

Proposed Town Code Amendment to Define and Regulate Bike Share (Shared Active Transportation Systems, Shared Devices) Electric Bicycles and Electric Scooters.

Section 6-1 Definitions and Rules of Construction

(3) Bike Lane. That portion of the roadway set aside for the use of bicycles, *electric bicycles, electric scooters, or shared devices.* (Amend. 3/10/92)

(4) Bike Path. A pathway primarily designed for bicycles, *electric bicycles, electric scooters, and shared devices* (pedestrian traffic may also be permitted) located either within that portion of a street right-of-way that is separate from the roadway or within a public easement other than a street right-of-way. (Amend. 3/10/92)

(5) Bikeway. A thoroughfare suitable for bicycles, *electric bicycles, electric scooters, and shared devices* (and pedestrians), including bike lanes and bike paths. (Amend. 3/10/92)

(11) Motor Vehicle. Every vehicle which is self-propelled and every vehicle designed to run upon the highways which is pulled by a self-propelled vehicle. However, this definition shall not include mo-peds as defined in subdivision (10) above, *electric bicycles as defined in subdivision (22) below, or electric scooters as defined in subdivision (23) below.*

(21) Vehicle. Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon fixed rails or tracks, provided, that for the purposes of this chapter, bicycles, *electric bicycles, electric scooters, and shared devices* shall be deemed vehicles and every rider of a bicycle, *electric bicycle, electric scooter, or shared device* upon a highway shall be subject to the provisions of this chapter applicable to the driver of a vehicle except those which by their nature can have no application.

(22) Electric Bicycle (E-Bike).

A bicycle with a small electric helper motor with less than 750W and a maximum speed of 25mph on flat surfaces. Riders must be at least 16 years of age.

(23) Electric Scooter (E-scooter).

A vehicle that is steered by a steering handle, designed to be stood upon by the operator while the vehicle is in operation, and powered by a motor capable of propelling the vehicle at a speed no greater than 18 miles per hour on a level surface; and whose wheels have diameters of ten inches or less. Riders must be at least 16 years of age.

(24) Shared Active Transportation System (SATS).

A business or service that provides one or more shared devices, as defined in subdivision (25) below, for rentals where, by design of the business, the shared devices are intended to be parked in a device operating area, but not connected to a dedicated docking station, when not rented by a customer.

(25) Shared Device.

A bicycle (defined in subdivision (2)), electric bicycle (defined in subdivision (22)), or electric scooter (defined in subdivision (23)) that is rented by a business or service to customers through a SATS (defined in subdivision (24)).

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(c) The driver of a motorcycle, ~~or bicycle~~, **electric bicycle, electric scooter, or shared device** when upon the street shall not carry any other person upon the handlebars, tank, or any other part of such vehicle not designed or carrying passengers. No person may ride upon the handlebars, tank or any other part of a motorcycle, ~~or bicycle~~, **electric bicycle, electric scooter, or shared device** not designed for carrying passengers.

Section 6-35 Direction of Travel

Except for bikepaths, all bikeways shall carry bicycle, **electric bicycle, electric scooter, and shared device** traffic only in the direction of the nearest adjacent traffic lane. Traffic may proceed in both directions along the Libba Cotten bikepath, subject to the remaining provisions of this article.

Section 6-37 Shared Usage By Bicyclists and Pedestrians

(4) Electric bicycles, electric scooters, and shared devices may be operated on bike paths.

(a) When using those bike paths, electric Bicycles, Electric Scooters, and Shared Devices shall have a speed limit of 15 Miles per hour; shall yield the right-of-way to pedestrians; and, when passing pedestrians from the rear, shall pass only on the left and only after giving an audible warning to such pedestrians; and shall not ride in such a way as to endanger pedestrians.

(b) When a shared device is being operated on a bike path, it shall have its speed functionally capped to 12 Miles per hour, provided the shared active transportation system which operates it has the ability to regulate the speed of its shared devices within certain geographic areas.

Section 6-38 Bicycles, Electric Bicycles, Electric Scooters, Shared Devices, and Motor Vehicles Prohibited on Certain Sidewalks (Amend. 10/13/98)

(b) No person may operate upon any sidewalk a motor vehicle, electric bicycle, electric scooter, or shared device (including without limitation on any riding lawn mower or other motorized device designed to carry one or more persons, but not including a motorized wheelchair or similar device designed principally to convey a person with limited mobility). (Amend. 10/13/98)

Section 6-39 Bicycles, Electric Bicycles, Electric Scooters, and Shared Devices Subject to General Statutes

(1) Unless otherwise specifically provided in this chapter, bicycles, electric bicycles, electric scooters, and shared devices shall be deemed vehicles and every rider of a bicycle, electric bicycle, electric scooter, or shared device upon a street, bikeway, or sidewalk shall be subject to the provisions of this chapter and all the rules of the road set forth in state law applicable to the driver of a vehicle except those which be their nature can have no application. Without limiting the foregoing, persons riding bicycles, electric bicycles, electric scooters, or shared devices:

(a) Shall obey the instructions of official traffic control signs and other traffic control devices applicable to vehicles and bicycles, unless directed otherwise by a police officer.

(b) Shall yield the right-of-way to vehicles, other bicycles, and pedestrians according to the rules of the road applicable to other vehicles.

(c) Shall not pass other vehicles on the right except to the limited extent that motor vehicles are authorized to pass on the right as set forth in G.S. 20- 150.1.

(d) Shall merge with traffic at the end of bike lanes at intersections.

(2) No bicycle, **electric bicycle, electric scooter, or shared device** may be operated on any street, sidewalk, or bikeway without all of the safety equipment required by state law. Without limiting the foregoing, and as provided in G.S. 20- 129(e), every bicycle, **electric bicycle, electric scooter, or shared device** shall be equipped with a lighted lamp on the front thereof, visible under normal atmospheric conditions from a distance of a least 300 feet in front of such bicycle, **electric bicycle, electric scooter, or shared device** and shall also be equipped with a reflex mirror or lamp on the rear exhibiting a red light visible under light conditions from a distance of at least 200 feet to the rear of such bicycle, **electric bicycle, electric scooter, or shared device** when used at night.

Section 6-40 Voluntary Registration of Bicycles and Electric Bicycles

To deter the theft of bicycles (**including electric bicycles**) and to assist in investigation bicycle theft, recovering lost or stolen bicycles and returning such bicycles to their proper owners, the Town Manager is authorized to establish a program for the voluntary registration of all bicycles residing within the town.

Section 6-40.1 Helmets Required for Bicycles, Electric Bicycles, Electric Scooters and Shared Devices (Amend. 9/16/97)

(a) Every person sixteen (16) years of age or under operating a bicycle, **electric bicycle, electric scooter, or shared device** on a public right-of-way within the town shall wear a protective helmet on their head, with the chin strap fastened under chin. Such helmet shall be fitted the size of the operator and shall meet or exceed the ANSI (American National Standards Institute) z90.4 or subsequent bicycle helmet standards, or the Snell Memorial Foundation's 1984 Standard for Protective Headgear for Use in Bicycling or subsequent standards.

(b) No person operating a bicycle, **electric bicycle, electric scooter, or shared device** on a public right-of-way shall allow anyone to ride as a passenger unless the passenger is wearing a helmet as defined in subsection (1) above or else is in an enclosed trailer or other device which meets or exceeds current nationally recognized standards or design and manufacture for the protection of the passenger's head from impacts in an accident without the need for a helmet.

Section 7-9 Encroachment Permit Required

(m) Shared active transportation systems may apply to the Town to utilize the public right-of-way for advertisement, vehicle placement, or other uses. The Town Manager or their designee may prescribe application requirements and procedures to govern use of the Town right-of-way.

(1) Section 7-1 Subsections (a) and (b) of this article shall not apply to shared devices which are operating in the Town as part of a Shared Active Transportation System with an approved permit as outlined above.

(2) Partial obstruction of a public sidewalk by a shared device belonging to a Shared Active Transportation System to conduct sales is permissible in accordance with conditions of the permit issued by the Town.

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