

ORDINANCE NO. 24-002

AN ORDINANCE OF THE COUNTY OF ORANGE, CALIFORNIA  
AMENDING ORANGE COUNTY ORDINANCES 6-4-102, 6-4-500,  
AND 6-4-501.

The Board of Supervisors of the County of Orange, California, does ordain as follows:

Sec. 6-4-102 Definitions

- (a) *Definitions of Words and Phrases:* The following words and phrases when used in this division shall, for the purpose of this division, have the meanings respectively ascribed to them in this article.
- (b) *California Vehicle Code Definitions to Be Used:* Whenever any words or phrases used herein are defined in the Vehicle Code of the State of California, and amendments thereto, such definitions shall apply if not elsewhere defined in this division.
- (c) *Bicycle:* As defined by Vehicle Code 231, as may be amended or superseded, a bicycle is a device upon which a person may ride, propelled by human power through a belt, chain, or gears, and having one or more wheels; for the purposes of this ordinance, an electric bicycle, or e-bike, shall be considered a bicycle.
- (d) *Bicycle Lane:* A marked lane within the roadway designated by appropriate signs and markings for the one-way use of bicycles.
- (e) *Bicycle Path/Bicycle Trail:* A specifically designated area for bicycle use physically separated from the roadway.
- (f) *Bicycle Route:* Any roadway designated as a bikeway pursuant to California Streets & Highways Code Section 2371 with official signs giving notice of such bikeway.
- (g) *Board:* The Board of Supervisors of the County of Orange.
- (h) *Bus Stop Zone:* The space adjacent to the curb or edge of a roadway reserved for the exclusive use of buses during the loading or unloading of passengers.
- (i) *Curb:* The lateral boundary of the roadway whether such curb be marked by curbing construction or not so marked; it does not include the line dividing the roadway of a street from parking strips in the center of a street, nor from tracks or rights-of-way of public utility companies.
- (j) *Director:* The Director of OC Public Works or his authorized representative.
- (k) *Electric Bicycle:* An electric bicycle (also known as e-bike) is a bicycle equipped with fully operable pedals and an electric motor of less than 750 watts. Electric bicycle does not include motorized bicycles or mopeds as defined in California Vehicle Code 406(a).
  - i. A “class 1 electric bicycle,” or “low speed pedal-assisted electric bicycle,” is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.
  - ii. A “class 2 electric bicycle,” or “low-speed throttle-assisted electric bicycle,” is a 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 the speed of 20 miles per hour.
  - iii. A “class 3 electric bicycle,” or “speed pedal-assisted electric bicycle,” is a bicycle equipped with a motor that provides assistance only when the rider is pedaling,

and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour, and equipped with a speedometer.

- (l) *Holidays*: Within the meaning of this division, holidays defined in the Orange County Personnel and Salary Resolution.
- (m) *Loading Zone*: The space adjacent to a curb reserved for the exclusive use of vehicle during the loading or unloading of passengers or materials.
- (n) *Motorized Bicycle*: As defined by California Vehicle Code 406(a), as may be amended or superseded, a “motorized bicycle” or “moped” is distinct from an e-bicycle. Motorized Bicycles are required by California Vehicle Code 5030 to display a special license plate.
- (o) *OC Public Works*: The Orange County California Department of Public Works
- (p) *Official Time Standard*: Whenever certain hours are named herein, they shall mean standard time or daylight savings time as may be in current use in the County.
- (q) *Passenger Loading Zone*: The space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.
- (r) *School Days*: Days on which regularly scheduled public school classes are in session.
- (s) *Skateboard*: A conveyance consisting of a short, oblong board with small wheels, propelled with or without mechanical power, which can be ridden by one (1) or more persons at a time.
- (t) *Vehicle Code*: The Vehicle Code of the State of California.

#### Sec. 6-4-500 – Bicycle Operation

- (a) *Direction of Travel*: Persons riding or operating a bicycle or electric bicycle on a bicycle trail or path may proceed in either direction except on those trails or paths designated for one-way traffic by appropriate markings or signs defined by the direction of adjacent vehicular traffic.
- (b) *Walking bicycles*: Bicycles may be walked subject to all provisions of law applicable to pedestrians.
- (c) *Unsafe operation*: No person shall operate a bicycle or electric bicycle in any manner that endangers any person or animal. No person shall operate a bicycle or electric bicycle at a speed that is greater than is reasonable and prudent, having due regard for other users and the surface, width, and grade of the road. No electric bicycle shall travel over 28 miles per hour on a county highway or the speed limit whichever is lower.
- (d) *Parking*: No person shall leave a bicycle or electric bicycle lying on its side on or in a road or trail in such a way as to obstruct pedestrian, equestrian, bicycle, or other vehicular traffic.
- (e) *Helmets*: No person under eighteen (18) years of age shall ride or operate, whether or not as a passenger, a bicycle or an electric bicycle on any road, bikeway, sidewalk, or trail unless that person is wearing a properly fitted and fastened bicycle helmet. The bicycle helmet must meet the standards set forth in the California Vehicle Code.
- (f) *Operation of Class 3 electric bicycle*
  - i. *A person under sixteen (16) years of age shall not operate a class 3 electric bicycle.*
  - ii. *A person shall not operate a class 3 bicycle, or ride upon a class 3 electric bicycle as a passenger unless that person is wearing a properly fitted and fastened bicycle helmet as required under California Vehicle Code Section 21213.*

- (g) *Maximum number or riders:* Persons riding bicycles or electric bicycles on a roadway, bicycle lane, or sidewalk shall not ride more than two abreast.
- (h) *Passengers:* A bicycle or electric bicycle operator shall not allow a person riding as a passenger on a bicycle or electric bicycle upon a county highway other than upon or astride a separate seat attached to the bicycle or electric bicycle by the manufacturer. This section does not apply to any type of bicycle or electric bicycle with an original factory seat designed to collectively accommodate the operator and passenger. Passengers of four years of age or younger, or weighing forty (40) pounds or less, shall be in seats that have adequate provision for retaining the passenger in place and for protecting the passenger from the moving parts of the bicycle.
- (i) *Motorized bicycle:* Motorized bicycles shall be operated in accordance with all applicable provisions of the California Vehicle Code including licensing requirements, and other Orange County Ordinances.

#### Sec. 6-4-501 – Bicycles on sidewalks

- (a) *Riding on Sidewalks:* Bicycles and electric bicycles may be ridden on all sidewalks in the unincorporated area of Orange County at a speed not to exceed five (5) miles per hour except upon sidewalks within a business district, upon sidewalks adjacent to any public school building when school is in session, recreation center when in use, church during services, over any pedestrian overcrossing or other sidewalk where prohibited by posed signs.
- (b) *Director to Designate Prohibitions:* The Director may designate and declare certain portions of sidewalk to be prohibited to bicycle and electric bicycle use.
- (c) *Director to Post Prohibitions:* The Director is authorized to erect and maintain signs adjacent to sidewalks designating limits of bicycle prohibitions.
- (d) *Yielding Right-of-Way:* Any person riding a bicycle or electric bicycle upon a sidewalk shall yield right-of-way to any and all pedestrians and equestrians, and, when overtaking or passing a pedestrian or equestrian, shall give an audible alarm. A person riding a bicycle or electric bicycle upon entering a roadway or driveway from a sidewalk shall yield to all traffic. The driver of a motor vehicle, prior to driving over or upon any sidewalk, shall yield the right-of-way to any pedestrian or bicycle or electric bicycle rider thereon.

This ordinance shall take effect and be in full force thirty days from an after its passage. This ordinance shall be published once in an adjudicated newspaper in the County of Orange within fifteen days of its passage.

THE FOREGOING was PASSED and ADOPTED by the following vote of the Orange County Board of Supervisors on May 21, 2024, to wit:

AYES: Supervisors: KATRINA FOLEY, VINCENTE SARMIENTO, ANDREW DO  
DOUG CHAFFEE, DONALD P. WAGNER

NOES:

EXCUSED:

ABSTAINED:

\_\_\_\_\_/s/\_\_\_\_

Robin Stieler, Clerk of the Board of Supervisors, County of Orange, California