

ORDINANCE NO. 1063

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ATLANTIC, IOWA, BY ADDING A NEW CHAPTER REGULATING THE USE OF ELECTRIC SCOOTERS, MOTORIZED SCOOTERS, AND LOW-SPEED VEHICLES

BE IT ENACTED by the City Council of the City of Atlantic, Iowa:

SECTION 1. NEW CHAPTER. The Code of Ordinances of the City of Atlantic, Iowa, is amended by adding a new Chapter 79, entitled ELECTRIC SCOOTERS, MOTORIZED SCOOTERS, AND LOW-SPEED VEHICLES, which is hereby adopted to read as follows:

CHAPTER 79
ELECTRIC SCOOTERS, MOTORIZED SCOOTERS, AND LOW SPEED VEHICLES

79.01 Definitions	79.07 Riding on Sidewalks
79.02 Use of Certain Streets	79.08 Improper Riding
79.03 Operational Rules	79.09 Parking
79.04 Two Abreast Limit	79.10 Equipment Requirements
79.05 Right-of-Way or Driveway Emergence	79.11 Penalties

79.01 DEFINITIONS. For use in this chapter the following terms are defined:

1. "Electric personal assistive mobility device" means a self-balancing, non-tandem two-wheeled device powered by an electric propulsion system that averages 750 watts and is designed to transport one person, with a maximum speed on a paved level surface of less than 20 miles per hour, or any other device that complies with standards set forth under the American with Disabilities Act (ADA). The maximum speed shall be calculated based on the operation of the device by a person who weighs 170 pounds when the device is powered solely by the electric propulsion system. (*Code of Iowa, Sec. 321.1(20)(B)*)
2. "Electric scooter" means an electrically driven scooter equipped with two or more wheels and designed so that the rider or operator stands on the vehicle while the same is in motion, and having a top attainable speed of less than 25 miles per hour.
3. "Low speed vehicle" means any two or more-wheeled electric or motorized vehicle that has a top speed greater than 20 mph on a paved level surface, and which is manufactured in compliance with the Federal motor vehicle safety standards for low-speed vehicles set forth in 49 CFR §571.500.
4. "Motorized scooter" means a motor driven scooter equipped with two or more wheels and designed so that the rider or operator stands on the vehicle while the same is in motion, and having a top attainable speed of less than 25 miles per hour.
5. "Operate" means to control the operation of the vehicle.
6. "Operator" means a person who operates or is in actual control of a vehicle.

79.02 USE OF CERTAIN STREETS. The Council may from time to time designate certain streets or portions of streets within the City for use by persons operating electric scooters, motorized scooters, or low speed vehicles, provided that each of said streets or sections of streets meet at least the following minimum criteria:

1. The street or portion of street must, in the opinion of the Council, have sufficient capacity, lighting and right-of-way to safely accommodate all such traffic, including ordinary motor vehicle traffic as well as pedestrians.

79.03 OPERATIONAL RULES. No person shall operate any electric scooter, motorized scooter, or low speed vehicle upon any public street designated for such use unless such person fully complies with and operates such vehicle in accordance with the following rules:

1. No person shall drive or otherwise operate any motorized scooter, electric scooter or low speed vehicle except in complete compliance with rules of the road and all other applicable traffic laws relating to the operation of motor vehicles and pedestrian traffic.
2. No person shall drive or otherwise operate any motorized scooter, electric scooter, or low speed vehicle in any manner except a safe and courteous manner, having due regard for the conditions of the street, weather conditions, and the safety of others.
3. No person shall drive or otherwise operate any motorized scooter, electric scooter, or low speed vehicle with more passengers than the designed capacity of the vehicle, including the driver.
4. No person shall drive or otherwise operate any motorized scooter, electric scooter, or low speed vehicle on any property within the City, while under the influence of alcohol or drugs.

79.04 TWO ABREAST LIMITS. Persons riding electric scooters, motorized scooters, or low speed vehicles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of electric scooters, motorized scooters, or low speed vehicles. All electric scooters, motorized scooters, and low speed vehicles ridden on the roadway shall be kept to the right and shall be operated as near as practicable to the right-hand edge of the roadway.

79.05 RIGHT-OF-WAY OR DRIVEWAY EMERGENCE. The operator of an electric scooter, motorized scooter, or low speed vehicle emerging from an alley, driveway, or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

79.06 CARRYING ARTICLES. No person operating an electric scooter, motorized scooter, or low speed vehicle shall carry any package, bundle, or article which prevents the rider from keeping at least one hand upon the handlebars.

79.07 RIDING ON SIDEWALKS. The following provisions apply to riding electric scooters, motorized scooters, and low speed vehicles on sidewalks:

1. Business District. No person shall ride an electric scooter, motorized scooter, or low speed vehicles upon a sidewalk within the Downtown Business District, as defined in this subsection of this Code.
 - A. "Business District" means the territory contiguous to and including the following designated streets:
 - i. Chestnut Street from 6th Street to the railroad right-of-way.
2. Other Locations. When signs are erected on any sidewalk or roadway prohibiting the riding of electric scooters, motorized scooters, and low speed vehicles thereon by any person, no person shall disobey the signs.
3. Yield Right-of-Way. Whenever any person is riding an electric scooter, motorized scooter, or low speed vehicles upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing.

79.08 IMPROPER RIDING. No person shall ride an electric scooter, motorized scooter, or low speed vehicle in an irregular or reckless manner such as zigzagging, stunting, speeding or otherwise so as to disregard the safety of the operator or others.

79.09 PARKING. No person shall park an electric scooter, motorized scooter, or low speed vehicle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the electric scooter, motorized scooter, or low speed vehicle or against a building or at the curb, in such a manner as to afford the least obstruction to pedestrian traffic.

79.10 EQUIPMENT REQUIREMENTS. Every person operating electric scooters, motorized scooters, or low speed vehicles shall be responsible for maintaining and using equipment as provided herein:

1. Lamps Required. Every electric scooter, motorized scooter, or low speed vehicle when in use at night time shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 300 feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of 300 feet to the rear except that a red reflector on the rear, of a type which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of headlights on a motor vehicle, may be used in lieu of a rear light.
2. Brakes Required. Electric scooters, motorized scooters, or low speed vehicles shall be equipped with a brake which will enable the operator to make the break wheels skid on dry level clean pavement.

79.11 PENALTIES. Violations of this Chapter are chargeable upon written notice to the violator by a City-employed peace officer. The penalty is in the amount of thirty dollars (\$30.00) for all violations, payable to the City Clerk within Thirty (30) days from the issuance date, and said penalty, if not paid within the prescribed time, a late payment fee of Twenty (\$20.00) will be added to the penalty amount.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed by the Council the 15th day of October 2025 and approved the 15th day of October 2025.

/s/ Laura McLean, City Clerk