

GENERAL ORDINANCE NO. 17-21

**AN ORDINANCE
CREATING SECTION 40-139,
GREEN BAY MUNICIPAL CODE
RELATING TO ELECTRIC SCOOTER REGULATIONS**

WHEREAS, Section 349.237 of the Wisconsin Statutes authorizes the governing body of any municipality, by ordinance, to regulate the rental and operation of Electric Scooters in a manner consistent with bicycle regulations; and

WHEREAS, the City of Green Bay has agreed to a pilot program to allow electric scooter usage in the city, but the agreement and the regulations included therein are not enforceable or included in the Green Bay Municipal Code; and

WHEREAS, in order to create the safest possible situation for the operation of electric scooters in Green Bay, it is necessary to add protections to the Green Bay Municipal Code consistent with those applicable to bicycle operations and Section 349.237 of the Wisconsin Statutes including the prohibition of their operation on city sidewalks.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

SECTION 1. Section 40-139, Green Bay Municipal Code, is hereby created to read:

Sec. 40.139 Electric Scooter Regulations.

(a) *Defined.* Electric scooter means a device weighing less than 100 pounds that has handlebars and an electric motor, is powered solely by the electric motor and human power, and has a maximum speed of not more than 15 miles per hour on paved level surface when powered solely by the electric motor.

(b) *State laws applicable.* Every person using an electric scooter upon a public roadway shall be subject to the provisions of all ordinances and state laws applicable to the operator of any vehicle, except those provisions with reference to the equipment of vehicles and those provisions that, by their nature, would have no application.

(c) *Where prohibited.* No electric scooters shall be operated on any public sidewalks, any City-owned parking ramps, or any roadway, trail, path, or property where a sign is erected indicating that bicycles and/or electric scooters are prohibited. In addition, no electric scooter shall be operated on any of the following streets under any circumstances:

- (1) Mason Street (Tilleman Bridge) from the intersection of Tenth Avenue to Jackson Street.

(2) Ashland Avenue from the intersection of Ninth Street to Third Street.

(d) *Riding on roadway.*

(1) Every person using an electric scooter upon a two-way public street shall ride as near as practicable to within five feet of the right curb or edge of the roadway, except when passing another vehicle or making a left-hand turn; and when riding in groups, users of electric scooters shall ride in single file, except on residential streets which are not divided by painted or other marked extra lines where they may ride two abreast. On one-way roads, the user may ride as near as practicable to within five feet of the left-hand curb or edge of the roadway.

(2) Persons using electric scooters shall not impede the normal movement of motor vehicle traffic.

(e) *Bicycle ways.* Operation of electric scooters shall be permitted on any ways, lanes, trails, paths, or other property designated for the use and operation of bicycles.

(f) *Clinging to other vehicles.* No person using an electric scooter shall cling to or attach themselves or an electric scooter to any moving vehicle.

(g) *Contests with other vehicles; Stunt riding.* No person using an electric scooter shall participate in any race, speed, or endurance contest with any other moving vehicle on a City roadway or practice any fancy or acrobatic riding or stunts while operating such electric scooter.

(h) *Observance of traffic regulations and speed limits.* Every person using an electric scooter upon a public roadway shall obey all the instructions of official traffic-control devices, signs, and signals applicable to vehicles and shall not operate an electric scooter at a speed greater than the speed limit.

(i) *Yielding to traffic.* The operator of a vehicle shall yield the right-of-way to a person using an electric scooter in the same manner as for bicyclists and pedestrians. When using an electric scooter, every person shall, upon entering a public roadway, yield the right-of-way to motor vehicles, except that a person using an electric scooter shall be subject to the same regulations as bicyclists and pedestrians. Operators of electric scooters shall offer the right of way to bicycles in bike lanes and on bike paths.

(j) *Towing of persons, vehicles, trailers, prohibited.* The operator of an electric scooter shall not tow, drag, or caused to be drawn behind the electric scooter any coaster, sled, toy vehicle, trailer, person on in-line skates, or any other type of conveyance.

(k) *Carrying of passengers.* No electric scooter shall be used to carry more persons at one time than the number for which it is designed and equipped.

(l) *Age limits.* No person less than eight (8) years of age shall operate an electric scooter on City roadways, except that persons six (6) or seven (7) years of age may do so during daylight hours if accompanied by an adult capable of remaining close enough to ensure the safe operation of the scooter by the six- or seven-year-old, such as by walking or running alongside, using their own electric scooter or bicycle, or engaging in a similar activity. This subsection is intended to permit usage of electric scooters by families.

(m) *Headphones prohibited.* Operators of electric scooters shall not wear any headphones, earphones, or earbuds covering or inserted into both ears while operating an electric scooter.

(n) *Equipment regulations; lamps and reflectors.* Every person using electric scooters between one-half hour after sunset and one-half hour before sunrise shall be equipped with a lamp firmly attached to the front of such electric scooter exhibiting a white light to the front, and with a reflector or a lamp mounted on the rear of the vehicle visible at a distance of 500 feet. The reflector shall not be less than three (3) inches in diameter.

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2021.

APPROVED:

Mayor

ATTEST:

Clerk

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