CITY OF GOLD BAR, WASHINGTON
ORDINANCE #797

AN ORDINANCE OF THE CITY OF GOLD BAR, WASHINGTON, ADDING A NEW CHAPTER 10.20 TO THE GOLD BAR MUNICIPAL CODE RELATING TO THE REGULATION OF ELECTRIC-ASSISTED BICYCLES, MICROMOBILITY DEVICES, AND POWERED PERSONAL TRANSPORTERS; ADOPTING DEFINITIONS CONSISTENT WITH RCW 46.04.169 AND RCW 46.04.336; ESTABLISHING RULES FOR OPERATION ON CITY STREETS, SIDEWALKS, TRAILS, AND PARKS; PROVIDING FOR HELMET REQUIREMENTS, PARKING, IMPOUNDMENT; AND PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE.

(no wording added regarding parents being ultimately responsible)

WHEREAS, the use of electric-assisted bicycles ("e-bikes"), motorized foot scooters ("e-scooters"), and other micromobility devices and powered personal transporters has increased significantly within the City of Gold Bar, creating a need for comprehensive local regulation to ensure the safe and orderly operation of these devices; and

WHEREAS, the State of Washington has established a three-class system for electric-assisted bicycles under the Revised Code of Washington (RCW) 46.04.169 and has defined motorized foot scooters under RCW 46.04.336, providing a statewide framework for the classification and regulation of these devices; and

WHEREAS, RCW 46.61.710 and RCW 46.61.715 authorize local jurisdictions to regulate the operation of electric-assisted bicycles and motorized foot scooters on facilities, properties, and rights-of-way under their jurisdiction and control; and

WHEREAS, State law requires permanent class labeling on new e-bikes and prohibits tampering that alters speed capability unless the label is appropriately replaced (RCW 46.37.690); and

WHEREAS, the operation of Class 3 electric-assisted bicycles on sidewalks is restricted unless authorized by local ordinance, and operators must be at least 16 years old (RCW 46.61.710; RCW 46.20.500; and

WHEREAS, because there are many new devices with electric motors that do not fall into any existing definition of e-bikes, motorized foot scooters, or electric motorcycle, and new devices capable of reaching high speeds continue to become available, it is necessary to create regulations to cover these devices based on their speed capacity; and

WHEREAS, the City Council finds that local regulation is necessary to promote public safety, protect pedestrians, ensure accessibility in compliance with the Americans with Disabilities Act, and preserve the character of city trails and parks.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLD BAR, WASHINGTON, DOES ORDAIN as follows:

Section I **Title 10.20, Electric-Assisted Bicycles, Micromobility Devices, and Powered Personal Transporters**
Section II **Title 10.20.010, Purpose**
Section III **Title 10.20.020, Definitions**
Section IV **Title 10.20.030, Equipment and Labeling**
Section V **Title 10.20.040, Operation on Public Roadways**
Section VI **Title 10.20.050 Sidewalk Operation**
Section VII **Title 10.20.060, Helmet Requirements**
Section VIII **Title 10.20.070, Parking**
Section IX **Title 10.20.080, Impoundment**
Section X **Title 10.20.090, Shared Micromobility Programs**
Section XI **Title 10.20.100, Penalties**
Section XII **Severability**
Section XIII **Effective Date**

Section 1, Title 10.20, Electric-Assisted Bicycles, Micromobility Devices, and Powered Personal Transporters

A new Chapter 10.20, titled "Electric-Assisted Bicycles, Micromobility Devices, and Powered Personal Transporters" is hereby adopted and added to Title 10 of the Gold Bar Municipal Code.

Section II, Title 10.20.010, Purpose

The purpose of this chapter is to establish a comprehensive local regulatory framework for electric-assisted bicycles, motorized foot scooters and micromobility devices, and powered personal transporters within the City of Gold Bar, supplementing state law where gaps exist and exercising the local authority granted to the City under RCW 46.61.710 and RCW 46.61.715. The City of Gold Bar is a noncharter code city organized under RCW Title 35A and possesses general authority under RCW 35A.11.020 to adopt ordinances for the protection of public health, safety, and welfare.

Section III, Title 10.20.020, Definitions

As used in this chapter, unless the context clearly requires otherwise:

A. “Electric-assisted bicycle” or “ebike” means a bicycle with two or three wheels, a saddle, fully operative pedals for human propulsion, and an electric motor. The electric-assisted bicycle’s electric motor must have a power output of no more than 750 watts. The electric-assisted bicycle must meet the requirements of one of the following three classifications:

1. “Class 1 electric-assisted bicycle” provides assistance only when the rider is pedaling and ceases assistance at 20 miles per hour;

2. “Class 2 electric-assisted bicycle” may be propelled exclusively by the motor and is not capable of providing assistance at speeds of 20 miles per hour or greater;

3. “Class 3 electric-assisted bicycle” provides assistance only when the rider is pedaling, ceases assistance at 28 miles per hour, and is equipped with a speedometer.

B. “Electric-assisted bicycle,” does not include:

1. Any vehicle capable of exceeding 20 miles per hour on solely its electric motor; or

2. Any vehicle designed, manufactured, or intended by the manufacturer or seller to be easily configured so that it does not meet the requirements of an electric-assisted bicycle, whether by means of a mechanical switch or button, a software setting, an online application, or other similar method intended to alter factory configuration.

C. "Micromobility device" means personal or shared nonmotorized scooters, "motorized foot scooters" as defined in RCW 46.04.336, and "electric personal assistive mobility devices" (EPAMD) as defined in RCW 46.04.1695, and any powered personal transporter that has a maximum speed of no greater than twenty miles per hour on level ground.

D. “Powered personal transporters” means a small device, not otherwise defined in this chapter, that is designed to carry one or more person and propelled by an electric or other motor, including devices capable of speeds greater than 20 miles per hour solely on its electric or other motor. The term includes, but is not limited to high-speed electric scooters, electric skateboards, self-balancing devices, and other similar powered mobility devices. It does not include electric-assisted bicycles as defined in RCW 46.04.169, and this section; motorized foot scooters as defined in RCW 46.04.336; electric personal assistive mobility devices (EPAMDs) as defined in RCW 46.04.1695; wheelchairs, power wheelchairs, or other medically necessary mobility aids used by persons with disabilities; or motor vehicles, mopeds, or motorcycles as defined in RCW 46.04.

E. “Operator” means any person who rides or controls an electric-assisted bicycle, micromobility device, or powered personal transporter.

F. “Rules of the road” means all rules applicable to vehicles, bicycles, micromobility devices, powered personal transporters, or pedestrian traffic as set forth in state or local law, rule or regulation.

G. “Shared-use path” means a public paved path designated for bicycle and pedestrian travel.

H. “Sidewalk” means that property between the curb lines or the lateral lines of a roadway and the adjacent property set aside and intended for the use of pedestrians, or such portion of private property parallel and in proximity to a public highway and dedicated to use by pedestrians.

I. "Paved city trail" means a hard-surfaced trail owned or maintained by the City of Gold Bar.

J. "Natural surface trail" means an unpaved trail owned or maintained by the City of Gold Bar.

Section IV, Title 10.20.030, Equipment and labeling

A. Any electric-assisted bicycle sold, repaired, or operated in the City must comply with the Class label and anti-tampering requirements set out in RCW 46.37.690.

B. Class 3 electric-assisted bicycles shall be equipped with a speedometer (RCW 46.04.169).

C. Every electric-assisted bicycle must comply with the lighting requirements of RCW 46.61.780 when in use during the hours of darkness as defined in RCW 46.37.020.

D. Every electric-assisted bicycle shall be equipped with a brake that will enable the operator to make the braked wheels skid on dry, level, clean pavement.

E. No motorized foot scooter, bicycle, other wheeled recreational device shall be operated in a manner that creates continuous sound associated with a gasoline-powered engine so as to unreasonably disturb or interfere with the peace and comfort of owners or occupants of real property. Nothing in this section shall limit enforcement of the City's noise ordinance.

F. It is unlawful to sell or operate a motorized foot scooter, bicycle, or other wheeled device that is powered by an internal combustion engine that is not equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise.

G. Equipment and labeling violations are punishable as traffic infraction.

Section V, Title 10.20.040, Operation on public roadways.

A. Electric-assisted bicycles of all classes may be operated on public roadways and bicycle lanes within the City in accordance with RCW 46.61.710 and all applicable state traffic laws.

B. Motorized foot scooters may be operated on public roadways and bicycle lanes with a posted speed limit of twenty-five (25) miles per hour or less, at a maximum speed of fifteen (15) miles per hour, in accordance with RCW 46.61.715.

C. All operators of e-bikes and e-scooters shall comply with all applicable state traffic laws, including but not limited to requirements for lights, reflectors, and signaling.

D. No driver's license or vehicle registration shall be required to operate an e-bike or e-scooter, consistent with RCW 46.20.500.

E. Where the City posts speed limits on streets or bicycle lanes, electric-assisted bicycles and powered personal transporters shall not be operated in excess of the posted speed limits.

Section VI, 10.20.050 Sidewalk operation.

A. Class 1 and Class 2 e-bikes and e-scooters may be operated on sidewalks at a maximum speed of six (6) miles per hour.

B. Class 3 e-bikes and powered personal transporters are prohibited from operation on all sidewalks within the City, unless there is no alternative to travel over the sidewalk as part of a city street.

C. Operators on sidewalks shall yield the right-of-way to pedestrians at all times and shall give an audible signal before overtaking and passing a pedestrian.

D. It shall not be a violation of this section to walk a bicycle, electric-assisted bicycle, micromobility device, or powered personal transporter in a location where operating that device is prohibited or to start and stop from the curb ramp of any sidewalk.

Section VII, Title 10.20.060 Helmet requirements.

A. Helmets are mandatory for operators of Class 3 electric-assisted bicycles, powered personal transporters capable of exceeding 20 miles per hour on solely its motor, and for all operators under the age of eighteen (18) years on any class of electric-assisted bicycle, micromobility device, motorized foot-scooter, or personal powered transporters.

B. Failure to wear a helmet as required by this section shall constitute a civil infraction.

C. No parent, guardian, or other person having the care or custody of a minor shall knowingly permit the minor to operate or ride on a device mentioned in 10.20.060(A) in violation of this section.

Section VIII, Title 10.20.070, Park, trail, and shared path access.

A. Class I and Class 2 e-bikes, micromobility devices, or powered personal transporters that have a maximum speed of no greater than 20 miles per hour on level ground, are permitted on paved city trails, and upon such areas authorized for use by motor vehicles at a maximum speed of ten (10) miles per hour.

B. E-bikes of all classes, micromobility devices, and powered personal transporters are prohibited on natural surface trails within the City.

C. Class 3 electric-assisted bicycles and powered personal transporters may not be operated on a shared-use path consistent with RCW 46.61.710. Class 1 and Class 2 electric assisted bicycles and micromobility devices may operate on shared-use paths consistent with this chapter.

Section IX, Title 10.20.080, Parking.

A. It is unlawful to park or leave an e-bike or e-scooter in a manner that:

1. Blocks or impedes access to ADA-accessible ramps, curb cuts, or building entrances;

2. Obstructs a crosswalk, intersection, or fire hydrant;

3. Reduces the clear width of a sidewalk to less than three (3) feet; or

4. Creates a hazard to pedestrian or vehicular traffic.

B. E-bikes and e-scooters shall be parked in designated bicycle racks or other areas identified for micromobility device parking where such facilities are available.

Section X, Title 10.20.080, Impoundment.

A. Any electric-assisted bicycle, micromobility device, or powered personal transporter parked or operated in violation of this chapter may be impounded by the Gold Bar Police Department or authorized City personnel.

B. The owner may reclaim an impounded device upon payment of any outstanding penalties and an impoundment fee of fifty dollars ($50.00) for administrative processing.

C. For operators under the age of 16 who violate any provision of this chapter, a law enforcement officer may release a regulated device to the parent or legal guardian instead of issuing a citation or impounding the device pursuant to this chapter

D. Only the parent or legal guardian of a violator or an adult owner can reclaim a device impounded pursuant to this section.

E. Devices not claimed within sixty (60) days of impoundment may be disposed of in accordance with applicable state law governing unclaimed property.

Section XI, 10.20.100, Shared micromobility programs.

A. No person or entity shall operate a shared micromobility program within the City without first obtaining a permit from the City.

B. Applications for a shared micromobility program permit shall be submitted to the City Permit Clerk or designee and shall include:

1. Proof of insurance meeting the requirements of RCW 46.61.715, including commercial general liability insurance of not less than one million dollars ($1 per occurrence and five million dollars ($5,000,000) aggregate, and automobile liability insurance of not less than one million dollars ($1,000,000) combined single limit;

2. A plan for device distribution, collection, and rebalancing;

3. Contact information for a local representative available to respond to City inquiries within twenty-four (24) hours; and

4. Proof of unique device identification pursuant to RCW 46.61.715.

C. The City Council may establish permit fees, fleet size limits, and operating conditions by resolution.

D. The City may revoke or suspend a permit for failure to comply with the terms of the permit or this chapter, following reasonable notice and an opportunity to cure.

Section XII, Title 10.20.110, Penalties.

A. Any person violating any provision of this chapter shall be subject to a civil infraction and a monetary penalty not to exceed two hundred fifty dollars ($250.00) per violation.

B. The following penalty schedule shall apply:

1. First violation: Written warning or a fine of up to fifty dollars ($50.00);

2. Second violation within twelve (12) months: A fine of up to one hundred dollars ($100.00)

3. Third and subsequent violations within twelve (12) months: A fine of up to two hundred fifty dollars ($250.00).

C. Each day a continuing violation remains uncorrected shall constitute a separate offense.

Section XIII, Severability

This ordinance is severable and if any portion of it shall be declared invalid or unconstitutional, the remaining portion shall remain valid and enforceable.

Section XIV, Effective Date

This ordinance shall take effect from, and after, its passage, approval, and publication as provided by law.

Passed by the City Council of the City of Gold Bar this _____ day of _____, 2026.

Attest: _____, Lisa Stowe, Clerk/Treasurer

Attest: _____, Steven Yarbrough, Mayor

First Reading: _____
Posted: _____
Second Reading: _____
Passed: _____