ORDINANCE NO. 26-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, ADDING CHAPTER 12.20 (ELECTRIC BICYCLES AND OTHER ELECTRIC CONVEYANCES) TO TITLE 12 (STREETS AND SIDEWALKS) OF THE EASTVALE MUNICIPAL CODE

WHEREAS, the operation of bicycles, including electric bicycles (e-bikes) on public streets and highways, including bikeways within public streets and highways, is governed by the California Vehicle Code. (Veh. Code §§ 21200 et seq.); and

WHEREAS, the operation of motorized scooters on public streets and highways, including bikeways within public streets and highways, is governed by the California Vehicle Code. (Veh. Code §§ 21220 et seq.); and

WHEREAS, the operation of electrically motorized boards on public streets and highways, bikeways, sidewalks and trails, is regulated by the California Vehicle Code. (Veh. Code §§ 21290 et seq.), but motorized skateboards are prohibited on any sidewalk, roadway, bikeway, and trail (Veh. Code § 21968); and

WHEREAS, the operation of off-highway electric motorcycles (eMotos) is generally prohibited on public streets and highways (Veh. Code § 38025) and on public sidewalks (Veh. Code § 21663); and

WHEREAS, the Vehicle Code permits a city to regulate the operation of bicycles, including e-bikes, on sidewalks (Veh. Code § 21100(h)) and equestrian, hiking or recreational trails (Veh. Code § 21207.5(b)); and

WHEREAS, the Vehicle Code permits a city to regulate the operation of motorized scooters on pedestrian and bicycle facilities (Veh. Code §§ 21225, 21230), prohibits operating motorized scooters on sidewalks (Veh. Code § 21235(g), and requires operators to have a valid driver's license or instruction permit (Veh. Code § 21225(d)); and

WHEREAS, the Vehicle Code permits a city to regulate the operation of eMotos on public lands (Veh. Code §§ 38280 et seq.); and

WHEREAS, the regulations of vehicles on public property other than streets and highways is permissible to the extent it does not conflict with the provisions of the Vehicle Code (Veh. Code §21; see, e.g., *Mountains Recreation Conservation Authority v. Kaufman* (2011) 198 Cal.App.4th Supp. 1 (the Vehicle Code applies to the operation of vehicles on streets and highways, local authorities may otherwise adopt regulations not in conflict with the Vehicle Code)); and

WHEREAS, the City Council finds that some regulation of the operation of electric bicycles, motorized scooters, electrically motorized boards, eMotos and other electric conveyances is necessary to ensure the comfort and safety of riders and pedestrians on sidewalks and public property.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EASTVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are incorporated herein by reference.

SECTION 2. ADDITION OF CHAPTER 12.20. Chapter 12.20 (Electric Bicycles and Other Electric Conveyances) is hereby added to read as shown in Exhibit "A."

SECTION 4. Severability. If any chapter, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each Chapter, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more Sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 4. Effective Date. This ordinance shall take effect thirty (30) days after its passage by the City Council.

SECTION 5. City Clerk Action. The City Clerk is authorized and directed to cause this Ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation and circulated within the City in accordance with Government Code Chapter 36933(a) or, to cause this Ordinance to be published in the manner required by law using the alternative summary and pasting procedure authorized under Government Code Chapter 39633(c).

PASSED, APPROVED AND ORDAINED this 12th day of August, 2026.

Jocelyn Yow
Mayor

APPROVED AS TO FORM:

Erica L. Vega
City Attorney

ATTEST:

Marc A. Donohue, MMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF EASTVALE)

I, Marc A. Donohue, City Clerk of the City of Eastvale, California, do hereby certify that the foregoing Ordinance No. 26-08, was introduced at a regular meeting of the City Council of the City of Eastvale held on the 24th day of June, 2026, and was passed by the City Council of the City of Eastvale at a regular meeting held on the 12th day of August, 2026, by the following vote:

AYES: Councilmembers Rigby, McMinn and Mayor Pro Tem Lorimore

NOES: Councilmember Dinco and Mayor Yow

ABSENT:

ABSTAIN:

Marc A. Donohue, MMC
City Clerk

EXHIBIT "A"

Chapter 12.20 Electric Bicycles and Other Electric Conveyances

Sec. 12.20.101 Purpose

This chapter regulates the operation of e-bikes and other electric conveyances on public property within the City consistent with statutory authorizations for local regulation of e-bike and other electric conveyance operation on sidewalks, bikeways, trails and other pedestrian and bicycle facilities in the California Vehicle Code. The provisions of this chapter are not intended to, and shall not be construed to, apply to the operation of e-bikes and other electric conveyances within public streets and highways unless such regulation is authorized by the California Vehicle Code. This chapter does not limit the ability to enforce provisions of the California Vehicle Code regulating the operation of e-bikes and other electric conveyances.

Sec. 12.20.020 Definitions

The following terms have the following meanings. References to Vehicle Code sections include any amendments or successor statutes thereto.

"Bikeway" has the same meaning as Streets and Highways Code Section 890.4, including the categorizations of bikeways as Class I, II, III, or IV contained therein.

"Electric conveyance" or "e-conveyance" means any electric bicycle, motorized scooter, motorized skateboard (not including electrically motorized boards), or other electric device that is designed to convey one or more people and is capable of being powered by human propulsion or electric motor propulsion. Electric personal assistive mobility devices, electronically motorized boards, and eMotos are not e-conveyances for the purposes of this chapter.

"Electric bicycle" or "e-bike" has the same meaning as Vehicle Code Section 312.5, including the categorization of electric bicycles as Class 1, 2, or 3 contained therein.

"Electric personal assistive mobility device" has the same meaning California Vehicle Code Section 313.

"Electrically motorized board" has the same meaning as Vehicle Code section 313.5.

"Minor" means any person under the age of 18.

"Motorized scooter" has the same meaning as Vehicle Code Section 407.5.

"Off-highway electric motorcycle," or "eMoto," has the same meaning as Vehicle Code Section 436.1.

"Pedestrian" has the same meaning as California Vehicle Code Section 467, which includes a person afoot, using a conveyance propelled by human power other than a bicycle, or using an electric personal assistive mobility device.

"Public property" means any property owned or controlled by the city, or by any other public public agency and open to the public, including without limitation parks, playgrounds, and trails, but excluding public streets or highways and bikeways within public streets and highways.

"Sidewalk" has the same meaning as Vehicle Code Section 555.

Sec. 12.20.030 Regulations – E-bikes and other e-conveyances

The following regulations apply to the operation of e-bikes and all other types of e-conveyances on public property in the City.

(a) No person may ride an e-bike or other e-conveyance in a manner that violates applicable federal, state or local law, or in a manner that constitutes a danger to the operator, passengers, or other individuals, including but not limited to pedestrians, bicyclists, and bystanders, or a danger to real or personal property, including but not limited to motor vehicles. Examples of an unsafe manner include, but are not limited to:

1. Carrying passengers on e-conveyances that were not designed for carrying passengers.

2. Failing to yield to pedestrians, bicyclists, equestrians, or others utilizing a sidewalk, bikeway, trail, path or lane, when entering onto the sidewalk, bikeway, trail, path or lane.

3. Passing or overtaking pedestrians, bicyclists, or others utilizing sidewalks or other public property without providing a reasonable and prudent lateral distance, at an unsafe speed, or in any other way that endangers or interferes with the safe movement of the person being overtaken.

4. Riding on a sidewalk, bikeway, trail, or other public property that is adjacent to a roadway against the flow of traffic.

5. Riding on a sidewalk or trail when pedestrians are present at a rate of speed more than 5 miles per hour.

6. Minors riding without a property fitted and fastened helmet.

7. Engaging in racing or speed contests.

8. Performing acrobatics, tricks, wheelies, or stunts when pedestrians, bicyclists or moving vehicles are present.

9. Carrying any package, bundle, item, or article which impedes the operator from having full control of the e-conveyance or impairs the operator's forward visibility.

10. Holding or operating a mobile telephone or other mobile electronic communications device unless the device has been configured for hands-free operation and is being used in such manner.

(b) Notwithstanding anything in paragraph (a), and consistent with Vehicle Code Sections 21235(g) and 21968, motorized scooters and motorized skateboards shall not be operated on sidewalks. Notwithstanding anything in paragraph (a), e-bikes shall not be operated on sidewalks if there is a bikeway adjacent to the sidewalk.

(c) Persons riding or operating electric bicycles shall not ride more than two abreast, except on bikeways or other areas designated for the exclusive use of bicycles.

(c) No person shall operate an e-bike or other e-conveyance in any city park, except on paved or decomposed granite paths or trails. The operation of e-bikes and other e-conveyances is strictly prohibited on dirt, grass, landscaped areas, and playgrounds.

(d) The operation of e-bikes and other e-conveyances within city parking lots and garages is permitted solely for the purpose of traveling to and from city facilities and parking e-bikes and other e-conveyances in designated parking areas.

Sec. 12.20.040 Prohibition – Electric off-highway motorcycles

No person shall operate an electric off-highway motorcycle of any model upon or through any public property within the City, unless such property has been specifically designated and posted for off-highway vehicle recreation.

Sec. 12.20.050 Exemptions – First responders; electric personal assistive mobility devices.

(a) First responders, as defined under California Government Code section 8562, are exempt from this chapter while in the performance of their duties.

(b) This chapter is not intended to apply to or otherwise restrict electric personal assistive mobility devices used in a safe manner by physically disabled persons as defined under the Americans with Disabilities Act (42 U.S.C. section 12101 et seq.) and section 36.311 of Title 28 of the Code of Federal Regulations.

Sec. 12.20.060 Enforcement; Penalties

(a) Violations Infraction or Misdemeanor. Any person, including a minor, violating any provision of this chapter may be punished in accordance with Section 1.01.200 of this Code, unless charged as a misdemeanor in accordance with Section 1.01.220.

(b) Other Agency Regulations. Violations of this chapter occurring on public property owned or operated by a public agency other than the city shall be enforced only to the extent that this chapter does not conflict with an ordinance, policy, or regulation adopted by the other public agency regulating e-bike, eMoto, or other e-conveyance operations on their property.

(c) Violations by Minors.

1. The parent of any child, and the guardian of any ward, shall not authorize or knowingly permit any minor child or ward to violate any of the provisions of this chapter.
2. In the case of a minor committing a violation under this chapter, the parent or guardian may be held responsible for the violation and any associated penalties or fine
3. If the minor's activities result in damage to public property, the city may, pursuant to California Civil Code section 1714.1, pursue a civil complaint against the minor's parent(s) or guardian(s) having custody and control of the minor for every tort resulting in property damage.

(d) Impoundment.

1. In addition to all other available penalties, the enforcement officer shall have the authority to take immediate possession of and transport an e-bike, e-conveyance, or eMoto for safekeeping to the nearest city facility if an unaccompanied minor is found in

violation of any provisions of this chapter, and the unsafe manner in which the device was operated constitutes an immediate danger to the health and safety of the juvenile operator or to members of the public, thus constituting an exigent circumstance.

2. The impounded device shall be released by the city to the parent or legal guardian of the minor if the individual owns the device.

3. Upon impoundment of any device under this chapter, the minor shall be issued a receipt. Said receipt shall state the days, business hours, location, and process by which the owner may claim the impounded device within 30 days. The citation receipt shall also explain that unclaimed devices impounded for longer than 30 days will be disposed subject to an opportunity for a pre-disposal hearing or sold at an auction in accordance with laws governing the disposal of abandoned property.

(e) The City may, in addition to the above, avail itself of any remedy at law or equity to enforce the provisions of this chapter.