

**ORDINANCE NO. 38, 4th SERIES**

**AN ORDINANCE OF THE CITY OF EAST GRAND FORKS, MINNESOTA, AMENDING CITY CODE TITLE VII: TRAFFIC CODE BY ADDING CHAPTER 78 CONCERNING THE USE OF ELECTRIC SCOOTERS WITHIN THE EAST GRAND FORKS CITY LIMITS AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 1 AND SECTION 10.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.**

THE CITY OF EAST GRAND FORKS DOES ORDAIN AS FOLLOWS:

**SECTION 1:** The East Grand Forks City Code is amended to include the following:

**CHAPTER 78. ELECTRIC SCOOTERS**

**78.01. Limited authorization for use of electric scooters; exceptions.**

- (1) An individual may operate an electric scooter, as defined in City Code section 118.01, within the city limits of East Grand Forks only as provided herein.
- (2) This article shall not apply to the use of electric scooters or other vehicles for local government purposes including, but not limited to, law enforcement, fire and rescue, public health, mosquito control, public works, traffic control and greenway.

**78.02. Equipment requirements.**

All electric scooters utilized on any street, avenue, or roadway described in this chapter shall have the following fully operational equipment: Headlights, running lights, taillights, brake lights, a bell, drum brake and regenerative brake, and a kickstand.

**78.03. Operating rules.**

The following rules shall apply to the operation of electric scooters pursuant to this article:

- (1) Other than upon state highways or other roadways described in this chapter, electric scooters shall be operated upon the streets, avenues, roadways or alleys within the city, and shall not be operated on sidewalks except to cross said street, avenue, roadway or alley.
- (2) It shall be unlawful for any person to use an electric scooter on any public or private property where signs are posted prohibiting such use.
- (3) An operator must be at least twelve (12) years of age and an operator of a motorized scooter under eighteen (18) years of age must wear a helmet.
- (4) An electric scooter shall have no more than one (1) occupant.
- (5) No person shall operate an electric scooter faster than fifteen (15) mph.
- (6) No person shall operate an electric scooter in a careless, reckless or negligent manner so as to endanger the person or the property of another or cause injury or damage to another person or the property of another.
- (7) No person shall operate an electric scooter while under the influence of intoxicating liquor or a controlled substance.

(8) No person shall operate an electric scooter after daylight without illuminated headlights and taillights.

(9) No person shall operate an electric scooter on private property of another without the express permission to do so by the owner or occupant of said property.

(10) No person shall operate an electric scooter upon any sidewalk or upon any flood levees or flood control works of the city.

(11) No person shall operate an electric scooter in a manner to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of a reasonable person.

(12) When operating an electric scooter upon any street, avenue, or roadway, such operation shall be at the right side of the street, avenue or roadway and as nearest to the curb or shoulder thereof as practicable under the circumstances.

(13) An operator of an electric scooter may make a direct crossing of a street, avenue, roadway, alley or highway otherwise prohibited herein if:

(A) The crossing is made at an angle of approximately ninety (90) degrees to the direction of the roadway where no obstruction prevents a safe crossing or at a crosswalk;

(B) The operator yields the right-of-way to all on-coming and crossing traffic which constitutes an immediate hazard; and

(C) Any crossing is made in accordance with traffic control devices existing at the point of crossing.

(14) Operators of an electric scooter shall yield to pedestrians whether or not a crosswalk is at the point the pedestrian is crossing or about to cross the street, avenue, roadway or alley.

(15) An operator of an electric scooter must operate it in the same direction as other motor vehicles traveling on the side of the roadway immediately adjacent to the side of the right-of-way traveled by the electric scooter.

(16) All persons operating an electric scooter must comply with all applicable traffic laws and requirements and will be subject to the same restrictions, regulations, penalties, fees and fines as operators of other motor vehicles pursuant to City Code and state law.

**78.04. Electric scooters permitted on designated roadways.**

(1) Except as precluded by subsection (2), the use of electric scooters shall be permitted on all roadways with a posted speed limit of thirty (30) mph or less, pedestrian ways, bike paths, bike lanes, or shared use paths within the city.

(2) The use of electronic scooters on sidewalks shall be precluded in the City of East Grand Forks.

**78.05. Yielding and stopping while operating an electric scooter on a roadway.**

(1) An individual operating an electric scooter who is approaching a stop sign at an intersection with a roadway having three (3) or more lanes for moving traffic shall come to a complete stop before entering the intersection.

(2) An individual operating an electric scooter who is approaching a stop sign at an intersection where a vehicle is stopped in the roadway at the same stop sign shall come to a complete stop before entering the intersection.

(3) An individual operating an electric scooter who is approaching a stop sign at an intersection with a roadway having two (2) or fewer lanes for moving traffic shall reduce speed and, if required for safety, stop before entering the intersection. After slowing to a reasonable speed or stopping, the individual shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time the individual is moving across or within the intersection, except that an individual, after slowing to a reasonable speed and yielding the right-of-way if required, cautiously may make a turn, or proceed through the intersection without stopping.

(4) An individual operating an electric scooter who is approaching an intersection shall yield the right-of-way to any vehicle that already has entered the intersection.

(5) When an individual operating an electric scooter and a vehicle enter an intersection from different roadways at approximately the same time, the operator of the vehicle or the electric scooter on the left shall yield the right-of-way to the vehicle or the electric scooter on the right.

(6) If the individual operating an electric scooter is involved in a collision with a vehicle in the intersection or junction of roadways after proceeding past a stop sign without stopping or past a steady red traffic-control light, the collision is deemed prima facie evidence of the individual's failure to yield the right-of-way.

**SECTION 2. EFFECTIVE DATE.** This ordinance shall take effect the day after its adoption and publication.

*Voting Aye: Riopelle, Helms, Olstad, Larson, Vetter, and Pokrzywinski.*

*Voting Nay: None.*

*Absent: Peterson.*

ATTEST:

PASSED: August 15, 2023

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City Administrator

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President of Council

I hereby approve the foregoing Ordinance this 15<sup>th</sup> day of August, 2023.

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Mayor