

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF OSAGE, IOWA, BY CREATING A NEW CHAPTER TO REGULATE THE OPERATION OF PERSONAL TRANSPORT VEHICLES, MOTORIZED/ELECTRIC BICYCLES, AND OTHER SMALL MOTORIZED VEHICLES

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF OSAGE, IOWA:

SECTION 1. NEW SECTION. The following sections of a new Chapter 78 are hereby adopted:

78.01 PURPOSE. The purpose of this chapter is to regulate the operation of all personal transport vehicles, motorized or electric bicycles, and other small motorized vehicles within the city, except those vehicles used by persons with mobility impairments. No part of this ordinance shall be construed to apply to bicycles powered solely by human power (which shall remain subject to Chapter 76 of the Code of Ordinances), or powered wheelchairs, scooters, or other PTVs designed for persons with mobility impairments.

78.02 DEFINITIONS. For the purpose of interpreting this chapter, the following definitions shall apply:

1. Bicycle means a device having up to four wheels and having at least one saddle or seat for the use of a rider which is propelled solely by human power.
2. Electric personal assistive mobility devices means a self-balancing, nontandem two-wheeled device powered by an electric propulsion system that averages seven hundred fifty watts and is designed to transport one person, with a maximum speed on a paved level surface of less than twenty miles per hour. The maximum speed shall be calculated based on operation of the device by a person who weighs one hundred seventy pounds when the device is powered solely by the electric propulsion system.
3. Personal Transport Vehicles (PTV) means any two, three or four wheeled device that is not subject to registration under Iowa Code chapters 321 or 321I, is designed to be stood upon by the operator, or equipped with a seat or saddle for use by a rider, and is powered by electric battery, human propulsion and electrical/battery or a combination of energy sources with a power source of a combustion engine. These vehicles are collectively known herein as PTVs. "PTV" shall include electric personal assistive mobility devices. "PTV" shall not include any of the following:
 - a. Motorcycles or Motorized Bicycles, as defined in Iowa Code § 321.1(40), as amended.
 - b. Low-speed electric bicycles.
 - c. Assistive devices, as defined in Iowa Code § 216E.1(1), as amended.
 - d. Any other motor vehicle subject to registration under Iowa Code Chapter 321.
4. Low speed electric bicycle means a device having a saddle or seat for the use of a rider, two or three wheels equipped with fully operable pedals, and an electric motor of less than seven hundred fifty watts that meets the requirements of one of the following classes:
 - a. "Class 1 low-speed electric bicycle" means a low-speed electric bicycle equipped with a motor that may be used to provide assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour or more.

- b. "Class 2 low-speed electric bicycle" means a low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle reaches a speed of twenty miles per hour or more.
- c. "Class 3 low-speed electric bicycle" means a low-speed electric bicycle equipped with a motor that may be used to provide assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour or more.
- 5. Motorized bicycle means a motor vehicle having a saddle or seat for the use of a rider, designed to travel on not more than three wheels in contact with the ground, and not capable of operating at a speed in excess of thirty-nine miles per hour on level ground unassisted by human power, but excluding a low-speed electric bicycle.
- 6. Off-road motorcycle means the same as defined in Iowa Code § 321I.1, as amended.

78.03 DOUBLE RIDING PROHIBITED. Low speed electric bicycles and PTVs shall not be used to carry more persons at one time than the number for which it is designed and equipped.

78.04 AGE RESTRICTIONS.

- 1. Unless otherwise provided, it shall be unlawful for anyone under twelve (12) years of age to operate a PTV.
- 2. It shall be unlawful for anyone under fourteen (14) years of age to operate a Class 1 or Class 2 low speed electric bicycle on a roadway or street, sidewalk, multi-use trail, or any other public location.
- 3. It shall be unlawful for anyone under sixteen (16) years of age to operate a Class 3 low speed electric bicycle.

78.05 PLACES OF OPERATION. Operators of PTVs and low speed electric bicycles shall comply with the following restrictions as to where PTVs and low speed bicycles may be operated within the city.

- 1. Streets. A person may not operate a PTV:
 - a. Upon Main Street;
 - b. Upon 7th Street; or
 - c. Upon any street with posted Speed Limit of thirty (30) MPH or greater.
- 2. Sidewalks.
 - a. PTVs shall not be operated on sidewalks.
 - b. Low-speed electric bicycles shall not be operated upon sidewalks within the Downtown Commercial Business District.
 - c. Class 3 low speed electric bicycles shall not be operated on any sidewalks in the city.
 - d. Whenever any person is operating a Class 1 or Class 2 low speed electric bicycle upon a sidewalk, such person shall not exceed a speed of eight (8) MPH and shall yield the right-of-way to any pedestrians and shall give audible signal before overtaking and passing a pedestrian.
 - e. When signs are erected on any sidewalk prohibiting the riding of PTVs or low speed electric bicycles thereon, it shall be unlawful for any person to ride a PTV and/or low speed electric bicycle on such sidewalk.
- 3. Parks and Trails. No person shall operate PTVs within city-owned public parks or on public trails.

78.06 EQUIPMENT REQUIREMENTS.

1. Lamps required. Every PTV and low speed electric bicycle 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 five hundred feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of three hundred feet to the rear except that a red reflector on the rear, of a type which shall be visible from all distances from fifty feet to three hundred 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. PTVs and low speed electric bicycles shall be equipped with a brake which will enable the operator to make the brake wheels skid on dry level clean pavement.
3. A person under the age of eighteen (18) shall not operate or be a passenger on a low speed electric bicycle or PTV in the city unless such person is wearing a bicycle helmet or a helmet of the type and design manufactured for use by operators of such vehicles. Such helmet must also be secured properly on the person's head with a chin strap anytime the vehicle is in motion.

78.07 OPERATION RESTRICTIONS.

1. Every person riding a PTV or low speed electric bicycle upon a roadway or in a bicycle lane shall be granted all rights and shall be subject to all duties applicable to the driver of a vehicle by the laws of the State declaring rules of the road applicable to vehicles or by the Traffic Code of the City applicable to the driver of a vehicle, except as to those provisions which by their nature can have no application. This does not apply to use of a low speed electric bicycle in a parade authorized by property permit from local authorities.
2. No person shall operate PTVs or low speed electric bicycles at a speed greater than is reasonable and prudent under the conditions then existing. A person shall not operate a low speed electric bicycle in excess of the posted or applicable speed limit, or, if there is no posted or applicable speed limit, twenty miles per hour.
3. The operator of a PTV or low speed electric bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk area extending across any alleyway or driveway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the sidewalk shall yield the right-of-way to all persons approaching on said sidewalk.
4. No person shall ride a PTV or low speed electric bicycle in an irregular or reckless manner such as zigzagging, stunting, speeding or otherwise in disregard of the safety of the operator or others.
5. Off-road motorcycles and other motorcycles which are not subject to registration under Iowa Code Chapter 321 or Chapter 321I are hereby restricted to private property.

78.08 RESPONSIBILITY OF PARENT OR LEGAL GUARDIANS. It shall be unlawful for any parent or legal guardian to allow a minor person in his/her custody or under his/her control or supervision to violate any provision of this chapter. A violation of this section by such parent or legal guardian is punishable as a violation of this Chapter.

78.09 VIOLATIONS. Violations of any provision of this Chapter may be punishable as a simple misdemeanor or a standard penalty provided for violations of the Code of Ordinances.

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 City Council on this _____ day of _____, 2026.

Approved this ____ day of _____, 2026

Steve Cooper, Mayor

ATTEST:

Abby Palsic, City Clerk

As certified, the foregoing was published as Ordinance No. _____ on the _____ day
of _____, 2026.

City Clerk
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