



City of Grand Island

Tuesday, March 23, 2021

Council Session

Item F-1

#9819 - Consideration of Amending Chapter 24-3 of the Grand Island City Code Relative to Vehicles in Parks, Hike/Bike Trails, and Detention Cells

Staff Contact: Todd McCoy

Council Agenda Memo

From: Todd McCoy, Parks and Recreation Director

Meeting: March 23, 2021

Subject: Approve City Code Updated to Allow E-bikes and Mobility Devices in City Parks and Trails

Presenter(s): Todd McCoy, Parks and Recreation Director

Background

Electronic bikes or e-bikes have become popular across the nation. Many states and municipalities have had to update local laws to address the public use of the new bikes. E-bikes are bicycles with an electric motor which can be used to assist propulsion. Many kinds of e-bikes are available for sale, but generally fall into two broad categories. Bikes that assist the rider's pedal-power and bikes that add a throttle, integrating moped-style functionality. Both retain the ability to be pedaled by the rider. E-bikes use rechargeable batteries and typically travel up to 20 mph. High-powered varieties can often travel more than 28 mph.

By State Statute the State of Nebraska has classified e-bikes that travel twenty miles per hour or less as bicycles rather than mopeds or motorcycles.

Discussion

Currently City Code does not allow motor vehicles in City Park or trails, nor does it define e-bikes or motor driven mobility devices that assist individuals with mobility disabilities.

It is recommended that City Code Section 24-3 be updated to allow for the use of electric assist bikes and mobility devices.

§24-3. Vehicles in Parks, Hike/Bike Trails, and Detention Cells

With the exception of Class 1 Electric Bicycles, Motorized Wheel Chairs, and Other Power Driven Mobility Devices, It is unlawful for any person to operate or park any motor vehicle, including motorcycles, minibikes, and snowmobiles, in any city park, storm detention cell, hike/bike trail, or any portion thereof, except on the roads, paths, or areas established therein for such operation or parking.

DEFINITIONS

- A. "Class 1 electric bicycle" means an electric bicycle that is equipped with an electric motor that provides assistance only when the rider is pedaling and that stops providing assistance when the electric bicycle reaches a speed of 20 miles per hour.
- B. "Motorized wheelchair" means any self-propelled vehicle designed for and used by a handicap person.
- C. "Other Power Driven Mobility Devices" (OPDMD) means any mobility device that is used by individuals with mobility disabilities for the purpose of locomotion but is not a wheelchair. OPDMD's shall not be capable of speeds over 20 miles per hour.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

- 1. Move to approve
- 2. Refer the issue to a Committee
- 3. Postpone the issue to future date
- 4. Take no action on the issue

Recommendation

City Administration recommends that City Council approve an amendment to City Code to allow the use of electric assist bikes and mobility devices.

Sample Motion

Move to approve amending the City Code to allow the use of electric assist bikes and mobility devices in parks and trails.

ORDINANCE NO. 9819

An ordinance to amend Chapter 24 of Grand Island City Code; to amend Section 24-3; to clarify and/or make general corrections to various code sections, to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. Section 24-3 of the Grand Island City Code Chapter 24 is amended to read as follows:

§24-3. Vehicles in Parks, Hike/Bike Trails, and Detention Cells

A) With the exception of Class 1 Electric Bicycles, Motorized Wheel Chairs, and Other Power Driven Mobility Devices, it is unlawful for any person to operate or park any motor vehicle, including motorcycles, minibikes, and snowmobiles, in any city park, storm detention cell, hike/bike trail, or any portion thereof, except on the roads, paths, or areas established therein for such operation or parking.

B) For the purpose of this section, the following definitions shall apply:

1. “Class 1 electric bicycle” means an electric bicycle that is equipped with an electric motor that provides assistance only when the rider is pedaling and that stops providing assistance when the electric bicycle reaches a speed of 20 miles per hour.

2. “Motorized wheelchair” means any self-propelled vehicle designed for and used by a handicap person.

3. “Other Power Driven Mobility Devices” (OPDMD) means any mobility device that is used by individuals with mobility disabilities for the purpose of locomotion but is not a wheelchair. OPDMD’s shall not be capable of speeds over 20 miles per hour

SECTION 2. Any ordinance or parts of ordinances in conflict herewith be, and hereby are, repealed.

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| Approved as to Form | ☐ _____ |
| March 8, 2021 | ☐ City Attorney |

ORDINANCE NO. 9819(Cont.)

SECTION 3. This ordinance shall be in force and take effect fifteen (15) days from and after its passage and publication pursuant to law.

Enacted: March 23, 2021.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk