

ORDINANCE NO.: _____

AN ORDINANCE to create and amend various sections of the Code of Ordinances of the City of La Crosse relating to electric scooters.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION 1: Section 44-198(e) is hereby amended to read as follows:

- (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), or a device defined as an electric scooter under Wis. Stat. § 340.01(15ps).

SECTION II: Section 44-199 is hereby created to read as follows:

Sec. 44-199. Electric Scooters.

- (a) *Definition.* Electric Scooter has the meaning given under Wis. Stat. § 340.01(15ps).
- (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 which by their nature would have no application.
- (c) *Where prohibited.* It shall be unlawful for any person to operate or ride an electric scooter in any of the following places:
- (1) On any sidewalk.
 - (2) 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.
 - (3) In any City parking facility.
 - (4) On any public property prohibited by any other law or ordinance.
 - (5) On any public property where signs prohibit it.
 - (6) On any roadway with a speed limit in excess of 25 miles per hour except in designated bike lanes.
- (d) *Riding on roadway.*
- (1) Every person using electric scooters on a public roadway shall keep as close to the right-hand curb as practicable and shall proceed with traffic, except where bicycle lanes designate otherwise. Every person using electric scooters upon a one-way public roadway shall proceed in the direction of one-way traffic except where bicycle lanes designate otherwise.

- (2) Every person using electric scooters 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 not divided by painted or other marked centerlines or lane lines, electric scooters may ride two abreast.
- (3) Persons using electric scooters upon a public roadway shall not impede the normal and reasonable movement of motor vehicle traffic.
- (e) *Observance of traffic regulations.* Every person using electric scooters upon a public roadway shall obey all the instructions of official traffic-control devices, signs, and signals applicable to vehicles unless otherwise directed by a law enforcement officer.
- (f) *Speed.* No person shall operate an electric scooter at a speed greater than is reasonable and prudent under existing conditions or in excess of any posted speed limit.
- (g) *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 under Wis. Stats. §§ 346.23, 346.24, 346.36 and 346.38. 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 under Wis. Stats. §§ 346.23, 346.24, 346.37 and 346.38.
- (h) *Clinging to moving vehicles.* It shall be unlawful for any person using electric scooters to cling to or attach to any bicycle or other moving vehicle upon a public roadway.
- (i) *Stunt or trick riding.* No person using an electric scooter 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.
- (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) *No parking on sidewalks.* No electric scooter shall be left or parked in the right-of-way unless the electric scooter is properly parked within or fastened or chained to a bicycle rack or other sign-designated area. No electric scooter shall be left in a manner to obstruct a sidewalk.
- (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.* Each 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.

SECTION III: Section 34-68 is hereby amended to read as follows:

Sec. 34-68. Use of off-the-road vehicles, electric personal assistive mobility devices, electric scooters, motorcycles, trail bikes or mountain bikes prohibited.

(b) *Electric personal assistive mobility devices (EPAMD)- and electric scooters.*

(1) An electric personal assistive mobility device (EPAMD) has the same definition as Wis. Stat. § 340.01(15pm)- and an electric scooter has the same definition as Wis. Stat. § 340.01(15ps).

(2) *Prohibitions.*

- a. No person shall operate an EPAMD or an electric scooter on any sidewalk on the following locations: Riverside Park International Gardens and Granddad's Park.
- b. No person shall operate an EPAMD or an electric scooter on any bicycle path at the following locations: Upper Hixon Forest and Lower Hixon Forest parks and Forest Hills Golf Course.
- c. No person shall operate an EPAMD or an electric scooter on any pedestrian path at the following locations Granddads: Mezzanine, Riverside Park levee and Riverside Park boardwalk.
- d. No person shall operate an EPAMD or an electric scooter on any city owned Stewardship property under Department of Natural Resources contract or Mississippi Valley Conservancy easement.
- e. No person shall operate an EPAMD or an electric scooter on fishing pier or boat dock.
- f. No person shall operate an EPAMD or an electric scooter on park property under a rental agreement or lease agreement.
- g. No person shall operate an EPAMD or an electric scooter on any play field, open grass area, sports court, pools, beaches, splash pads, play equipment, ice skating rink or sports field on any property under the jurisdiction of the Board of Park Commissioners.
- h. No person shall operate an EPAMD or an electric scooter on any natural surface trail, meaning any surface that is not paved, including gravel, rocks, soil, and more.
- i. No person shall operate an EPAMD or an electric scooter within any fenced area designated for use as a dog park.

SECTION IV: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION V: This ordinance shall take effect and be in force from and after its passage and publication.

/s/
Mitch Reynolds, Mayor

/s/
Nikki M. Elsen, City Clerk

Passed:
Approved:
Published: