

ORDINANCE NO. 2026 - 20

AN ORDINANCE AMENDING CHAPTER 373 OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

WHEREAS, the Council Safety Committee is recommending the revision of Chapter 373 of the Parma Heights Codified Ordinances; and

WHEREAS, this Council desires to adopt the recommendation of its Safety Committee.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga, and State of Ohio:

Section 1: That Chapter 373 of the Codified Ordinances as it previously existed is amended, and as amended, shall henceforth read as shown by edits set forth in Exhibit "A", which is attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3: This Ordinance is declared to be an emergency measure necessary for the public peace, health, and safety of the Municipality, and for the further reason it is necessary to establish updated regulations in a timely manner as the use of these vehicles seasonally increases; wherefore, this Ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

PASSED: April 13, 2026 Thomas Rounds  
PRESIDENT OF COUNCIL

ATTEST: Barbara Allen April 13, 2026  
CLERK OF COUNCIL APPROVED

FILED WITH  
THE MAYOR: April 13, 2026 MML  
MAYOR MARIE GALLO

## **EXHIBIT A**

### CHAPTER 373

Bicycles, Electric Bicycles, Electric Scooters, Personal Assistive Mobility Devices, and Motorcycles

373.01 Code application to bicycles, electric bicycles, electric scooters, or personal assistive mobility devices.

#### 373.015 Definitions.

373.02 Riding upon seats; carrying packages; motorcycle handle bars; helmets and glasses.

373.03 Attaching bicycles, electric bicycles, electric scooters, personal assistive mobility devices, or sleds to vehicles.

373.04 Riding on right side of roadway; riding abreast.

373.05 Lights, signal devices, brakes on bicycles, electric bicycles, electric scooters, or personal assistive mobility devices.

373.06 Lights and reflector on bicycle; brakes. (Repealed)

373.07 ~~Riding bicycles on right side of roadway; traffic control devices; hand and arm signals; yield right-of-way. Emerging from alley or driveway.~~

373.08 Reckless operation; control; course and speed.

373.09 Parking of bicycles, electric bicycles, electric scooters, or personal assistive mobility devices.

373.10 Riding on sidewalks, public ways, paths, or trails.

373.11 Operation of motorized bicycles.

373.12 Electric bicycles.

373.13 Parent's responsibility.

373.14 Impounding of bicycles, electric bicycles, electric scooters, and personal assistive mobility devices.

373.99 Penalty.

#### CROSS REFERENCES

See section histories for similar State law

Bicycle defined - see TRAF. 301.04

Motorcycle defined - see TRAF. 301.19

Bicycles prohibited on freeways - see TRAF. 303.06

Operation of vehicles on bicycle paths - see TRAF. 331.41

Motorcycle operator's license required - see TRAF. 335.01

Motorcycle headlight - see TRAF. 337.03

Motorcycle and motor bike brakes - see TRAF. 337.18

Off-highway motorcycles - see TRAF. Ch. 345

Use of motorcycles in parks, recreation areas - see S.U. & P.S. 961.08

**373.01 CODE APPLICATION TO BICYCLES, ELECTRIC BICYCLES, ELECTRIC SCOOTERS, OR PERSONAL ASSISTIVE MOBILITY DEVICES.**

(a) The provisions of this Traffic Code which are applicable to bicycles apply whenever a bicycles, ~~and~~ electric bicycles, electric scooters, or personal assistive mobility devices are operated upon any highway or upon any path set aside for the exclusive use of bicycles.

(b) Except as provided in division (d) of this section, any bicycle operator, or electric bicycle operator, electric scooter operator, or personal assistive mobility device operator who violates any provisions of this Traffic Code described in division (a) of this section that is applicable to bicycles, ~~and~~ electric bicycles, electric scooters, or personal assistive mobility devices may be issued a ticket, citation, or summons by a law enforcement officer for the violation in the same manner as the operator of a motor vehicle would be cited for the same violation. A person who commits any such violation while operating a bicycle, ~~and~~ electric bicycle, electric scooter, or personal assistive mobility device shall not have any points assessed against the person's driver's license, commercial driver's license, temporary instruction permit, or probationary license under Ohio R.C. 4510.036.

(c) Except as provided in division (d) of this section, in the case of a violation of any provision of this Traffic Code described in division (a) of this section by a bicycle operator, electric bicycle operator, electric scooter operator, personal assistive mobility device operator, or motor vehicle operator when the trier of fact finds that the violation by the motor vehicle operator endangered the lives of bicycle riders, ~~or~~ electric bicycle riders, electric scooter riders, or personal assistive mobility device riders at the time of the violation, the court, notwithstanding any provision of the Ohio Revised Code to the contrary, may require the bicycle operator, electric bicycle operator, electric scooter operator, personal assistive mobility device operator, or motor vehicle operator to take and successfully complete a bicycling skills course approved by the court in addition to or in lieu of any penalty otherwise prescribed by this Traffic Code or the Ohio Revised Code for that violation.

(d) Divisions (b) and (c) of this section do not apply to violations of Ohio R.C. 4511.19, or a substantially equivalent municipal ordinance.

(ORC 4511.52) (Adopting Ordinance)

(e) Every person operating a bicycle, electric bicycle, electric scooter, or personal assistive mobility device shall obey the instructions of official traffic control devices and signals applicable to vehicles, unless otherwise directed by a police officer; or unless the traffic signals are otherwise malfunctioning, including the failure of a vehicle detector to detect the vehicle. In the case of a malfunctioning light, operator must:

- (1) Stop at a clearly marked stop lines, but if none, stop before entering the crosswalk on the near side of the intersection, or, if none, stop before entering the intersection;
- (2) Yield the right-of-way to all vehicles in the intersection or approaching on an intersecting road, if the vehicles will constitute an immediate hazard during the time the driver is moving across or within the intersection or junction of roadways; and
- (3) Exercise ordinary care while proceeding through the intersection.

(f) Whenever authorized signs are erected that no right, left, or "U" turns are permitted, no person operating a bicycle, electric bicycle, electric scooter, or personal assistive mobility device shall disobey the direction of any such sign, except where such person dismounts from the bicycle, electric bicycle, electric scooter, or personal assistive mobility device to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians. Any person operating a bicycle shall obey the instructions of official traffic signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(Ord. 1956-73. Passed 10-22-56.)

### 373.015 DEFINITIONS.

As used in this chapter, certain words are defined as follows:

- (a) "Bicycle" has the same meaning as defined in Section 301.04 of this Traffic Code.
- (b) "Bicyclist" means a person utilizing a bicycle, electric bicycle, electric scooter, or personal assistive mobility device.
- (c) "Electric bicycle" has the same meaning as defined in Section 301.105 of this Traffic Code.
- (d) "Electric scooter" means a device consisting of a long steering handle connected to a footboard that is mounted on two wheels and is propelled by an electric motor or another type of motor, designed such that the rider is able to keep both feet on the footboard while traveling either while standing or seated, and has an attainable speed on a paved level surface of not more than twenty miles per hour when propelled by the motor.

(e) “Personal assistive mobility device” means a self-balancing two non-tandem or single wheeled device that is designed to transport only one person, has an electric propulsion system of an average of seven hundred fifty watts, and has a maximum speed of no more than twenty miles per hour.

### 373.02 RIDING UPON SEATS; CARRYING PACKAGES; MOTORCYCLE HANDLE BARS; HELMETS AND GLASSES.

(a) For purposes of this section, “snowmobile” has the same meaning as given that term in Ohio R.C. 4519.01.

(b) No person operating a bicycle, ~~or electric bicycle,~~ electric scooter, or personal assistive mobility device shall ride other than upon or astride the permanent and regular seat attached thereto or carry any other person upon such bicycle, ~~or electric bicycle,~~ electric scooter, or personal assistive mobility device other than upon a firmly attached and regular seat thereon, and no person shall ride upon a bicycle, ~~or electric bicycle,~~ electric scooter, or personal assistive mobility device other than upon such a firmly attached and regular seat, or upon a footboard, should the design of the device not contain a regular seat.

(c) No person operating a motorcycle shall ride other than upon or astride the permanent and regular seat or saddle attached thereto, or carry any other person upon such motorcycle other than upon a firmly attached and regular seat or saddle thereon, and no person shall ride upon a motorcycle other than upon such a firmly attached and regular seat or saddle.

(d) No person shall ride upon a motorcycle that is equipped with a saddle other than while sitting astride the saddle, facing forward, with one leg on each side of the motorcycle.

(e) No person shall ride upon a motorcycle that is equipped with a seat other than while sitting upon the seat.

(f) No person operating a bicycle, ~~or electric bicycle,~~ electric scooter, or personal assistive mobility device shall carry any package, bundle, or article that prevents the driver from keeping at least one hand upon the handlebars.

(g) No bicycle, electric bicycle, electric scooter, personal assistive mobility device, or motorcycle shall be used to carry more persons at one time than the number for which it is designed and equipped. No bicycle, electric bicycle, electric scooter, or personal assistive mobility device, or motorcycle shall be operated on a highway when the handlebars rise higher than the shoulders of the operator when the operator is seated in the operator’s seat or saddle.

(h) (1) Except as provided in division (h)(3) of this section, no person shall operate or be a passenger on a snowmobile or motorcycle without using safety glasses or other protective eye device. Except as provided in division (h)(3) of this section, no person who is under the age of 18 years, or who holds a motorcycle operator’s endorsement or license bearing a “novice” designation that is currently in effect as provided in Ohio R.C. 4507.13,

shall operate a motorcycle on a highway, or be a passenger on a motorcycle, unless wearing a protective helmet on the person's head, and no other person shall be a passenger on a motorcycle operated by such a person unless similarly wearing a protective helmet. The helmet, safety glasses, or other protective eye device shall conform with rules adopted by the Ohio Director of Public Safety. The provisions of this paragraph or a violation thereof shall not be used in the trial of any civil action.

(2) A. Except as provided in division (h)(3) of this section, no person shall operate a motorcycle with a valid temporary instruction permit and temporary instruction permit identification card issued by the Registrar of Motor Vehicles pursuant to Ohio R.C. 4507.05 unless the person, at the time of such operation, is wearing on the person's head a protective helmet that conforms with rules adopted by the Ohio Director of Public Safety.

B. No person shall operate a motorcycle with a valid temporary instruction permit and temporary instruction permit identification card issued by the Registrar of Motor Vehicles pursuant to Ohio R.C. 4507.05 in any of the following circumstances:

1. At any time when lighted lights are required by Ohio R.C. 4513.03(A)(1);
2. While carrying a passenger;
3. On any limited access highway or heavily congested roadway.

(3) Divisions (h)(1) and (h)(2)A. of this section do not apply to a person who operates or is a passenger in an autocycle or cab-enclosed motorcycle when the occupant compartment top is in place enclosing the occupants.

(i) Nothing in this section shall be construed as prohibiting the carrying of a child in a seat or trailer that is designed for carrying children and is firmly attached to the bicycle, ~~or electric bicycle, electric scooter, or personal assistive mobility device.~~

(j) Except as otherwise provided in this division, whoever violates divisions (b) through (g) or (h)(1) or (h)(2) of this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates divisions (b) through (g) or (h)(1) or (h)(2) of this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates divisions (b) through (g) or (h)(1) or (h)(2) of this section is guilty of a misdemeanor of the third degree.

(R.C. § 4511.53)

### 373.03 ATTACHING BICYCLES, ELECTRIC BICYCLES, ELECTRIC SCOOTERS, PERSONAL ASSISTIVE MOBILITY DEVICES, OR SLEDS TO VEHICLES.

(a) (1) No person riding upon any bicycle, electric bicycle, electric scooter, personal assistive mobility device, coaster, roller skates, skateboard, sled or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway.

(2) No operator shall knowingly permit any person riding upon any bicycle, electric bicycle, bicycle, electric scooter, personal assistive mobility device, coaster, roller skates, skateboard, sled or toy vehicle to attach the same or himself or herself to any vehicle while it is moving upon a roadway.

(3) This section does not apply to towing a disabled vehicle nor to the towing of a trailer designed for this purpose.

(b) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

(c) If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under R.C. § 4511.991.

(R.C. § 4511.54) (Ord. 1956-75. Passed 10-22-56.)

#### 373.04 RIDING ON RIGHT SIDE OF ROADWAY; RIDING ABREAST.

It shall be legal to ride a bicycle, electric bicycle, electric scooter, or personal assistive mobility device upon a street or public way, subject to the following:

(a) Every person operating a bicycle, ~~or~~ electric bicycle, electric scooter, or personal assistive mobility device upon a roadway shall ride as near to the right side of the roadway as practicable obeying all traffic rules applicable to vehicles and exercising due care when passing a standing vehicle or one proceeding in the same direction.

(b) Persons riding bicycles, electric bicycles, electric scooters, personal assistive mobility devices, or motorcycles upon a roadway shall ride not more than two abreast in a single lane, except on paths or parts of roadways set aside for the exclusive use of bicycles, electric bicycles, or motorcycles.

(c) This section does not require a person operating a bicycle, ~~or~~ electric bicycle, electric scooter, or personal assistive mobility device to ride at the edge of the roadway when it is unreasonable or unsafe to do so. Conditions that may require riding away from the edge of the roadway include when necessary to avoid fixed or moving objects, parked or moving vehicles, surface hazards, or if it otherwise is unsafe or impracticable to do so, including if the lane is too narrow for the bicycle or electric bicycle and an overtaking vehicle to travel safely side by side within the lane.

(d) A person riding a bicycle, electric bicycle, electric scooter, or personal assistive mobility device upon a street shall yield the right-of-way to any pedestrian.

(e) When a bicycle, electric bicycle, electric scooter, or personal assistive mobility device is operated on the roadway, the operator shall give hand signals to other vehicle operators in the vicinity before turning or changing lanes. Such signals shall conform with the motor vehicle laws of Ohio. The signal shall be made not less than one time but is not required to be continuous. A bicycle, electric bicycle, electric scooter, or personal assistive mobility device operator is not required to make a signal if the bicycle, electric bicycle, electric scooter, or personal assistive mobility device is in a designated turn lane, and a signal shall not be given when the operator's hands are needed for the safe operation of the bicycle, electric bicycle, electric scooter, or personal assistive mobility device.

~~(d)~~ (f) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

~~(e)~~ (g) If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under R.C. § 4511.991.

(R.C. § 4511.55)

### 373.05 LIGHTS, SIGNAL DEVICES, BRAKES ON BICYCLES, ELECTRIC BICYCLES, ELECTRIC SCOOTERS, AND PERSONAL ASSISTIVE MOBILITY DEVICES.

(a) Every bicycle, ~~or~~ electric bicycle, electric scooter, or personal assistive mobility device, when in use at the times specified in Ohio R.C. 4513.03 or a substantially equivalent municipal ordinance, shall be equipped with the following:

(1) A lamp mounted on the front of either the bicycle, ~~or~~ electric bicycle, electric scooter, or personal assistive mobility device or the operator that shall emit a white light visible from a distance of at least 500 feet to the front and 300 feet to the sides. A generator-powered lamp that emits light only when the bicycle, ~~or~~ electric bicycle, electric scooter, or personal assistive mobility device is moving may be used to meet this requirement.

(2) A red reflector on the rear that shall be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle;

(3) A lamp emitting either flashing or steady red light visible from a distance of 500 feet to the rear shall be used in addition to the red reflector. If the red lamp performs as a reflector in that it is visible as specified in division (a)(2) of this section, the red lamp may serve as the reflector and a separate reflector is not required.

(b) Additional lamps and reflectors may be used in addition to those required under division (a) of this section, except that red lamps and red reflectors shall not be used on the front of the bicycle or electric bicycle and white lamps and white reflectors shall not be used on the rear of the bicycle or electric bicycle.

(c) A bicycle, ~~or electric bicycle, electric scooter, or personal assistive mobility device~~ may be equipped with a device capable of giving an audible signal, except that a bicycle, ~~or electric bicycle, electric scooter, or personal assistive mobility device~~ shall not be equipped with nor shall any person use upon a bicycle, ~~or electric bicycle, electric scooter, or personal assistive mobility device~~ any siren or whistle.

(d) Every bicycle, ~~or electric bicycle, electric scooter, or personal assistive mobility device~~ shall be equipped with an adequate brake when used on a street or highway.

(ORC 4511.56)

### 373.06 LIGHTS AND REFLECTOR ON BICYCLE; BRAKES. (REPEALED)

(EDITOR'S NOTE: Section 373.06 was repealed as part of the 1979 updating and revision of these Codified Ordinances. See Section 373.05.)

### ~~373.07 RIDING BICYCLE ON RIGHT SIDE OF ROADWAY; TRAFFIC CONTROL DEVICES; HAND AND ARM SIGNALS; YIELD RIGHT OF WAY. EMERGING FROM ALLEY OR DRIVEWAY.~~

~~—Any person operating a bicycle shall:~~

~~—(a) (EDITOR'S NOTE: Division (a) was repealed as part of the 1979 updating and revision of these Codified Ordinances. See Section 373.04.)~~

~~—(b) Obey the instructions of official traffic control devices applicable to vehicles, unless otherwise directed by a police officer;~~

~~—(c) Before changing course, turning or stopping upon a roadway, exercise due care that the movement can be made with reasonable safety and give the hand and arm signals required by Section 331.15;~~

~~—(d) Yield the right of way to pedestrian and vehicular traffic upon the roadway as lawfully required;~~

~~—(e) Yield the right of way to a pedestrian upon a sidewalk;~~

~~(f) Give timely and audible signal before overtaking and passing a pedestrian upon a roadway or sidewalk.~~

The operator of a bicycle, electric bicycle, electric scooter, or personal assistive mobility device emerging from an alley, driveway, or building shall, upon approaching a sidewalk or

the sidewalk area extending across any alley or driveway, yield the right-of-way to all pedestrians approaching on such sidewalk area and upon entering the street shall yield the right-of-way to all vehicles approaching on such street.

### 373.08 RECKLESS OPERATION; CONTROL, COURSE AND SPEED.

No person shall operate a bicycle, electric bicycle, electric scooter, or personal assistive mobility device:

(a) Without due regard for the safety and rights of pedestrians and drivers and occupants of all other vehicles, and so as to endanger the life, limb or property of any person while in the lawful use of the streets or sidewalks or any other public or private property;

(b) Without exercising reasonable and ordinary control over such bicycle, electric bicycle, electric scooter, or personal assistive mobility device;

(c) In a weaving or zigzag course, unless such irregular course is necessary for safe operation or in compliance with law;

(d) Without ~~both~~ one hands upon the handle grips, except when necessary to give the required hand and arm signals;

(e) At a speed greater than is reasonable and prudent under the conditions then existing;

(f) While wearing more than one earphone attached to a cell phone or other audio device; and

(g) While using a handheld electronic communications device or while writing, sending, or reading text-based communications.

### 373.09 PARKING OF BICYCLE, ELECTRIC BICYCLE, ELECTRIC SCOOTER, OR PERSONAL ASSISTIVE MOBILITY DEVICE.

(a) A bicycle, electric bicycle, electric scooter, or personal assistive mobility device shall be parked in a designated bicycle, electric bicycle, electric scooter, or personal assistive mobility device parking area when provided. No person shall park a bicycle, electric bicycle, electric scooter, or personal assistive mobility device upon a sidewalk in such a manner so as to unduly interfere with pedestrian traffic or upon a roadway so as to unduly interfere with vehicular traffic.

(b) When a designated parking area is not provided, bicycles, electric bicycles, electric scooters, or personal assistive mobility devices shall be parked in such a manner as not to interfere with building entrances.

### 373.10 RIDING ON SIDEWALKS, PUBLIC WAYS, PATHS, OR TRAILS.

It shall be legal to ride a bicycle, electric bicycle, electric scooter, or personal assistive mobility device upon a sidewalk or public way, or upon any public path or trail, subject to the following:

- (a) Except as provided in this Code, a bicycle, electric bicycle, electric scooter, or personal assistive mobility device may be operated upon a sidewalk when sidewalks are available and not congested with pedestrian traffic. If the sidewalk is congested with pedestrian traffic, any bicycle, electric bicycle, electric scooter, or personal assistive mobility device using the sidewalk shall walk the bicycle, electric bicycle, electric scooter, or personal assistive mobility device.
- (b) No person shall ride a bicycle, electric bicycle, electric scooter, or personal assistive mobility device upon a sidewalk along which signs have been erected by authority of the Mayor or Director of Public Safety prohibiting such bicycle, electric bicycle, electric scooter, or personal assistive mobility device riding.
- (c) A person operating a bicycle, electric bicycle, electric scooter, or personal assistive mobility device upon and along a sidewalk, public way, path, or trail, or across a roadway upon and along a crosswalk shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian. This audible signal may be given by the voice or by a bell or other warning device capable of giving an audible signal and shall be given at a distance and in such a manner as not to startle a person being overtaken and passed.
- (d) A person operating a bicycle, electric bicycle, electric scooter, or personal assistive mobility device upon a sidewalk, before overtaking and passing a blind person carrying a white cane or guided by a dog, shall dismount and overtake or pass on foot, if necessary, for safety.
- (e) A person shall not operate a bicycle, electric bicycle, electric scooter, or personal assistive mobility device from a sidewalk so as to suddenly leave a curb or other place of safety and move into the path of a vehicle that is so close as to constitute an immediate hazard.
- (f) No person shall operate a bicycle, electric bicycle, electric scooter, or personal assistive mobility device on a sidewalk at a speed greater than an ordinary walk when approaching or entering a crosswalk or approaching or crossing a driveway if a vehicle is approaching the crosswalk or driveway, or if pedestrians are present.
- (g) No person shall operate a Class 3 electric bicycle on a sidewalk, public way, public path, or trail.
- (h) No person shall operate a bicycle, electric bicycle, electric scooter, or personal assistive mobility device upon a sidewalk ~~within a business district or upon a~~ sidewalk where signs are erected prohibiting such operation.

### 373.11 OPERATION OF MOTORIZED BICYCLES.

(a) No person shall operate a motorized bicycle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking, unless all of the following conditions are met:

(1) The person is 14 or 15 years of age and holds a valid probationary motorized bicycle license issued after the person has passed the test provided for in this section, or the person is 16 years of age or older and holds either a valid commercial driver's license issued under Ohio R.C. Chapter 4506 or a driver's license issued under Ohio R.C. Chapter 4507 or a valid motorized bicycle license issued after the person has passed the test provided for in this section, except that if a person is 16 years of age, has a valid probationary motorized bicycle license and desires a motorized bicycle license, the person is not required to comply with the testing requirements provided for in this section.

(2) The motorized bicycle is equipped in accordance with the rules adopted under division (b) of this section and is in proper working order.

(3) The person, if under 18 years of age, is wearing a protective helmet on the person's head with the chin strap properly fastened and the motorized bicycle is equipped with a rearview mirror.

(4) The person operates the motorized bicycle when practicable within three feet of the right edge of the roadway obeying all traffic rules applicable to vehicles.

(b) The Director of Public Safety, subject to Ohio R.C. Chapter 119, shall adopt and promulgate rules concerning protective helmets, the equipment of motorized bicycles, and the testing and qualifications of persons who do not hold a valid driver's or commercial driver's license. The test shall be as near as practicable to the examination required for a motorcycle operator's endorsement under Ohio R.C. 4507.11. The test shall also require the operator to give an actual demonstration of the operator's ability to operate and control a motorized bicycle by driving one under the supervision of an examining officer.

(c) Every motorized bicycle license expires on the birthday of the applicant in the fourth or eighth year after the date it is issued, based on the period of renewal requested by the applicant. No motorized bicycle license shall be issued for a period longer than eight years. A person who is 65 years of age or older may only apply for a motorized bicycle license that expires on the birthday of the applicant in the fourth year after the date it is issued.

(d) No person operating a motorized bicycle shall carry another person upon the motorized bicycle.

(e) The protective helmet and rearview mirror required by division (a)(3) of this section shall, on and after January 1, 1985, conform with rules adopted by the Director under division (b) of this section.

(f) Whoever violates division (a), (d), or (e) of this section is guilty of a minor misdemeanor.

(ORC 4511.521) (Ord. 1990-41. Passed 11-26-90.)

Statutory reference:

Suspension of probationary motorized bicycle license by the State, see Ohio R.C. 4510.34

**373.12 ELECTRIC BICYCLES AND ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES.**

(a) (1) On and after January 1, 2020, manufacturers and distributors of electric bicycles shall permanently affix a label, in a prominent location, to each electric bicycle. The label shall specify whether the electric bicycle is a class 1, class 2, or class 3 electric bicycle, the top assisted speed that the electric bicycle is capable of reaching, and the motor wattage of the electric bicycle.

(2) No person shall modify an electric bicycle in a manner that changes the top assisted speed that the electric bicycle is capable of reaching unless the person also modifies the label required under division (a)(1) of this section to reflect the modification.

(b) (1) The manufacturer of an electric bicycle shall ensure that the electric bicycle complies with the equipment and manufacturing requirements for bicycles established by the consumer product safety commission under 16 C.F.R. §§ 1512 et seq.

(2) The manufacturer shall manufacture all class 1 electric bicycles and class 3 electric bicycles so that when the rider ceases pedaling the electric motor ceases to provide assistance. The manufacturer shall manufacture all class 2 electric bicycles so that when the rider applies the brakes or releases or activates a switch or similar mechanism the electric motor ceases to provide assistance.

(3) All class 3 electric bicycles shall be equipped with a speedometer that displays the speed of the electric bicycle in miles per hour.

(c) (1) The operation of a class 1 electric bicycle and a class 2 electric bicycle is permitted on a path set aside for the exclusive use of bicycles or on a shared-use path, unless the county, township, municipal corporation, other local authority, or state agency as defined in R.C. § 1.60 with control over the path by resolution, ordinance, or rule prohibits the use of a class 1 electric bicycle or class 2 electric bicycle on such a path.

(2) No person shall operate a class 3 electric bicycle on a path set aside for the exclusive use of bicycles or a shared-use path unless that path is within or adjacent to a highway or the county, township, municipal corporation, or local authority, or state agency as defined in R.C. § 1.60 with control over the path by resolution, ordinance, or rule authorizes the use of a class 3 electric bicycle on such a path.

(3) No person shall operate a class 1 electric bicycle, a class 2 electric bicycle, or a class 3 electric bicycle on a path that is intended to be used primarily for mountain biking, hiking, equestrian use, or other similar uses, or any other single track or natural surface trail that has historically been reserved for non-motorized use, unless the county, township, municipal corporation, other local authority, or state agency as defined in R.C. § 1.60 with control over the path by resolution, ordinance, or rule authorizes the use of a class 1 electric bicycle, a class 2 electric bicycle, or a class 3 electric bicycle on such a path.

(4) Divisions (c)(2) and (c)(3) of this section do not apply to a law enforcement officer, or other person sworn to enforce the criminal and traffic laws of the state, using an electric bicycle while in the performance of the officer's duties.

(d) (1) No person under 16 years of age shall operate a class 3 electric bicycle; however, a person under 16 years of age may ride as a passenger on a class 3 electric bicycle that is designed to accommodate passengers.

(2) No person shall operate or be a passenger on a class 3 electric bicycle unless the person is wearing a protective helmet that meets the standards established by the Consumer Product Safety Commission or the American Society for Testing and Materials.

(3) No person who is under fourteen years of age shall operate an electric personal assistive mobility device.

(e) (1) Except as otherwise provided in this division, whoever operates an electric bicycle in a manner that is prohibited under division (c) of this section and whoever violates division (d) of this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

(2) The offenses established under division (e)(1) of this section are strict liability offenses and strict liability is a culpable mental state for purposes of R.C. § 2901.20. The designation of these offenses as strict liability offenses shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

(R.C. § 4511.522)

### 373.13 PARENT'S RESPONSIBILITY.

The parent and/or guardian of any child, under the age of 18, or of any ward, shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter.

### 373.14 IMPOUNDING OF BICYCLES, ELECTRIC BICYCLES, ELECTRIC SCOOTERS, AND PERSONAL ASSISTIVE MOBILITY DEVICES.

(a) Whenever any person operates a bicycle, electric bicycle, electric scooter, or personal assistive mobility device in violation of any section of this Traffic Code, the bicycle, electric bicycle, electric scooter, or personal assistive mobility device may be seized by any member of the Police Department and the Chief of Police shall have the authority to impound any bicycle, electric bicycle, electric scooter, or personal assistive mobility device

at the police station. An impounded bicycle, electric bicycle, electric scooter, or personal assistive mobility device shall not be released to a minor.

(b) When any bicycle, electric bicycle, electric scooter, or personal assistive mobility device has been seized and so impounded, notice shall be made forthwith by the police department to the owner of the bicycle, electric bicycle, electric scooter, or personal assistive mobility device or, in the event the person is a minor under the age of 18 years, such notice shall be made to the parent or guardian of the licensee of the bicycle, electric bicycle, electric scooter, or personal assistive mobility device. The notice shall contain a full explanation of the reason for seizing and impounding the bicycle, electric bicycle, electric scooter, or personal assistive mobility device.

(c) Any bicycle, electric bicycle, electric scooter, or personal assistive mobility device impounded under the provisions of this Traffic Code shall be surrendered to the owner or to the parents or guardian of any minor upon showing sufficient proof of ownership of the bicycle, electric bicycle, electric scooter, or personal assistive mobility device, but nothing herein shall relieve the offender of any penalty that may be imposed under the general penalty section of this chapter.

(d) It shall be the duty of the police officer or the person in charge of records to keep in an appropriate book or file the names and addresses of all owners of bicycles, electric bicycles, electric scooters, or personal assistive mobility devices impounded, the name and address of the violator if they are not the owner, the license number and the serial number of the bicycle, electric bicycle, electric scooter, or personal assistive mobility device, together with the nature and circumstances of each violation, as well as the disposition of each case.

### 373.99 PENALTY.

(EDITOR'S NOTE: See Section 303.99 for general Traffic Code penalty if no specific penalty is provided.)