applications for the Docked Mobility System pilot program may be denied by the Common Council if it appears that the approval of the

application will for any reason be detrimental to the public health, safety, and welfare.

- (3) Appeals: Decisions of the Common Council shall represent the final decision of the City and such decisions may be appealed as otherwise allowed by law.
- (4) Revocation of Participation in Pilot Program: Any Operator's participation in a Docked Mobility System pilot program may be revoked by Common Council at any time, including but not limited to the Operator's violation of the pilot program requirements or Common Council's decision to end the pilot program.

(D) Removal and Disposal of Mobility Devices

- (1) Removal. If the Chief of Police, the Director of Public Works, or any of their designees finds on any highway, street, sidewalk, or public place within the City, any of the following, the Chief or Police or the Director of Public Works or other authorized agent may have the Mobility Device immediately removed to a suitable place of impoundment:
  - (a) A Mobility Device belonging to an Operator who is operating a Dockless Mobility System
  - (b) A Mobility Device that is in violation of the Docked Mobility System pilot program requirements.
  - (c) A Mobility Device that is parked in violation of any ordinance, and/or is parked for more than 24 hours on any highway, street, sidewalk, or public place.

If the Operator can be identified, a notice informing the Operator of the location of the Mobility Device and the procedure for reclaiming the Mobility Device shall be sent to the Operator within three regular business days.

- (2) Redemption Fee. Common Council shall set a Redemption Fee for impounded Mobility Devices.
- (3) Disposal. An impounded device shall be held a minimum of thirty days. If the impounded device is not redeemed by the Operator within thirty days by paying the Redemption Fee, then the Chief of Police, Director of Public Works, or any of their designees may dispose of the impounded device through public auction or sale, through donation to a nonprofit organization, or through scrapping the impounded device.

**Racine:**

**ARTICLE XXXV. COMMERCIAL ELECTRIC SCOOTERS**

**Sec. 22-1277. Definitions.**

For purposes of this article, the following definitions shall apply:

*Electric scooter* has the meaning given in Wis. Stats. § 340.01(15ps).

*Commercial electric scooter* means an electric scooter that is used for commercial purposes.

*Commercial electric scooter business license* means a license issued by the city clerk to operate a commercial electric scooter business in the city pursuant to the rules of this article.

*Commercial electric scooter business owner* or *owner* means any person, entity, or other enterprise that owns a commercial electric scooter business or manages the operation of a commercial electric scooter business for profit or not for profit.

**Sec. 22-1278. License required; term.**

- (a) *License required.* No person may engage in or permit the operation of a commercial electric scooter business without first obtaining a commercial electric scooter business license from the city clerk as required under this article.
- (b) *Term.* Licenses issued under this article shall expire on December 31 of each year, unless sooner suspended or revoked.
- (c) *Transfer prohibited.* No license issued under this article may be transferable.

**Sec. 22-1279. Commercial electric scooter business license.**

- (a) *Application.* Applicants for a commercial electric scooter business license shall submit a sworn application on a form provided by the city clerk and pay a \$1,500.00 fee.
- (b) *Plan of operation.* As part of the application, each applicant shall submit and file with the city clerk a plan of operation to include:
  - (1) Zone of operation;
  - (2) Hours of operation;
  - (3) Number of devices to be operated in licensee's fleet, which shall not exceed 150 devices, along with the unique serial number of each device;
  - (4) Age restriction;
  - (5) Plan to accommodate 24-hour customer service to report safety concerns, complaints, and/or to ask questions;
  - (6) Plan to respond to safety or maintenance issues;
  - (7) Plan to respond to improperly parked devices daily and to devices that have been continuously parked in one location for more than 72 hours;
  - (8) Plan to charge devices;

- (9) Plan to provide the city with fleet and ride activity data for all trips starting or ending within the zone of operation on any device within the licensee's fleet;
- (10) Plan to provide service to operators without access to a smart-phone and/or without ownership of a debit or credit card;
- (11) Detailed list of priority zones where the licensee has made arrangements with the property owner to relocate, re-park, or rebalance devices, along with written permission from each property owner where such priority zones will be located;
- (12) Copy of all notices and regulations provided by licensee to each operator prior to device activation; and
- (13) Other such information as the city clerk may require.

Any and all amendments require approval of the public safety and licensing committee.

- (c) *Background check.* The city clerk shall forward the application to the police department for an investigation of all individuals and entities listed on the application, including a background check. The police department shall notify the public safety and licensing committee of the results of such investigation. Applicants who have an arrest or conviction record, the circumstances of which substantially relate to the licensed activity, are deemed disqualified subject to Wis. Stats. §§ 111.321, 111.322, and 111.335.
- (d) *Hearing and referral process.* The public safety and licensing committee shall afford the applicant an opportunity to present arguments in favor of the granting of the commercial electric scooter business license. The committee may recommend approval of any application for a commercial electric scooter business license, provided it meets all of the requirements set forth in this article, and may place reasonable conditions upon approval. If the public safety and licensing committee recommends the grant of a commercial electric scooter business license, then the item shall thereafter be referred to the common council for its final decision. The common council, by a majority vote of the members present, may affirm, reverse, or modify the decision of the committee.
- (e) *Denial.* The recommendation for denial of a commercial electric scooter business license by the public safety and licensing committee is final. Denial of a commercial electric scooter business license by the common council is final. Upon denial, the city clerk shall provide written notice to the applicant stating reasons for the denial.
- (f) *Issuance of license.* Upon approval of such application by the common council, proof of payment of the required license fee, and satisfaction of all relevant inspections and requirements under this article, the city clerk shall issue to the applicant a commercial electric scooter business license. Such license shall state the date of issuance, the date of expiration, the name of the licensee, and any conditions of the license.

**Sec. 22-1281. Vehicle equipment.**

- (a) *Certification.* Before a commercial electric scooter may be initially operated within the city, the applicant shall certify that each commercial electric scooter is in sound mechanical working condition and that it meets the requirements set forth below.

- (1) *Tires.* Tires shall be of a size appropriate for the device with no mismatched tires per the design of the device. There shall be no cuts to the tire, localized worn spots that expose the ply, or visible tread wear indicators.
  - (2) *Operational horn.* Each commercial electric scooter shall be equipped with a fully operational horn or bell. There shall be no siren or compression whistle.
  - (3) *Brake.* Each commercial electric scooter shall be equipped with a brake in good working condition, adequate to control the movement of and to stop the device whenever necessary.
  - (4) *Lamps and reflectors.* Each commercial electric scooter shall have a lamp emitting white light visible from a distance of at least 500 feet to the front of the device. Each commercial electric scooter shall also have either a red reflector that has a diameter of at least two inches of surface area or a red reflector that is a strip of reflective tape that has at least two square inches of surface area on the rear so mounted and maintained as to be visible from all distances from 50 to 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a steady or flashing red light visible from a distance of 500 feet to the rear may be used in lieu of the red reflector.
  - (5) *Contact information.* Each commercial electric scooter shall have a legible company customer service telephone number placed or posted on it.
- (b) *Condition.* All commercial electric scooters shall be kept clean; free of damage, rust, stains, or other signs of deterioration; and maintained in a good state of repair at all times, pursuant to section 22-1281(a).

**Sec. 22-1282. Insurance required; indemnification.**

- (a) *Insurance.* The commercial electric scooter business shall, at its sole expense, maintain in effect at all times, commercial general liability insurance, automobile liability insurance, workers compensation insurance, and employers liability insurance coverage. As evidence of such, the commercial electric scooter business shall furnish to the city to be reviewed by the city attorney a certificate of each such insurance coverage, each of which shall name the City of Racine, its elected and appointed officials, officers, employees, authorized representatives, or volunteers, and each of them, as additional insureds, and each with not less than the following limits:
- (1) *Commercial general liability:* \$1,000,000.00 per occurrence (\$2,000,000.00 aggregate) for bodily injury, personal injury, and property damage;
  - (2) *Automobile liability:* \$1,000,000.00 per occurrence for bodily injury and property damage that covers all vehicles to be used in relationship to the activities for which a license may be granted;
  - (3) *Worker's compensation:* as required by statute; and
  - (4) *Employers liability:* \$100,000.00 each accident, \$500,000.00 disease policy limit, and \$100,000.00 disease (each employee).

- (5) Each policy, as applicable, shall identify each commercial electric scooter covered by the policy. Whenever such policy or coverage is cancelled, not renewed, or materially changed, the licensee shall notify the city by certified mail.
- (b) *Indemnification.* The commercial electric scooter business shall indemnify, defend, and hold harmless the City of Racine, its elected and appointed officials, officers, employees, authorized representatives, or volunteers, and each of them, from and against any and all suits, actions, legal or administrative proceedings, claims, demands, damages, liabilities, interest, attorneys' fees, costs, and expenses of whatsoever kind of nature and in any manner directly or indirectly caused, occasioned, or contributed to, in whole or in part, or claimed to be caused, occasioned, or contributed to in whole or in part, by reason of any act, omission, fault, or negligence, whether active or passive, of the commercial electric scooter business or of anyone acting under the commercial electric scooter business's direction or control or on its behalf caused by, resulting from, in connection with, or incident to the activities for which a license may be granted. Such duty to indemnify, defend, and hold harmless shall not apply to the extent caused by the negligence or willful misconduct of the City of Racine.
- (c) *Suspension.* Failure to comply with the requirements of this section shall result in the immediate suspension of the owner's rights and privileges to operate a commercial electric scooter business within the city.

**Sec. 22-1283. Restrictions pursuant to plan of operation.**

Plan of operation. Licensees must adhere to the plan of operation as approved by the common council. Deviation from the approved plan of operation constitutes grounds for suspension or revocation.

**Sec. 22-1284. Revocation or suspension of license.**

- (a) *Due process hearing.* Any license under this article may be suspended or revoked for cause after notice to the licensee and a hearing in front of the due process board. Nothing in this section prohibits the immediate and temporary suspension of a commercial electric scooter business license for failing to meet the insurance requirements under section 22-1282 of this Code.
- (b) *Grounds.* Licenses under this article may be suspended or revoked for any of the following causes:
  - (1) The person does not possess the qualifications to hold the license under this article.
  - (2) The person violated any provision of this article.
  - (3) The person failed to operate the commercial electric scooter business in accordance with the plan of operation as approved by the common council, or failed to operate according to the conditions of the license.
  - (4) The commercial electric scooter business is operated in such a manner that it constitutes a disorderly premises or public nuisance.

- (5) Any other factors that reasonably relate to public health, safety, and welfare.
- (c) *Complaint.* Disciplinary proceedings may be initiated by the office of the city attorney, with or without a referral from the public safety and licensing committee, provided there is cause to suspend or revoke a license under this article. The city attorney shall file a complaint with the city clerk setting forth allegations against the licensee as grounds for suspension or revocation.
- (d) *Summons and service.* When a complaint has been filed, the city clerk shall issue a summons demanding that the licensee appear before the due process board to show cause as to why the license should not be revoked or suspended. Such summons shall be served upon the licensee, along with a copy of the complaint or notice of denial.
- (e) *Hearing by the due process board.* The board shall convene at the date and time designated in the summons for purposes of taking evidence and making findings of fact and conclusions of law. At every stage of the proceeding, the licensee may be represented by counsel at his or her expense, present and examine witnesses under oath, and have prepared at the licensee's expense a transcript of the hearing. At the conclusion of the evidentiary hearing and upon deliberation, the board shall make specific findings of fact and conclusions of law, and forward one or more of the following recommendations to the common council:
- (1) No action should be taken due to the insufficiency of the evidence.
  - (2) The license should be suspended for not less than ten days nor more than the remainder of the calendar year.
  - (3) The license should be revoked.
  - (4) The licensee should be placed on probation and the board shall set forth the conditions thereof.
- (f) *Failure to appear.* If the licensee fails to appear before the board at the date and time designated in the summons, the allegations in the complaint or notice of denial shall be taken as true, and if the board finds the allegations sufficient, the board shall recommend to the common council that the license be revoked.
- (g) *Common council action.* The common council, after considering the report and recommendations of the board, along with any written arguments submitted by the licensee, may affirm, reverse, or modify the recommendations of the board. The city clerk shall give notice of each suspension or revocation to the licensee within ten days of the disciplinary action.

**Sec. 22-1285. Restrictions upon denial or revocation of license.**

- (a) Whenever an application for a commercial electric scooter business license is denied or revoked, no other license issued under this article may be granted to such persons or entity within 12 months of the date of such denial.
- (b) When a person or entity surrenders a license issued under this article in lieu of pending suspension or revocation proceedings, no other license issued under this article may be

granted to such persons or entity within 12 months of the date of such surrender and no refund of the fee paid therefor shall be made.

**Sec. 22-1286. Feedback report.**

*Feedback report.* The city clerk shall generate and provide a report to the common council no later than October 1 depicting feedback received related to commercial electric scooters and licensees, if any.

**Sec. 22-1287. Penalties.**

- (a) Any person violating this article shall, upon conviction for a first offense, forfeit not less than \$100.00. Each and every day in which any such violation continues shall constitute a separate offense.
- (b) Any person violating this article shall, upon conviction for a second or subsequent offense within one year, forfeit not less than \$200.00. Each and every day in which any such violation continues shall constitute a separate offense.

**Sec. 22-1288. Sunset.**

This article shall remain in effect until 11:59 p.m., December 31, 2022, unless extended or earlier terminated or modified by the common council.

**ARTICLE XXXII. ELECTRIC SCOOTERS**

**Sec. 66-1201. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Electric scooter* has the meaning given in Wis. Stats. § 340.01(15ps).

*Commercial electric scooter* means an electric scooter that is used for commercial purposes.

**Sec. 66-1202. Scope.**

This article applies to all electric scooters, including commercial electric scooters.

**Sec. 66-1203. State statutes adopted.**

Except as otherwise specifically provided in this article, the provisions of Wis. Stat. chs. 340 through 348, describing and defining regulations with respect to electric scooters, bicycles, and vehicular traffic, exclusive of any provisions relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are adopted by reference and made a part of this article as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this code. Any future amendments, revisions, or modifications of the statutes incorporated herein are intended to be made part of this article in order to secure uniform statewide regulation of traffic.



**Sec. 66-1204. Application; rights and responsibilities.**

Subject to the special provisions applicable to electric scooters, every person riding an electric scooter upon a roadway is granted all rights and is subject to all the duties of chapters 82 and 94, and all of the laws of the state which apply to motor vehicles, except those provisions which have no express application to electric scooters, and except when operated by police officers or law enforcement officers in the course of their duties.

**Sec. 66-1205. Electric scooter regulations and restrictions.**

- (a) *Traffic laws.* The operator of an electric scooter shall operate the electric scooter at all times in compliance with local and state traffic laws.
- (b) *Roadways.* No person shall operate an electric scooter on any roadway within the city having a speed limit of more than 30 miles per hour.
- (c) *Sidewalks and pathways.* No person shall operate an electric scooter:
  - (1) Upon any sidewalk within the city.
  - (2) Upon the Root River or Lake Michigan pathways.
  - (3) Within Monument Square.
- (d) *Trick riding.* No person operating an electric scooter shall engage in trick riding upon any public way or street, except when such person is participating as a trick rider in a parade authorized by the city.
- (e) *Racing.* No person operating an electric scooter shall participate in any race, speed, or endurance contest upon any public way or street unless specifically granted permission by the police department.
- (f) *Parking.* No person shall stop, park, or permit the parking of an electric scooter upon any sidewalk or upon any roadway as to interfere with free passage of vehicles or pedestrians, including, but not limited to, any: transit zone, loading zone, disabled parking and accessibility zone, emergency zone, no parking zone, fire hydrant, call box, utility pole or box, curb ramp, entrance or exit doorway, or driveway.

**Sec. 66-1206. Penalties.**

- (a) Any person who violates any provision of this article shall, upon conviction for a first offense, forfeit not less than \$25.00. Each and every day in which any such violation continues shall constitute a separate offense.
- (b) Any person 12 years of age or older who violates any provision of this article shall, upon conviction for a second or subsequent offense within one year, forfeit not less than \$50.00. Each and every day in which any such violation continues shall constitute a separate offense.

## **ARTICLE VI. BICYCLES, SKATES AND PLAY VEHICLES**

### **DIVISION 1. GENERALLY**

#### **Sec. 44-197. Passengers on motor-driven cycles.**

It shall be unlawful for the operator of any power-driven cycle or motor bicycle to allow any passengers to ride thereon and it shall be unlawful for any person to ride as a passenger thereon.

(Code 1980, § 9.14)

#### **Sec. 44-198. Skateboards, roller skates, roller skis, play vehicles, in-line skates and motorized scooters, mini-bikes, skateboards and go-carts.**

- (a) It shall be unlawful for any person to operate or ride a skateboard, roller skates, roller skis, or play vehicle as defined in Wis. Stats. § 340.01 in any of the following places:
- (1) On any City street.
  - (2) On any sidewalk in any business district as defined in Wis. Stats. § 340.01(6), except that this prohibition does not apply to children 12 years of age and under when such children are under adult supervision.
  - (3) In any public parking ramp or parking lot.
  - (4) On any public property where signs prohibit it.
  - (5) On private property, unless permission has been received from the owner, lessee or person in charge of that property.
- (b) In addition to the prohibitions under Wis. Stats. § 346.94(17), no person riding upon in-line skates as defined in Wis. Stats. § 340.01 may go upon any of the following places:
- (1) On the roadway of any State or U.S. highway within the City of La Crosse, including State Highways 35, 16 and 33, as well as U.S. Highways 61, 14 and 53.
  - (2) On any sidewalk in the downtown La Crosse area bounded by 2nd Street, King Street, 6th Street and State Street.
  - (3) In any public parking ramp or public parking lot.
  - (4) On any public property where signs prohibit it.
  - (5) On private property, unless permission has been received from the owner, lessee or person in charge of that property.
- (c) In-line skate regulations.
- (1) *State laws applicable.* Every person using in-line skates upon a public roadway shall be subject to the provisions of all ordinances and State laws applicable to the operator of any vehicle, except those provisions which by their nature would have no application.

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- (2) *Riding on roadway.*
- a. Every person using in-line skates on a two-way public street or alley shall keep as close to the right-hand curb as possible and shall proceed with traffic. Every person using in-line skates upon a one-way public street or alley shall proceed in the direction of one-way traffic.
  - b. Every person using in-line skates upon a roadway shall ride single file on all public roadways which have centerlines or have lines indicated by painting or other markings. On public roadways and alleys not divided by painted or other marked centerlines or lane lines, in-line skaters may ride two abreast.
  - c. Persons using in-line skates upon a public roadway shall not impede the normal and reasonable movement of motor vehicle traffic.
- (3) *Clinging to moving vehicles.* It shall be unlawful for any person using in-line skates to cling to or attach to any bicycle or other moving vehicle upon a public roadway.
- (4) *Observance of traffic regulations.* Every person using in-line skates upon a public roadway shall stop for all stop signs and traffic signals.
- (5) *Yielding to traffic.* The operator of a vehicle shall yield the right-of-way to a user of in-line skates in the same manner as for bicyclists and pedestrians under Wis. Stats. §§ 346.23, 346.24, 346.36 and 346.38. When using in-line skates, every person shall, upon entering a public roadway, yield the right-of-way to motor vehicles, except that a person using in-line skates shall be subject to the same regulations as bicyclists and pedestrians under Wis. Stats. §§ 346.23, 346.24, 346.37 and 346.38.
- (6) *Equipment regulations.* Every person using in-line skates during hours of darkness shall be equipped with a lamp emitting a white light visible from a distance of at least 500 feet to the front and with a reflector to the rear. The reflector shall not be less than two inches in diameter. A lamp on the rear exhibiting a red light may also be used.
- (d) Operators or riders of skateboards, roller skates, roller skis, in-line skates or play vehicles shall yield the right-of-way to other pedestrians using City sidewalks, and shall not otherwise endanger or interfere with pedestrian traffic on those sidewalks.
- (e) No person shall operate any motorized scooter, motorized mini-bike, motorized skateboard or motorized go-cart on any street, sidewalk or public property in the City. A motorized scooter is a vehicle that is designed to be stood or sat upon by the operator and that has two wheels and is powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion. A motorized scooter shall not include a device defined as an electric personal assistive mobility device under Wis. Stats. § 340.01(15pm).
- (f) Violations of this section are a Class B offense as provided in section 1-7.

(Code 1980, §§ 7.04(U), 7.09(A))

State law reference(s)—Authority relative to in-line skates, Wis. Stats. § 349.235.

**Sec. 44-199. Reserved.**

**Sec. 44-200. Electric personal assistive mobility devices (EPAMD).**

- (a) An electric personal assistive mobile device (EPAMD) hereinafter referred to as EPAMD has the same meaning as Wis. Stats. § 340.01(15pm).

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- (b) It shall be unlawful for an owner of an EPAMD to allow another person to use the EPAMD in consideration of anything of value without procuring and maintaining insurance coverage as provided in section 2-2(24) of this Code.
  - (c) Violations of this section are a class B offense as provided in section 1-7.
- (Ord. No. 4869, § II, 5-14-2015)

**Secs. 44-201—44-219. Reserved.**

*DIVISION 2. BICYCLES<sup>1</sup>*

**Sec. 44-220. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Bicycle lane* means that portion of a roadway set aside for exclusive use of bicycles and so designated by appropriate signs and markings by the responsible governing body.

*Bicycle way* means any path or sidewalk, or portion thereof, designated for the use of bicycles by the responsible governing body.

*Identification tag* means a metal plate or sticker indicating that a bicycle is registered.

(Code 1980, § 9.15(A))

Cross reference(s)—Definitions and rules of construction, § 1-2.

**Sec. 44-221. Enforcement.**

- (a) *Juvenile offenders under age 16 years.* Any offender under the age of 16 years who shall disregard the rules and regulations governing the operation of bicycles in this section may be directed to appear before the Juvenile Court or Juvenile Court Officer who shall dispose of such person's case in the manner prescribed by the Court. Bicycle riders under the age of 16 years shall be issued a special bicycle violation ticket for violations of any of the provisions of this section.
- (b) *Offenders age 16 years and older.* Any person having attained the age of 16 years may in the discretion of the Police Department be dealt with by the Municipal Court.
- (c) *Bicycle Court/Violations School.* Violations of this division may be formally processed through constitutional and statutory courts or, in the discretion of the Police Department, and in such cases where consent of the violator or parent or guardian of a violator who is a minor is obtained, may be processed by a special City Children's Bicycle Court and Violators School. Rules of Procedure of such Court and School shall be subject to review by the Common Council. Procedures for appeal from the decisions of the bicycle court shall be provided in the rules established hereunder.

(Code 1980, § 9.15(E))

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<sup>1</sup>State law reference(s)—Authority relative to bicycles, Wis. Stats. §§ 349.18, 349.23.

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## Sec. 44-222. Registration required.

- (a) *Required.* No person shall ride a bicycle upon any highway unless it is registered and tagged as herein provided.
- (b) *Description.* Registration shall be made by filing with the Police Department the name and address of the owner together with a complete description of the bicycle on forms provided by said Department and paying a registration fee as hereinafter provided.
- (c) *Fee.* The registration fee shall be set by the Chief of Police and shall not exceed the amount established by resolution and shall be effective and valid as long as the owner keeps possession of the bicycle. The Police Department shall issue a registration tag upon payment of the fee (if applicable). Replacement of lost or damaged tags shall be charged at the rate established by resolution.
- (d) *Transfer.* It shall be the duty of every person who sells or transfers ownership of any bicycle previously registered to deliver the owner's registration card, issued to such person as owner thereof, to the purchaser. It shall be the duty of the purchaser or transferee to apply for a transfer of registration therefor, within five days of said sale or transfer.
- (e) *Surrender of registration card.* It shall be the duty of every person who shall junk or destroy, cause to be junked or destroyed, or who shall transfer the title of any registered bicycle to a nonresident of the City, to deliver the owner's registration card to the Police Department together with a written report showing the disposition made thereof within five days thereafter.
- (f) *Bill of sale required.* A person making original application for registration or an application for transfer of registration after sale or transfer shall exhibit to the Police Department a written bill of sale or transfer of title before said person shall be entitled to original registration or transfer of registration.
- (g) *Unsafe vehicles.* No bicycle shall be registered which is in unsafe mechanical condition.
- (h) *Unlawful to remove identification.* No person shall willfully remove, deface or destroy any such identification tag nor the serial number of the bicycle itself.
- (i) *Suspension of registration.* The Chief of Police and the Municipal Judge, or either one of them, shall have authority to suspend the registration of and remove the identification tag from any bicycle operated contrary to any State law or City ordinance or operated while in an unsafe mechanical condition. Such suspension and removal shall be in addition to other penalties provided hereunder.

(Code 1980, § 9.15(D))

## Sec. 44-223. Operating rules.

No person operating a bicycle upon any highway, bicycle path or bicycle way within the City shall fail to observe all applicable traffic regulations of the municipality and State or to comply with the following regulations:

- (1) *Carrying extra passengers.* Bicycle operators shall not use a bicycle, except a tandem, to carry another person; provided, a bicycle operator may carry a child securely attached to the operator's person in a back pack or sling and may carry another person on a bicycle if it is equipped with a child's seat securely attached to and properly designed for use on a bicycle.
- (2) *Stunt or trick riding.* No person operating or pedaling a bicycle shall participate in any trick or stunt riding or racing on any highway within the City unless such race or contest is held pursuant to permission granted by the authority having jurisdiction over the highway.

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- (3) *Towing with bicycle.* No person riding or operating a bicycle shall tow, drag or cause to be drawn behind the bicycle, any person on roller skates, coaster sled, or any other type of conveyance not designed to be towed by a bicycle.
  - (4) *Obedience to traffic control devices.* Any person operating a bicycle shall obey the instructions of official traffic control devices applicable to vehicles unless otherwise directed by a law enforcement officer.
  - (5) *Speed.* No person shall operate a bicycle at a speed greater than is reasonable and prudent under existing conditions or in excess of any posted speed limit.
  - (6) *Riding on sidewalks.* No person shall ride a bicycle on any public sidewalk in the "downtown area" as defined in section 10-393, or past any building which has any entrance or exit abutting on the sidewalk. Except as herein specified, it shall be lawful to ride on any public sidewalk provided that a reasonable rate of speed is maintained and every person operating a bicycle upon a sidewalk shall yield the right-of-way to any pedestrian and shall exercise due care and give an audible signal when passing a bicycle or electric personal assistive mobility device or a pedestrian proceeding in the same direction. If unable to pass in a safe manner, the operator shall dismount from the bicycle and push it past the pedestrian.

(Code 1980, § 9.15(B); Ord. No. 4872, § 1, 6-11-2015)

#### **Sec. 44-224. Use of bicycle lanes and ways.**

It shall be unlawful for any motor vehicle driver or bicycle rider to fail to comply with the right-of-way of any and all bicycle facilities which are designated by pavement markings and/or applicable signage.

(Code 1980, § 9.17)

#### **Sec. 44-225. Bicycle parking.**

No person shall park any bicycle against windows or in the main traveled portion of any sidewalk or highway nor in such manner as to constitute a hazard to pedestrians, traffic or property. If there is no bicycle rack or other facility intended to be used for the parking of bicycles in the vicinity, the operator may park a bicycle on the sidewalk in an upright position parallel to and within 24 inches of the curb.

(Code 1980, § 9.15(C))



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Text File

File Number: 25-0044

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**Agenda Date:**

**Version:** 1

**Status:** Agenda Ready

**In Control:** Bicycle-Pedestrian Advisory Committee

**File Type:** Resolution

**Agenda Number:** 5.

### Clinton Street Parking Count

Date 12/13/2024								
Time 5:09 PM								
Block (East to West)	George to Kane	Kane to Charles	Charles to Liberty	Liberty to Avon	Avon to Caledonia	Total	Available Spots	Utilization Rate
Parked Cars (Northside)	0	0	2	4	0	6	44	13.64%
Parked Cars (Southside)	0	0	2	5	0	7	42	16.67%

Date 12/15/2024								
Time 12:16 PM								
Block (East to West)	George to Kane	Kane to Charles	Charles to Liberty	Liberty to Avon	Avon to Caledonia	Total	Available Spots	Utilization Rate
Parked Cars (Northside)	0	0	2	0	0	2	44	4.55%
Parked Cars (Southside)	0	1	1	0	0	2	42	4.76%

Date 12/16/2024								
Time 8:20 AM								
Block (East to West)	George to Kane	Kane to Charles	Charles to Liberty	Liberty to Avon	Avon to Caledonia	Total	Available Spots	Utilization Rate
Parked Cars (Northside)	0	0	1	2	1	4	44	9.09%
Parked Cars (Southside)	0	1	1	0	0	2	42	4.76%

Date 12/17/2024								
Time 8:14 AM								
Block (East to West)	George to Kane	Kane to Charles	Charles to Liberty	Liberty to Avon	Avon to Caledonia	Total	Available Spots	Utilization Rate
Parked Cars (Northside)	0	0	3	0	0	3	44	6.82%
Parked Cars (Southside)	0	0	0	2	0	2	42	4.76%

Date 12/17/2024								
Time 2:00 PM								
Block (East to West)	George to Kane	Kane to Charles	Charles to Liberty	Liberty to Avon	Avon to Caledonia	Total	Available Spots	Utilization Rate
Parked Cars (Northside)	0	0	2	2	1	5	44	11.36%
Parked Cars (Southside)	0	0	0	3	0	3	42	7.14%

Date 12/18/2024								
Time 11:05 AM								
Block (East to West)	George to Kane	Kane to Charles	Charles to Liberty	Liberty to Avon	Avon to Caledonia	Total	Available Spots	Utilization Rate
Parked Cars (Northside)	0	0	2	3	1	6	44	13.64%
Parked Cars (Southside)	0	0	3	4	1	8	42	19.05%

Date 12/18/2024								
Time 9:01 PM								
Block (East to West)	George to Kane	Kane to Charles	Charles to Liberty	Liberty to Avon	Avon to Caledonia	Total	Available Spots	Utilization Rate
Parked Cars (Northside)	0	2	3	0	0	5	44	11.36%
Parked Cars (Southside)	0	2	1	1	0	4	42	9.52%