

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DEER PARK, TEXAS, AMENDING ARTICLE VII REGULATIONS FOR MOTOR ASSISTED SCOOTERS, SELF BALANCING TRANSPORTERS AND E-BIKES, CHAPTER 62, SEC. 62-192 THROUGH 62-194, OFFENSES-MISCELLANEOUS; PLACING RESTRICTIONS ON THE USE AND OPERATION OF MOTOR ASSISTED SCOOTERS, SELF BALANCING TRANSPORTERS AND E-BIKES BY LIMITING OR PROHIBITING THE OPERATION OF MOTOR ASSISTED SCOOTERS, SELF BALANCING TRANSPORTERS AND E-BIKES ON CERTAIN STREETS, HIGHWAYS AND ALLEYS; PROVIDING FOR A PENALTY FOR ADULTS, CUSTODIANS AND CHILDREN FOR THE USE OF A MOTOR ASSISTED SCOOTER, SELF-BALANCING TRANSPORTER OR E-BIKE IN A RESTRICTED OR PROHIBITED AREA; REQUIRING THAT CHILDREN WEAR A PROTECTIVE HELMET WHILE OPERATING OR RIDING A MOTOR ASSISTED SCOOTER, SELF-BALANCING TRANSPORTER OR E-BIKE; PROVIDING REPEALING, SEVERABILITY AND SAVINGS CLAUSES; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the use of motor assisted scooters, self-balancing transporters and E-Bikes in the City of Deer Park on streets, alleys and sidewalks is increasing; and

WHEREAS, the City Council has determined that certain restrictions and rules should be implemented to provide for the public health, safety and welfare of the City of Deer Park and its citizens for persons using motor assisted scooters, self-balancing transporters and E-Bikes or those that may be impacted by their use; and

WHEREAS, the City Council wishes to set forth regulations with regard to the safe operation of motor assisted scooters, self-balancing transporters and E-Bikes on the sidewalks, streets, highways and alleys within the City; and

WHEREAS, the City Council has determined that it is in the public's interest and serves to promote the public health, safety and welfare of the community to eliminate traffic and safety hazards that result from the unauthorized use of streets, highways, parks and alleys by persons using motor assisted scooters, self-balancing transporters and E-Bikes, and that it promotes the public safety to require children to wear helmets while riding motor assisted scooters, self-balancing transporters and E-Bikes in certain places.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS THAT:

Section 1. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. The City Council hereby revises Chapter 62, Offenses-Miscellaneous, Article VII- Regulations for Motor-Assisted Scooters, Section 62-192 to 62-194 of the City of Deer Park Code of Ordinances by replacing in its entirety the following:

ARTICLE VII – REGULATIONS FOR MOTOR-ASSISTED SCOOTERS, SELF-BALANCING TRANSPORTERS AND E-BIKES.

Sec. 62-192. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Classification of E-Bikes:

- (1) "Class 1 electric bicycle" means an electric bicycle:
 - (A) equipped with a motor that assists the rider only when the rider is pedaling; and
 - (B) with a top assisted speed of 20 miles per hour or less.
- (2) "Class 2 electric bicycle" means an electric bicycle:
 - (A) equipped with a motor that may be used to propel the bicycle without the

- pedaling of the rider; and
- (B) with a top assisted speed of 20 miles per hour or less.
- (3) "Class 3 electric bicycle" means an electric bicycle:
 - (A) equipped with a motor that assists the rider only when the rider is pedaling; and
 - (B) with a top assisted speed of more than 20 but less than 28 miles per hour.
- (4) "Electric bicycle" means a bicycle:
 - (A) equipped with:
 - (i) fully operable pedals; and
 - (ii) an electric motor of fewer than 750 watts; and
 - (B) with a top assisted speed of 28 miles per hour or less.
 - (C) "Top assisted speed" means the speed at which the bicycle's motor ceases propelling the bicycle or assisting the rider.

Custodian means the natural or adoptive parent or court-appointed guardian or conservator of a child.

Helmet means properly fitted protective headgear that is not structurally damaged and that conforms to the standards of the American National Standards Institute, the American Society for Testing and Materials, the Snell Memorial Foundation or any federal agency having regulatory jurisdiction over bicycle helmets, as applicable, at the time of the manufacture of the helmet.

Motor-assisted scooter means a self-propelled device with at least two wheels in contact with the ground during operation, a braking system capable of stopping the device under typical operating conditions, a gas or electric motor 40 cubic centimeters or less, a deck designed to allow a person to stand or sit while operating the device, and the ability to be propelled by human power alone and does not include a pocket bike or a mini motorbike. All electric self-propelled devices with less than 150 watts, all electrical self-propelled devices used for medical or disability purposes and neighborhood electric vehicle, which is defined as a vehicle subject to Federal Motor Vehicle Safety Standards 500 (49 CFR 571.500) (V.T.C.A., Transportation Code § 551.301), shall be exempt from this regulation.

Public way or public property means real property owned, leased or controlled by a political subdivision of the state, a governmental entity or agency, or similar entity, or any property that is publicly owned or maintained or dedicated to public use. The term "public way" or "public property" does not include a sidewalk.

Self-balancing transporters mean they are one-or two-wheeled, electric powered personal vehicles that use gyroscopic sensors and microprocessors to automatically maintain balance. Riders control speed and direction by shifting their body weight forward, backward, or sideways, allowing for intuitive, hands-free navigation of urban environments.

Wearing a helmet means that the person has a helmet fastened securely to his/her head with the straps of the helmet securely tightened in the manner intended by the manufacturer to provide maximum protection.

Sec. 62-193. Restrictions and prohibitions for motor-assisted scooters, self-balancing transporters and e-bikes.

The following restrictions apply to persons using motor-assisted scooters, self-balancing transporters, e-bikes, and their custodians:

- (1) It shall be unlawful for a person operating a motor assisted scooter, E-bike, or a self-balancing transporter upon any sidewalk of the City, to collide with any pedestrian or cause any pedestrian to leave the sidewalk to avoid a collision with such vehicle.
- (2) It shall be unlawful for an operator on a motor-assisted scooter, E-bike or self-balancing transporters to wear headphones, earbuds, ear plugs, or use a portable wireless communication device while operating.
- (3) When operating a motor-assisted scooter, self-balancing transporter or E-bike, riders under the age of 16

must wear a helmet.

- (4) It shall be unlawful for motor-assisted scooters, self-balancing transporters and E-bikes to carry more people than they are designed for.
- (5) It shall be unlawful for riders to operate their vehicle at nighttime, as defined in Texas Transportation Code Sec. 541.104, without a rear red reflector and a front facing lamp that emits a white light visible from a distance of at least 500 feet in front.
- (6) It shall be unlawful for a child under the age of 10 to operate a motor-assisted scooter, self-balancing transporter or E-bike on any roadway or sidewalk within the city limits.
- (7) It shall be unlawful for a child under the age of 15 to operate a Class 3 E-bike or operate a motor-assisted scooter, E-bike, or self-balancing transporter on any roadway where the speed limit exceeds 25MPH.
- (8) Before crossing a roadway, a person operating a motor-assisted scooter, E-bike, or self-balancing transporter on a sidewalk must come to a complete stop, and may only proceed to cross the roadway, when it is safe to do so.
- (9) Before crossing a public driveway, private driveway or private road, a person operating or riding on a motor-assisted scooter, E-bike, or self-balancing transporter on a sidewalk, must yield to motorist entering or exiting the driveway or road.
- (10) It shall be unlawful for any person to operate, park, or ride any motorized or unmotorized vehicle, bicycle, scooter, skateboard or roller skates in any city park.
- (11) Motor-assisted scooters, self balancing transporters and class 1 & 2 E-bikes are allowed on hike and bike trails, but golf carts, motorcycles and other motorized vehicles are prohibited on them.

Sec. 62-194. Penalty.

A person, or their custodian, who violates any provisions of this article shall be guilty of a Class C misdemeanor and, upon conviction, shall be fined (one dollar) \$1.00 to (five hundred dollars) \$500.00.

Secs. 62-195—62-213. Reserved.

Section 3. Savings and Severability Clause. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 4. Publication and Effective Date. This ordinance shall be effective upon adoption and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance published at least one time within ten days after final passage in the City's official newspaper per City Charter, Sec. 2.06(g)(A).

Section 5. Government Code. It is officially found and determined that the meeting at which this Ordinance was adopted was open to the public; and that public notice of the time, place and purpose of said

meeting was given, all as required by Chapter 551 of the Government Code of the State of Texas.

In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Deer Park, Texas, passed, approved and adopted on this the _____ day of _____, 2026 by a vote of _____ “Ayes” and _____ “Noes”.

MAYOR, City of Deer Park, Texas

ATTEST:

City Secretary

APPROVED:

City Attorney