

Model Ordinance Language for E-Mobility Devices in the Kansas City Metro Area

Standard Traffic Ordinance For Kansas Cities, 52nd Edition

Model language designed to fit into the Standard Traffic Ordinance For Kansas Cities, 52nd Edition. Original text in black. Edits are in blue. Original text included for relevance if not modified.

Article 1. Definitions

Electric-Assisted Bicycle. A bicycle with two or three wheels, a saddle, fully operative pedals for human propulsion, and an electric motor of less than 750 watts that meets the requirements of one of the following three classes:

- (a) **Class 1 electric-assisted bicycle** means an electric-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour;
- (b) **Class 2 electric-assisted bicycle** means an electric-assisted bicycle equipped with a motor that may be used exclusively to propel the bicycle and is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour; or
- (c) **Class 3 electric-assisted bicycle** means an electric-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour. (K.S.A. 8-1489)

Larger electric-assisted bicycles that are designed to carry cargo and/or passengers, including children, and which meet the above class requirements, shall also be considered electric-assisted bicycles.

Electric-Assisted Scooter. Every self-propelled vehicle, other than an electric-assisted bicycle, that has at least two wheels in contact with the ground, an electric motor, handlebars, a brake and a deck that is designed to be stood upon when riding. (K.S.A. 8-126(h))

Electric Unicycle. A self-propelled device without handlebars which has a single wheel, an electric motor, and a deck on which a person may stand in a forward stance while riding.

Micromobility Device. A compact electric-assisted or powered device commonly designed for one person, but not to exceed two people, including such devices as electric-assisted scooters, motorized skateboards, electric unicycles, or any other electric powered mobility device, designed for single-person mobility, either privately-owned, or part of a shared mobility system; but shall not mean an electric-assisted bicycle, a vehicle or device like that which is an all-terrain vehicle, golf cart, motorized bicycle, motor-driven cycle, or motorcycle, nor like coasters, roller skates or skateboards; and shall not include a motorized wheel chair or power scooter or similar device intended as a mobility aid for a person with disability.

Motorcycle. Every motor vehicle, including autocycles, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including any such vehicle with an electric motor but without pedals for human propulsion, but excluding an electric-assisted bicycle or a tractor. (K.S.A. 8-1438)

Motor-Driven Cycle. Every motorcycle, including every motor scooter, with a motor which produces not to exceed five brake horsepower, and every bicycle with motor attached, except a motorized bicycle or an electric-assisted bicycle. “Motor-driven cycle” includes any bicycle with an electric motor that does not fall within the definition of “electric-assisted bicycle.” (K.S.A. 8-1439)

~~**Motorized Skateboard.** A self-propelled device which has a motor or engine, a deck on which a person may ride and at least two wheels in contact with the ground.~~

Motorized Skateboard. A self-propelled device without handlebars which has a motor or engine, a deck on which a person may stand and at least one (1) wheel in contact with the ground, on which a person may stand in a side-stance while riding, and includes, but is not limited to, devices commonly known as electric one (1) wheel boards, self-balancing skateboards, and similar devices.

Article 14. Miscellaneous Rules

~~**Sec. 109.1. Motorized Skateboards.** It shall be unlawful for any person to operate a motorized skateboard on any street, road or highway in this city.~~

Article 15. Operation of Bicycles, Motorized Bicycles, Low Power Cycles and Play Vehicles

Sec. 135. Electric-Assisted Bicycles, Traffic Law Application.

- (a) Except as specifically provided, an electric-assisted bicycle or a rider of an electric-assisted bicycle shall be afforded all the rights and privileges, and be subject to all of the duties, of a bicycle or the rider of a bicycle. An electric-assisted bicycle is a vehicle to the same extent as a bicycle.
- (b) An electric-assisted bicycle or a person riding an electric-assisted bicycle shall not be required to maintain: (1) Vehicle liability insurance coverage; (2) a driver's license; (3) registration in accordance with article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto; (4) a certificate of title; or (5) a license plate. An electric-assisted bicycle shall not be considered a motor vehicle.
- (c) On and after January 1, 2023, manufacturers and distributors of electric-assisted bicycles shall apply a label that is permanently affixed, in a prominent location, to each electric-assisted bicycle. The label shall contain the classification number, top assisted speed and motor wattage of the electric-assisted bicycle and shall be printed in Arial font in at least nine-point type.
- (d) A person shall not tamper with or modify an electric-assisted bicycle in a manner that changes the motor-powered speed capability or engagement of an electric-assisted bicycle, unless the label indicating the classification required in subsection (c) is replaced after modification. *An electric-assisted bicycle modified such that it does not meet the requirements of any of the three classes of electric-assisted bicycle shall be considered a motor-driven cycle.*
- (e) An electric-assisted bicycle shall comply with the equipment and manufacturing requirements adopted by the United States consumer product safety commission, 16 C.F.R. part 1512.
- (f) (1) An electric-assisted bicycle may be ridden in places where bicycles are allowed, including, but not limited to, streets, highways, roadways, bicycle lanes, bicycle or multi-use paths, trails or trail networks.
(2) Subsection (f) (1) shall not apply to a trail that is specifically designated as nonmotorized and that has a natural surface tread that is made by clearing and grading.
(3) *Where riding on sidewalks is permissible, an electric-assisted bicycle shall not be ridden on the sidewalk at a speed of greater than 15 miles per hour.*
- (g) *The operator of an electric-assisted bicycle shall yield the right-of-way to, and exercise due consideration for, any pedestrian on a sidewalk or on a marked or unmarked crosswalk. The operator of an electric-assisted bicycle shall yield to, and exercise due consideration for, users of bicycle lanes, multi-use paths or trails that are moving slower than the operator of the electric-assisted bicycle.*

- (h) No person under 16 years of age may operate a class 3 electric-assisted bicycle. A person under 16 years of age may ride as a passenger on a class 3 electric-assisted bicycle that is designed to accommodate passengers.
- (i) All persons under the age of eighteen (18) who operate or ride upon an electric-assisted bicycle shall wear an appropriate bicycle helmet that is properly fitted and is fastened securely by a neck or chin strap while the electric-assisted bicycle is in motion.
- (j) (1) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this section.
(2) Violations of this section may result in a warning or citation. Citations incurred through violations of this section by persons under the age of eighteen (18) may be charged to the respective parents or guardians.

(K.S.A. 8-1592b)

{Editor's Note: This section mirrors state law, but under K.S.A. 8-1592b(f)(2) a city may adopt an ordinance further restricting and governing the operation of electric-assisted bicycles on streets, highways, roadways, sidewalks, sidewalk areas, bicycle or multi-use paths, or trail or trail networks.}

Sec. 135.1. Electric-Assisted Scooters, Traffic Law Application.

- ~~(a) It shall be unlawful for any person to operate an electric-assisted scooter on any interstate highway, federal highway or state highway.~~
- ~~(b) Notwithstanding the provisions of subsection (a), traffic regulations applicable to bicycles, Sections 127 to 133, inclusive, shall be applicable to electric-assisted scooters.~~
- ~~(c) The governing body of a city or county may adopt an ordinance or resolution that further restricts or prohibits the operation of electric-assisted scooters on any public highway, street or sidewalk within such city or county.~~
- ~~(d) Except as otherwise provided in subsection (c), the provisions of subsection (a) shall not prohibit an electric-assisted scooter from crossing a federal or state highway. (K.S.A. 8-15,113)~~

Sec. 135.1. Micromobility Devices, Traffic Law Application.

- (a) It shall be unlawful for any person to operate micromobility devices on any federal highway or state highway.
- (b) Notwithstanding the provisions of subsection (a), and except as otherwise provided in this section, traffic regulations applicable to bicycles, Sections 127 to 133,

inclusive, shall be applicable to micromobility devices, except those that by their nature can have no application.

- (c) (1) Micromobility devices shall not be operated on bicycle lanes, multi-use paths, or trail or trail networks at a speed of greater than 20 miles per hour.
(2) Micromobility devices shall not be operated on sidewalks at a speed of greater than 15 miles per hour.
- (d) The operator of a micromobility device shall yield the right-of-way to, and exercise due consideration for, any pedestrian on a sidewalk or on a marked or unmarked crosswalk. The operator of a micromobility device shall yield to, and exercise due consideration for, users of bicycle lanes, multi-use paths or trails that are moving slower than the operator of the micromobility device.
- (e) It shall be unlawful for any person to operate a micromobility device with a passenger, unless the device is specifically designed to carry a passenger.
- (f) The governing body of a city or county may adopt an ordinance or resolution that further restricts or prohibits the operation of micromobility devices on any public highway, street, sidewalk, trail or trail network within such city or county.
- (g) Except as otherwise provided in subsection (g), the provisions of subsection (a) shall not prohibit a micromobility device from crossing a federal or state highway.
(K.S.A. 8-15,113)
- (h) No person under 16 years of age may operate or ride upon a micromobility device capable of exceeding 20 miles per hour on a level surface on motor power alone.
- (i) All persons under the age of eighteen (18) who operate or ride upon a micromobility device shall wear an appropriate helmet that is properly fitted and is fastened securely by a neck or chin strap while the micromobility device is in motion.
- (j) (1) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this section.
(2) Violations of this section may result in a warning or citation. Citations incurred through violations of this section by persons under the age of eighteen (18) may be charged to the respective parents or guardians.