

Synthesis of Ordinances/Practices on Micromobility Systems Within Ohio

(Ohio's Research Initiative for Locals (ORIL) Research On-Call Task #8)

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16. Abstract Ohio's transportation system has witnessed the inclusion of a new mode of travel – shared micromobility (i.e., scooters, e-bikes, and other methods). Shared-micromobility is beneficial, in that, it connects with the larger transportation system and increases the value of other available transportation options. Initially, there were mixed views on the adoption of micromobility devices, however many Ohio jurisdictions (cities, villages and townships) quickly recognized their importance as a mode of essential transportation. Jurisdictions moved to regulate micromobility devices by quickly developing regulations or ordinances, albeit taking different approaches. Moreover, local government have flexibility to establish laws in accordance with the powers of local self-government, otherwise known as Home Rule Authority. What this meant is that, there are many variants of legal ordinances/laws and/or different approaches available for regulation – raising concerns such as, how to standardize design of transportation facilities, how to ensure legal and permissible operations for any future deployments, and promoting standardized safety, enforcement, and efficient operations. By completing a series of tasks (detailed review of literature, reviewing and summarizing Ohio's current ordinances, and interviews with select practitioners) this study reconciles the changing regulatory landscape and presents a comprehensive document summarizing information relating to the adoption of micromobility systems within the state of Ohio. This document provides a preferred range of regulations and regulatory practices to ensure jurisdictions expecting to deploy micromobility systems have a basis for regulation that they can use as a framework.				
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The content of this report reflect the views of the authors who are responsible for the facts and the accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of the Ohio Department of Transportation or the Federal Highway Administration. This report does not constitute a standard, specification or regulation.

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Contents.

Project Background	5
Objective	5
Methodology	5
Literature Review	6
Summarizing Ohio’s Micromobility Ordinances	13
Practitioner Interviews	15
Conclusions and Recommendations	19
References	21
Appendices	23

Figures.

Figure 1. Workflow for Individual Agency Ordinance Review	14
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Tables.

Table 1. Overview of Policy Options that Encourage Long-Term Micromobility	11
Table 2. Listing of Local Agencies in Ohio Contacted for Interviews	16

Project Background.

Micromobility is an affordable, urban transportation solution that covers a travel distance of 5 miles or less (Runnerstrom, 2018). Micromobility encompasses devices such as electric bicycles (e-bikes), standing and seated electric scooters (e-scooters), and electric skateboards/skates that are typically low speed (less than 20-mph) and lightweight (less than 100 pounds) (PBIC, 2019; SAE, 2019). The most common of these shared micromobility systems are e-bikes and e-scooters. Over the last few years, there has been a significant growth in the use of shared micromobility across the U.S. – by the end of 2018, 85,000 e-scooters were available in about 100 U.S. cities; with approximately 38.5 million trips taken on dockless e-scooters (NACTO, 2019). This rapid micromobility growth caused issues (safety, liability, operational questions, and infrastructure questions) that necessitated many jurisdictions to make quick decisions aimed at regulating usage and adoption. To this end, there are many variants of legal ordinances/laws and/or different approaches available for regulation – raising concerns such as, how to standardize design of transportation facilities, how to ensure legal and permissible operations for any future deployments, and promoting standardized safety, enforcement, and efficient operations. This is the case in many states including Ohio.

In recent years, Ohio's transportation system – especially from a demand perspective – has witnessed the inclusion of a new mode of travel – shared micromobility (i.e., scooters, e-bikes, and other methods). Initially, there was mixed views on the adoption of these micromobility systems, however many jurisdictions (cities, villages and townships) quickly recognized their importance as a mode of essential transportation. In response, various jurisdictions moved to regulate these micromobility devices by developing regulations or ordinances, albeit taking different approaches.

There is not a model code (or commonly recommended set of laws) specific to Ohio which can provide guidance to cities, villages and townships seeking to establish such shared micromobility systems. The implications of a variable and/or changing regulatory landscape can be concerning to stakeholders (i.e., micromobility operators, users, and also non-users) in that; there is need for continuous vigilance in order to comply with any current and/or future updates of state and local laws, and also continued alertness to potential state and local regulatory guidance. There is a need to reconcile the changing regulatory landscape and develop a concise commonly recommended set of laws.

Objective.

The goal of Task #8 was to create a document summarizing all information relating to the adoption of micromobility systems within the state of Ohio. More specifically, this document will include ordinances already established by Ohio jurisdictions and including but not limited to, any available information from safety studies, operations studies etc. It is anticipated this document will be comprehensive and include information on Ohio's home rule status and how municipalities and townships can enact their own ordinances regarding micromobility systems. Ultimately, this document should provide a preferred range of regulatory practices to ensure jurisdictions regulate micromobility through a safe and equitable framework. The findings are presented in this report along with any recommendations.

Methodology.

In order meet the overall objective of this task, the research team completed a set of four specific activities which included the following:

- Action Item #1: Project Inception and Startup Meeting
- Action Item #2: Literature Review
- Action Item #3: Conduct Practitioner Interviews
- Action Item #4: Recommendations and Task Deliverables

The main body of this report presents a summary of the completed tasks and their findings; after which a concise set of recommendations is compiled.

Literature Review

Micromobility (also known as shared-mobility) is a subset of transportation options that is gradually becoming dominant in many regions of the US. It is estimated the micromobility market will grow to between \$200 and \$300 billion by 2030 (Reed, 2019). Micromobility is not an isolated system; it induces benefits in how it can connect with the larger system and increase the value of other available transportation options. Shared mobility should extend the catchment area of public transportation, providing a solution to the first-mile/last-mile problem by bringing users directly to their destination, making public transportation more attractive (Shaheen and Cohen, 2016, 2019). Within the spectrum of micromobility options, public bike-sharing and scooter sharing systems are quickly becoming the most widely adopted and rapidly growing shared micromobility options (Parkes et al., 2013; Shaheen and Cohen, 2019).

Ohio's Home Rule Status and Micromobility Ordinances

In the state of Ohio, local government – counties, cities, townships, and villages – have flexibility to establish laws in accordance with the powers of local self-government, otherwise known as Home Rule Authority. Article XVIII, Section 7 of Ohio's Laws and Administration Rules states *"Any municipality may frame and adopt or amend a charter for its government and may, subject to the provisions of section 3 of this article, exercise thereunder all powers of local self-government"* (Blankenship, A.N. 2015). Based on these constitutional allowances, local ordinances (in the context of this report – shared micromobility ordinances) related solely to the government and administration of the municipality's local affairs are immune from state preemption. Additionally, the state may only preempt local ordinances by general law (LSSC, 2020). More simply stated, "there is no hard and fast rule in Ohio to establish what is a "matter of local self-government" or what is a "general law" (Blankenship, A.N. 2015). Specific to shared micromobility, Ohio's home rule status means there are many variants of legal ordinances/laws and/or different approaches available for regulation – raising concerns such as, how to standardize design of transportation facilities, how to ensure legal and permissible operations for any future deployments, and promoting standardized safety, enforcement, and efficient operations. The implications of a variable and/or changing regulatory landscape can be concerning to stakeholders in that; there is need for continuous vigilance in order to comply with any current and/or future updates of state and local laws, and also continued alertness to potential state and local regulatory guidance.

Micromobility Policy and its Evolution

A number of researchers have investigated the policy surrounding the integration and management of shared micromobility. Most important to note, however, is the exceedingly thorough review conducted by Fang et al. (2019) which covers all 50 US states, 101 cities, and 20 college campuses. This research not only identifies specific regulations within all of these entities but uses this information to highlight the confusing, disjointed, and patchwork nature of micromobility regulation. For example,

various micromobility devices fit both the definition of a vehicle and a pedestrian in many U.S. states, thus possibly making users subject to contradictory and conflicting regulations.

Janssen et al. (2020) assessed micromobility scooter policies in mid-sized (i.e., populations of 100,000 to 1,000,000) peer cities in the U.S. with an aim to shed light on the policy landscape of scooter usage and provide insights into the policy dimensions that cities are focusing on. Within the cities evaluated, the following policy dimensions changed over time, often ending at a convergence point where the cities had the same policy (Janssen et al. 2020):

- *Number of operators*: varied widely among cities; with a minimum one operator and a maximum of nine. Some cities did not provide an explicit number on the allowed number of operators.
- *Fleet caps and fleet expansion/downsizing plans*: most cities limit fleet size of each operator, with one city opting for a city-wide limit split evenly among operators. Expansion/downsizing was based on either a performance-threshold (most often) or simply allowing operator to expand after a given timeline. Denver was unique in that it required half of the quantity of each increase to start each day in a geographical area where vulnerable populations may be centered.
- *Operator permitting fees*: varied widely; with most cities requiring an application fee and also a permit/license fee. The fee type differed between a one-time fee, an annual fee, a per-scooter-fee, or some combination thereof.
- *Times and areas of operation*: most cities had no restriction on hours of operation except a few that had designated hours of operation. Cities regulated the areas of operation with scooter program zones.
- *Parking regulations*: varied widely, but there were several common threads. Many have a selection of restricted areas where scooters are not allowed to park. Others reserve the right to establish designated parking zones where scooters are required to park. If allowed to operate on sidewalk, scooters must leave a minimum “clearance” (3 and 6 feet) to retain that area as usable sidewalk. Enforcement legislation was more consistent with most cities reserving the right to remove or impound improperly parked micromobility devices if not moved by the operator within a specific amount of time. Fines for improperly parked devices range from \$25 to \$500.
- *Equity programs*: converged around the areas of (i) distribution – spread of devices across a city and ensuring low-income areas are given a fair portion of devices when rebalancing, (ii) accessibility – the need for a cash payment option, users without smartphone(s), or users with disabilities; and (iii) marketing – ensure community awareness of micromobility services and provides information for non-English speakers.
- *Data Sharing*: cities that were evaluated all had a data-sharing requirement with a stipulation that allows data to be publicly available. Of importance was real-time information on the fleet, monthly reports on maintenance, operations, and collisions, and anonymized user demographic data. Where pilot programs were in-place, the operator was required to distribute a customer survey at the end of their first permit period and share the results with the city.

Policies related to device removal/permit termination, safety guidelines (age requirement, helmet use, etc.), and speed limits did not change over time as cities had similar ordinances/laws. Additionally, the performance bonds were consistent; with exact values being different but all on the same order (Janssen et al., 2020).

Oeschger et al. (2020) conducted a systematic literature review on the integration of micro-mobility and public transport systems that aimed to understand the current state of knowledge. The

authors highlight the potential of micro-mobility modes to accelerate the transition towards sustainable urban transportation systems. Of particular interest were the following findings:

- To improve the user experience of micromobility, the provision and availability of infrastructure that ensures a safe and efficient use of shared micromobility devices – dedicated and protected lanes, improved road conditions and connections of cycling lanes – should be a priority for municipalities and city officials.
- The built environment, micromobility infrastructure and the facilities for micromobility at public transport stations significantly influence people’s propensity of using micromobility as an access mode to public transport.
- To facilitate a smooth, quick and effortless transfer between modes; whilst improving the user experience and satisfaction, it is important to provide safe, convenient and affordable parking facilities for micromobility devices – availability of micro-mobility sharing stations or designated areas to park dockless shared micro-vehicles in proximity of the public transport station.
- To foster social inclusion and help marginalized groups, it is crucial to understand factors such as accessibility of public transport stations, accessibility of sharing services, micromobility infrastructure and facilities, and how well both public transport and shared micromobility provide access to services and opportunities.
- Educational campaigns and training are useful in raising awareness and promoting micromobility. Additionally, incentives and discounts are suggested as a strategy to attract new users and to include marginalized population groups. Social inclusion and equity aspects must be considered from early on, in order to plan and implement a system that guarantees equal access to all population groups.

Johnston et al. (2020) examined the efforts of cities to address equity concerns in e-scooter usage. Laws and regulations from Atlanta, GA are compared to those of Austin, TX; Charlotte, NC; Los Angeles, CA; and Portland, OR. The study revealed the following common equity provisions: *equitable distribution requirements, discounted pricing, alternative payment options, and alternative methods of activation*. However, significant variation exists between cities with respect to these provisions. The following suggestions are presented by Johnston et al. 2020 to address equity concerns:

- *Equitable Distribution*: A “one size fits all” approach is not recommended instead there is need to understand the needs of the community – where are devices needed and when, whether they will be used in conjunction with public transit, how many are needed, and infrastructure challenges or needed investments to support their use.
- *Discounted Pricing, Alternative Payment Options, and Alternative Methods of Activation*: These should be included in all regulatory schemes adopted by cities. Uniform guidelines would simplify regulatory compliance for operators and promote equitable access to all, regardless of geographic location.

Lastly, Johnston et al. (2020) emphasize the potential of micromobility to enhance transportation equity and highlight the importance of collaboration with underserved communities to develop inclusive regulations.

Tuncer and Brown (2020) conducted a video-ethnographic study of e-scooters in Paris to explore the problems and potential associated with the deployment of rental versus privately-owned devices. The authors report that users found an e-scooter enjoyable in nature though none of rental users used a helmet – felt it was “absurd to carry one around.” By contrast, e-scooter owners did wear helmets. When compared to a bicycle, users described an e-scooter as a more viable mode of transport due to the lack of

effort required in driving an e-scooter – no sweat, can weave through traffic, etc. Additionally, users highlighted the unsafe nature of e-scooters conferring to travelling through the city as sometimes being unpleasant, and dangerous (Tuncar and Brown, 2020). Also, rental e-scooter usage was shaped by its unpredictability and lack of reliability. The authors also discuss the potential for HCI (Human-Computer Interaction) to contribute to the design of future mobility solutions.

Martin (2022) presents a detailed ad hoc survey of U.S. vehicle and traffic laws to accommodate and regulate electrically-powered personal mobility devices. The author identified two main aspects that would require attention as shared micromobility is integrated into the current transportation system – social costs of lawmakers ignoring the phenomenon and the security of reasonable levels of compliance with regulations. State and local police enforcement will be inconsistent and uncertain with a high risk that it will be biased, even pretextual; especially that micromobility devices are likely to fall under a jurisdiction’s “motor vehicle” definition, but are neither registered nor eligible for registration (Martin, 2022). Additionally, there is a likelihood of “spillover into the tort systems” arising from civil actions due to collisions involving shared micromobility devices, reduced likelihood of municipal liability for irregularities in a public thoroughfare, and the liability coverage of automobile policies will not extend to injuries caused by a covered individual while using a shared mobility device. Martin (2022) also mentions the concern of “securing reasonable levels of compliance with any regulations” effected for the phenomenon of shared micromobility.

Riggs et al. (2021) assessed the overall trend amongst 61 US cities that have enacted policy regulating the deployment of scooters and identified effective policy strategies for managing this emerging mode of transportation. Policy details were obtained using visual surveys on city websites, from available scooter pilot programs, policy directives, municipal ordinances, or other applicable guidelines. Overall, the study found a “high degree of consistency in some areas of e-scooter policy” among cities though, there may not be a “one-size-fits-all” approach to regulation (Riggs et al., 2021). Factors such as municipality size, geography, and climate may contribute to varying policies and approaches. Additionally, it is noted that there is limited policy targeting built environment solutions, which can be effective at shaping both consumer and company behaviors such as street allocation, right-of-way separation, and speed limitations. Riggs et al., (2021) recommend the following suggestions for cities looking to develop micromobility policy:

- *Pilot programs:* As part of a comprehensive and deliberate planning process, explore implementing a pilot program to learn/understand policies that best align with their goals and objectives.
- *Operator and fleet caps:* To regulate the deployment of devices, cities should consider placing operator and/or fleet caps yet be attentive to demand in order to have the flexibility for the market to adjust to the demand (e.g. dynamic operator and/or fleet caps or performance-based caps) while not working against equity policies.
- *Equity policies:* To ensure equitable distribution and access to devices by all individuals, cities should include equity policy in their requirements but also evaluate and monitor its efficacy, identifying how they will ensure compliance and spatial distribution.

Zakhem and Smith-Colin (2021) presented two data-driven techniques that can potentially address the challenges of parking demand and infrastructure improvements that are common to the adoption of micromobility systems. The authors proposed a clustering method to identify appropriate parking locations in high-demand areas and subsequently deal with observed challenges such as improper and disorderly parking, sidewalk obstruction, and clutter issues. In addition, methods to identify high-

demand corridors were compared to demonstrate (i) the importance of using GPS trajectory data, and (ii) how decision making can be supported by the use of homogenous vendor datasets. The authors also outline policy changes that can support micromobility decision-making and inform environmental policy decisions such as require improved product lifespan by requiring vendors to use more durable materials for devices, require deliberate measures to improve operating efficiency, introduce anti-vandalism policies.

Fuller, Fitch, and D'Agostino (2021) compiled insights from interviews with regulators from ten US cities (Atlanta, GA; Austin, TX; Chicago, IL; District of Columbia; Denver, CO; Los Angeles, CA; Oakland, CA; Portland, OR; San Diego, CA; Seattle, WA) with micromobility programs. The research identified best practices for dockless bike and scooter sharing including:

- a) Data-sharing requirements are critical for evaluation and monitoring for compliance with policies (e.g., equitable distributional requirements);
- b) Clear parking regulations must balance flexibility and preserve community space;
- c) Fines are effective tools to reduce bad behavior from users of micromobility devices;
- d) Clear classifications of micromobility devices will allow cities to target guidance and update regulations over time to improve clarity and outcomes; and
- e) Cities are following structured pilot program (fewer provider) approach, while fewer are proceeding with open-competition and unlimited licensing.

Olabi et al. (2023) provide a comprehensive assessment of micro-mobility, focusing on its role in achieving the United Nations Sustainable Development Goals (SDGs). The study discusses the benefits, challenges, policy and regulations, energy sources, and energy storage related to micro-mobility. The authors highlight the potential of micro-mobility to contribute to various SDGs, such as improving health and well-being (SDG 3) by reducing toxic gas emissions and traffic crashes, promoting sustainable cities and communities (SDG 11) by enhancing transportation accessibility and reducing congestion, and supporting climate action (SDG 13) by reducing greenhouse gas emissions. In addition, and specific to policy options that are likely to encourage long-term micromobility, the highlights of review by Olabi et al. (2023) are presented in Table 1.

Brown (2021) investigated the regulation of scooter parking in 37 U.S. cities and how these regulations align with broader city objectives. Improper scooter parking is a major concern as it can hinder access for other travelers. Despite the significance of scooter parking regulations and public discourse, there is a lack of comprehensive understanding regarding current scooter parking regulations and their alignment with broader city objectives. Overall, the findings reveal that most scooter parking regulations focus on cities' goals to keep sidewalks accessible and clear for all travelers; however, nuances exist across cities—or even within the same city—that may pose enforcement or public communication challenges. In terms of where to park; while there exists widespread agreement—nearly all (95%) cities allow scooters to park in the furniture zone; a wide range in scooter parking requirements also exists. There were cities that allowed scooters to park at bike racks (78%), against buildings (70%), on landscaping (62%) or against signs (60%). Cities universally prohibit scooters to park nearby safety features (e.g., fire hydrants; in bus stops or loading zones; or to block crosswalks, etc.) as such parking behaviors would undermine city objectives to ensure access by a wide range of travelers. Also scooters are required to park upright and in ways that do not impede pedestrian travel or violate the access guaranteed under the Americans with Disabilities Act. To gain further insights, Brown (2021) conducted interviews with staff from six U.S. cities and references existing research on the topic. These sources shed light on the motivations behind scooter parking regulations and emphasize that scooter parking regulations should be viewed as one component

Table 1. Overview of Policy Options that Encourage Long-Term Micromobility (Olabi et al. 2023)

Policy Area	Specific Findings from Literature Reviewed by Olabi et al. (2023)
<i>Implementation</i>	<ul style="list-style-type: none"> • Adopting feasibility trials culminates into factors (protection, responsibility, operations) impeding any accelerated commercialization. • Within metropolitan environments, the management of public utilities requires careful and flexible regulation. • Regulations/legislations for facilities, fleet maintenance practises, and progressive cultural participation are critical to sustenance of micromobility programs. • Agile strategies based on successful promotion and protection contribute to high usage. • Policy contexts such as inexpensive fees, and GPS monitoring both help to increase the chances of significant micromobility development.
<i>Use of sidewalk space</i>	<ul style="list-style-type: none"> • Policies for managing sidewalk and curb areas are critical for reducing nuances such as clutter, system distribution, etc. • Structured and codified rules, as well as mechanisms that facilitate pilot programs and agreed operator permitting promote successful sidewalk development strategies. • Key components include: requiring caps on number of devices, business area restrictions, providing regular parking spaces, and adopting fees for public ROW. • Proper urban types and legislation (secure sharing of public roads, limiting to specific roadways) are necessary to enable high-quality micromobility.
<i>Promoting Equity</i>	<ul style="list-style-type: none"> • Appropriate financing methods, such as pre-paid cards and public transportation cards, must be considered. • Overall discounts or discounts for qualifying low-income families must be considered. • Alternatives, such as coin-deposit, and other non-tech/smartphone-based alternatives must be readily incorporated. • Areas, such as suburbs farther away from the city or deprived populations, could be excluded from shared micromobility services. • Modified devices, such as tricycles including hand-pedalled bikes, should be included to enable people with disabilities to gain entry.
<i>Data Sharing</i>	<ul style="list-style-type: none"> • Stakeholders including government depts should provide access to centralised and accessible data and provide multimodal facts to travellers. • Guaranteeing micromobility-based data is available in usable format that allows for download, indexing, and searchability.

within a broader agenda of promoting mobility, sustainability, and access for all while reclaiming streets for people.

To understand the regulatory landscape surrounding moped-style scooter sharing services (MSS), Bach et al. (2023) adopted a semi-structured interview to discuss the main existing MSS regulation models. Whilst different in their approach to MSS regulation (in terms of the number of operators and the number of vehicles permitted), the most prominent models used in European cities include:

Model 1 – “capped vehicle licenses, uncapped number of operators”; ensures controlled occupancy of public space and does not deprive operators the ability to carry out economic activity. To avoid monopolistic situations, licenses are distributed to a minimum of three operators.

Model 2 – “regulation based on numerus clausus’ model”; like model 1 limits the occupancy of public space, with a maximum number of operator licenses. However, in this case, operator limits are based on technical criteria. The aim is to optimize both higher quality service for users and to guarantee the economic viability of operators.

Model 3 – “laissez faire policy”; is characterized by the absence of any specific regulation, but there is open dialogue between operators and the local administration to address the most relevant issues, such as parking regulations or road safety policy.

Additionally, Bach et al. (2023) discuss a close public-private collaboration (PPC) model that provides greater management and control capacity to the public sector. However, the PPC model may need considerable political will – it involves significant public spending and commitment from administration.

Stehlin and Payne (2023) conducted a study examining the political economy of micro-mobility platforms and their impact on urban mobility in Austin, Texas. Through interviews with city officials and bike sharing professionals, observation of public meetings, and GIS-based analysis of usage data, the

authors highlight conflicts related to "clutter," equity in geographic coverage, and data privacy. Despite the flexible and low-carbon image of micro-mobility platforms, the authors argue that these platforms in the United States largely exploit rather than address urban transport inadequacies (Stehlin and Payne, 2023).

Safety Aspects of Micromobility Devices

According to the Consumer Product Safety Commission (CPSC), there has been an increased use of micromobility devices (i.e., e-scooters, e-bikes, and self-balancing scooters), both through commercial ride-sharing services and consumer purchases (CPSC, 2020). The CPSC acknowledged that micromobility devices are convenient for short-distance travel and often require internet access for activation and operation. However, the devices can be vulnerable to data security issues that can impact safety in different ways including:

- *Mechanical Hazards* – falls, frame or structural failures leading to rider ejections, braking problems, and collisions.
- *Electrical Hazards* – battery failures, fire, explosions, mechanical battery-mounting issues, and electronic control problems leading to falls and rider ejections.
- *Human factors Hazards* – user expectations, rider positioning, location and operation of emergency controls, users' lack of familiarity with riding techniques and local laws, variability in operation and performance across ride-sharing devices, limited warnings and instructions, and poor maintenance of devices.

Several research studies have examined micromobility devices and provided insight(s) into their performance and enhancing safety. Santacreu (2020) examined various types of micromobility devices (i.e., pedal cycles, electrically assisted cycles, and electrically powered personal devices) and their impact on safety. Micromobility devices were defined using s proposed framework based on mass and speed limits; with findings indicating that Type A micro-vehicles, such as e-scooters, pose a lower risk to road users compared to cars or motorcycles. Santacreu (2020) advocated the need for allocating protected space for micromobility and implementing measures to keep pedestrians safe. Additionally, the study recommended focusing on motor vehicles to improve overall safety, regulating different types of micro-vehicles appropriately, collecting data on micro-vehicle trips and crashes, proactively managing street networks, including micro-mobility rider training, addressing drunk driving and speeding, eliminating incentives for speeding among micromobility riders, improving micro-vehicle design, and reducing risks associated with shared micromobility operations (Santacreu, 2020). Field experiments by Dozza et al. (2022, 2023) compared the brake avoidance maneuvers of e-scooters, Segways, and bicycles; with results showing that the acceleration/deceleration performance varied across device types. Specifically, e-scooters and Segways were found to have less efficient braking capabilities compared to bicycles (Dozza et al., 2023). Moreover, participants perceived bicycles to be more stable, maneuverable, and safe than e-scooters and Segways. Dozza et al. (2022, 2023) suggest micromobility solutions may not be inherently unsafe, but they may require behavior and infrastructure adaptations to enhance safety; and emphasize the importance of policy-making, safety system design, and traffic education to support the safe integration of micromobility.

López-Molina et al. (2022) examined the skid resistance of various pavements in urban bike lanes to ensure the safety of micromobility users. The research found that asphalt, concrete, and rough painted tile pavements exhibited high skid resistance, while painted cobble and smooth painted tile pavements displayed poor skid resistance. Based on the findings, the use of asphalt for shared roadways and

striped/buffered bike lanes was recommended, while rough tile pavement was suggested for side paths. Further research is needed to explore pavement condition and skid resistance degradation over time in relation to micromobility safety (López-Molina et al., 2022).

Data archiving and provision of mobility data by micromobility operators will provide traveler facts, and enhance safety and compliance (Olabi et al. 2023; Janssen et al. 2020; Yang et al. 2020). In fact, the Behavioral Traffic Safety Cooperative Research Program recognize the limitations of reliable and standardized e-scooter and e-bike data making it difficult to analyze traffic safety issues involving these devices (BTSCR 2022). Most research studies that attempt to examine the safety of micromobility use secondary data sources.

Yang et al. (2020) utilized reported crash data obtained from media reports, resulting in a dataset of 169 e-scooter-involved crashes from 2017 to 2019. The results revealed an uneven distribution of reported e-scooter-involved crashes among states, with skewed patterns observed across different user groups, facilities, time periods, and severity levels. As well, the findings also shed light on important issues such as helmet use, riding under influence, vulnerable riders, and data deficiency. Lastly, the significance of public awareness and the timely development of safety countermeasures to mitigate e-scooter crashes is emphasized (Yang et al., 2020).

Tian et al. (2022) surveyed 210 e-scooter riders in an effort to identify risk factors associated with e-scooter-related crashes and injuries. The results indicated that male riders and those riders that frequently used e-scooters were at a higher risk of being involved in crashes. Additionally, and as expected, riding on bike lanes was found to reduce the likelihood of injury, while riding on sidewalks increased it. Interestingly, Tian et al. (2022) showed that helmet use was associated with more crashes, indicating the need for further investigation. Overall, these findings emphasize the importance of infrastructure design and targeted interventions to enhance the safety of e-scooter riders. Similarly, Fang (2022) used National Electronic Injury Surveillance System records of injured micromobility riders over a six-year period, to make the argument for a broader systems approach to understand the causes of injuries and prevent them. The findings highlight the need for infrastructure enhancements, policy changes, and device design improvements to enhance micromobility safety.

Baqer et al. (2022) investigated the potential safety benefits of connected vehicle communication for micromobility users using field experiments performed in Moscow, Idaho. The field testing addressed right hook collisions and right-angle collisions under different environmental conditions that may affect communication signal degradation. The results indicate that vehicle-to-micromobility communication can enhance safety by alerting motor vehicle drivers of imminent collisions with sufficient reaction time. As well, modifying the communication algorithm can overcome signal degradation caused by natural factors or intentional interference (Baqer et al., 2022). While, private device owners are likely to find this sort of technology to be expensive, shared mobility companies deploying large fleets are likely to adopt it due to market competition.

Summarizing Ohio's Micromobility Ordinances.

The planned goal of this action item was to find, review, and summarize the current ordinances that Cities/Townships/Villages in Ohio are using to manage and maintain micromobility within their jurisdictions.

Methodology

As a start, the research team began by visiting the web portals for jurisdictions within Ohio and searching for documents related to micromobility ordinances. However, this was not very fruitful and was very time consuming in that many of the web portals did not have the necessary documents readily available, sites were not updated and very user friendly; and when documentation was available, it took a long time to navigate to the specific location of availability. Fortunately, the American Legal Publishing platform provided access to recent legislations for many cities' (ALP, 2023). Additionally, Municode was also used to find legislation (Municode Library, 2023). Using these two sources – American Legal Publishing and Municode – access to legislation for a total of 231 municipalities were examined; 129 were considered cities and 102 were villages. Township resolutions were largely not considered as they were not published in the American Legal Publishing database. As well, from the research team's efforts (see next section – *Practitioner Interviews*), townships seemed laid back on formally addressing micromobility as a concept. As such, the research team felt that reviewing township resolutions would be too time consuming for the limited amount of data output it would produce.

Figure 1 depicts the workflow of how the individual ordinances were gathered, summarized, and finally interpreted into a document entitled "*Micromobility Laws & Their Variants*" (see Appendix B). To summarize the workflow, content from each agency's legislation was reviewed, unique portions pertaining to micromobility were copied to a separate document, and then rough categories were created to identify commonalities among legislation across agencies. Lastly, the legislation of the same category was documented into a more succinct and organized pattern. As an example, 15 variants (i.e., from 15 different agencies) of legislation regarding riding bicycles on sidewalks would be reduced to one standard law, with multiple additional options and alternatives to that law.

Appendix B presents the summarized micromobility related laws. The document is arranged in a formatting style similar to that of the Manual on Uniform Traffic Control Devices (MUTCD). The guidance is presented in six sections: Definitions, Operation of Micromobility, Safety of Micromobility, Design of Micromobility Infrastructure, Business Regulations for Micromobility Vendors, and Licensing Laws. Within each section, the document has been arranged such that specific legislation is defined under "standard",

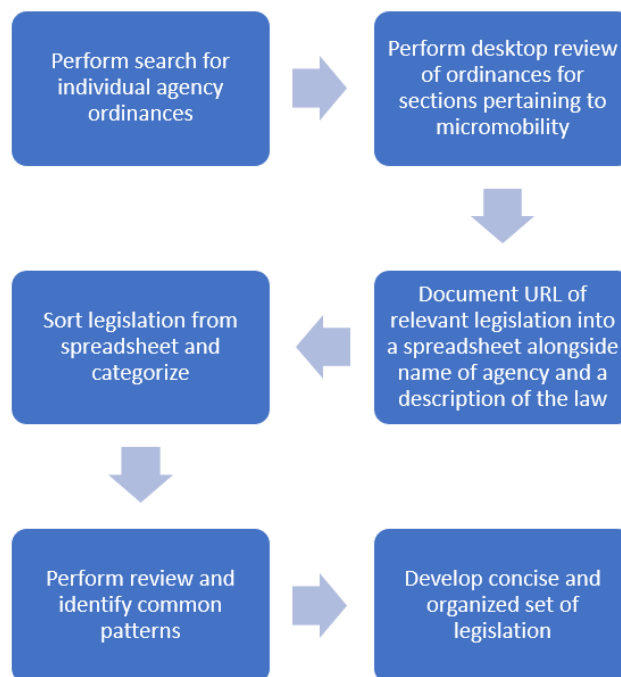


Figure 1. Workflow for Individual Agency Ordinance Review

“guidance”, “option” or “alternative” headings. Specific details on how to use the document are presented in the introductory chapter of the document.

In addition, a web-based map application (see Appendix C) was developed to facilitate the visualization of different Ohio-based agencies (i.e., cities/townships/villages), and provide accessibility to any ordinance related to micromobility. The map interface consists of two distinct layers, meticulously depicting the geographical entities of interest. The background layer presents a comprehensive depiction of the counties within the state of Ohio. Meanwhile, the front layer intricately showcases the cities with micromobility policies, allowing users to discern their spatial distribution with ease. Specific detail on how to utilize the map application are documented in Appendix C.

Findings

As the research team reviewed the available ordinances, there were a number of noteworthy items deserving some mention including:

- Most cities seem to address bicycles as the common type of micromobility device.
- Municipalities/agencies have varying definitions for some types of micromobility devices. For uniformity, it would be better to adopt the “low speed micromobility device” definition provided in the Ohio Revised Code (O.R.C.).
- Legislation pertaining to the operation of micromobility devices varies greatly. Municipalities will need to use their own judgment in adopting appropriate legislation.
- Legislation pertaining to safety of micromobility devices overlaps with the O.R.C. legislation adopted for bicycles.
- Municipalities have not generally adopted legislation pertaining to micromobility infrastructure.
- Three main models have been used to regulate micromobility operators – a Franchise Agreement model, a Permit Program model, and a Pilot Program model.
- Licensing has not generally been required of micromobility devices, but is required in some municipalities for bicycles.

Practitioner Interviews.

The objective of conducting interviews with practitioners was to solicit first-hand information on policies and practices on usage of e-scooters/e-bikes/other micro mobility types. More specifically, to gain a better understanding and assist to identify any specific considerations above and beyond the state guidelines.

Methodology

As a first step, the research team identified a total of 15 cities, villages, and townships in Ohio; and then got approval from the Technical Assistance Committee (TAC) to interview points-of-contact (POC) within these agencies. The POCs would be individual(s) that are responsible for mobility. Table 2 shows the listing of local agencies that were approved by the TAC; with those that were interviewed appearing in bold font.

Table 2. Listing of local agencies in Ohio contacted for interviews.

Large Cities	Small Cities	Villages
Akron	Athens	Cadiz
Cincinnati	Canton	Amberley
Cleveland	Dublin	Apple Creek
Columbus	Lakewood	Haskins
Toledo	Oxford	
	Portsmouth	

A set of recruitment materials and an interview script (see Appendix A) were developed and submitted for review with the Institutional Review Board under IRB protocol # 23-E-56. The interview script included a number of specific questions; however, the interviews were not limited to the scripted questions and allowed for open-ended discussion of the key aspects raised through the interview process. The questions and discussion focused on areas such as program structure, policies (regulatory, design, safety), safety concerns, economic impacts, and equity.

Each interview was completed using a phone-based approach; that started by sending out the recruitment email to each POC identified at the selected 15 cities, villages, and townships shown in Table 1. Once a POC(s) responded favorably to the recruitment email, then a date/time was scheduled for the interview.

A total of 10 out of 15 (67%) POCs responded favorably and were subsequently interviewed between May 10 and June 16, 2023. The findings from the interviews with the practitioners at local agencies within Ohio are summarized below.

Findings

Organizational structure:

- Agencies did not create or start any new division/department to solely handle micromobility. As well, they did not require any additional staffing to solely handle micromobility related tasks. Instead, agencies assigned the task of micromobility to an already existing section with auxiliary units within the agency tasked with shared responsibilities. The auxiliary units are tasked with the day-to-day operations and maintenance based on how closely their activities match the needs of micromobility. For example, in Akron, micromobility is handled by the Long-Range Planning Division but also involves Engineering Services.
- Cities also refer to micromobility aspects under programs such as ““complete streets” program (City of Oxford), or “shared mobility” program (City of Columbus) that addresses all kinds of mobility; with specific aspects such as licensing and fees handled through a specific department; and their police division handling enforcement, operation, and parking.
- Most cities developed their micromobility programs and ordinances by looking at and learning from other cities with established programs, structuring processes such as permitting based on other permit structures, and copying things like the rules of the road for bicyclists to people on scooters as well.

Micromobility Vendors/Operators and their Regulation:

- The feature micromobility device in most cities is the e-scooter; with a few locations (Columbus, Cincinnati, and Cleveland) also supporting bikes/bikeshares (some e-bikes). There is very minimal and random usage of devices such as electric skateboards/skates, seated e-scooters), etc.

- In the initial stages of inception, most locations had an influx of operators within their jurisdictions. Recently, the number of operators has tapered off to only a few leading companies including Bird, Lime, and Spin. There are other operators like Superpedestrian (in Cleveland). Other micromobility modes are also adopted such as CoGO (shared bikes in Columbus) and RedBike (shared bikes in Cincinnati).
- Cities have limits on the number of operators to either 1, 2, or 3 operators; depending on the size of city and their demand for devices. In cities where their ordinance does not specify a limit on the number of operators (e.g., City of Athens), there is a cap on the number of devices an operator can provide based on their permit. Having a limit on the number of operators is seen as a means of managing workload/operations between the agency and the operator(s). Additionally, because a common strategy used by competing scooter operators is to have more scooters on the ground than other operators to have an edge on the market, it was a feasible strategy to limit the number of devices.
- Cities also place a cap (maximum threshold) on the number of devices allowed per permit. The cap value ranged between 400 and 1200 devices. It was common among cities to adopt a value of 400 devices per permit. This value served as a “sweet spot” as it enabled good management of the devices and it reduced clutter – a common nuisance associated with micromobility devices.
- There was some variance on how operators are allowed to work within cities. Most cities required an operator to complete a permitting/application process which is renewed annually. But, with fewer operators in the market (than when the concept started in 2018-19) and with operator(s) having built strong partnerships with cities, some cities (e.g. City of Cleveland) are changing to a two to three-year permit cycle instead of an annual permit cycle. Variants to the permitting process included:
 - City of Columbus – transitioning to an RFP system since its current permitting system is viewed as more of a “city manages operator” system and preference is to have a partnership with the operator(s).
 - City of Cincinnati – uses franchise agreements with operators and so no other vendor can operate until the agreement expires. The franchise agreement has an initial term of four years; and the agreement can be renewed for two additional two-year periods.
 - City of Dublin – authorizes micromobility demonstration pilots for 12-month durations. The city manager authorizes to proceed with a council resolution.
- Operators utilize a back-end software with geofencing/geospatial programming systems to regulate operation of devices within a city. So, the city (e.g., planning division) tells the operator(s) where the operator(s) can and cannot have devices and these areas are geofenced – no-ride zones. Typically, devices are restricted in locations including side-walks, specific spots within city parks, and parking areas and garages. When and where there is a need for geofencing “new” zones on the fly – such as during special events like sporting events, festivals, graduations, marathons, etc. – the operator(s) are pretty good with facilitating the needs of the city and readjusting the geofences.
- While, in most cities’ devices can be operated on a 24-hour basis daily, there are a couple of cities where their use is restricted. In the City of Oxford usage is not allowed between 10 pm and 6 am. The City of Dublin did limit their usage between midnight and 5 am however, this was not beneficial to users (i.e., revelers from nightclubs and bars) and have since removed the limitations.

Design Policies and Practices:

- Cities do not explicitly incorporate any design-based policies that accommodate micromobility devices. This was more so because the concept was not in their plans and operators dropped the devices without notice. To accommodate the common e-scooters, most cities restrict their usage to the roadway (i.e., mix with traffic and are not allowed on sidewalks) and provide parking locations along sidewalks.
- Though, with new infrastructure and retrofit projects, there is an inclination by the cities to adopt the complete streets approach and/or the ODOT multi-modal design guidelines and therefore prioritize non-motorized transportation. Some features that cities are planning to include (and some cities have already done) are: shared-use lanes, shared-mobility racks, and signage and markings for shared-mobility devices.

Safety Concerns and Practices:

- User safety is, for the most part, managed by ensuring devices are operated at or below the specified speed limit. This is done by creating speed zones and working with the operators to ensure devices do not exceed the speed limits.
- Cities do not have any direct means of identifying crashes involving micromobility devices. The major concern that was raised is Ohio's OH-1 crash report does not categorize for micromobility devices. Therefore, cities rely on anecdotal data such as reporting from operator(s), and/or conversations with police and medical hospital networks regarding issues they may have witnessed. It was suggested that future collaborations with trauma centers would be beneficial in acquiring data of persons injured using micromobility devices.
- Cities did identify some safety concerns with misuse of devices such as: multiple people piled onto a single e-scooter, a rider carrying heavy shopping loads on device, people using the devices to snatch purses, etc. These sorts of "minor" concerns have been addressed by the operator(s).
- Cities mentioned that there has been no active enforcement or compliance monitoring on micromobility users; with the primary reasoning being that of the need for additional manpower. Instead, police do not pull over and ticket users, but are only speaking or advising users.

Other Talking Points:

- *Accessibility for the Economically Disenfranchised:* in most cities, accessibility of devices is factored into agreements with the operator(s). The bigger cities (e.g., Columbus, Cleveland) have proactive approaches while the other cities have loose requirements and rely on the operator(s) to address this aspect. Some notable things being done include:
 - Operator(s) are required to offer access programs to economically disenfranchised individuals such as discounted pricing, paying with cash, or starting a ride by calling or texting if there is not a smartphone.
 - Operator(s) are required to redistribute devices to "opportunity" neighborhoods. For example, the City of Columbus require 20% of each operator's fleet to be daily re-distributed into any identified opportunity neighborhoods.
 - SPIN (via the SPIN access program) offers discounted or free rides.
- *Clutter:* is one of the biggest concerns raised by the citizenry pertaining to micromobility. Operator(s) have begun to address this by hiring independent contractors within the city that are tasked with ensuring devices are properly placed in designated locations. The cities have been involved by mandating parking of devices in designated locations.

- *Lessons Learned and Advise:* some notable things that need to be considered and are likely to be beneficial to future adoptions include:
 - The public are apprehensive about micromobility and some negative feedback is expected. Therefore, before starting a program, it is recommended to have some preview days where operator(s) and all other stakeholders are invited to test devices, to talk about the technology, the features involved with geofencing and vandalism and all of those different things.
 - Important to include an educational component that targets users and relates to proper device handling and usage, types of micromobility specific signage – essentially provides do's and don't specific to micromobility devices.
 - Most cities renew their permits annually, but this was a “really short time frame” and a two to three-year permitting cycle is better suited.
 - Depending on the population size, having one to two operators is optimal – promotes device diversity and choice for users; and is not administratively burdensome.
 - Regulation-wise – start with the Ohio Revised Code; and thereafter adjust based on advice from other cities with micromobility programs. It is important to network with cities that have similarities – population, demographics, etc.

Conclusions and Recommendations.

The overall changing micromobility landscape and Ohio's home rule status presents unique challenges for stakeholders (i.e., micromobility operators, local agencies, users, and also non-users), in that, it demands continuous vigilance of laws for purposes of compliance, regulatory guidance, enforcement, etc. Therefore, having a “model code” (or commonly recommended set of laws) specific to Ohio could very much be beneficial – for example, with providing guidance to cities, villages and townships seeking to establish shared micromobility systems. The goal of this study was to create a document summarizing all information relating to the adoption of micromobility systems within the state of Ohio. The research team completed a series of tasks, more importantly; compiling a literature review, reviewing and summarizing Ohio's current ordinances on micromobility, and completing interviews with select practitioners.

The review of literature on micromobility revealed that most research was focused on the integration of micromobility into existing transportation systems, assessments of current policies (regulatory/compliance/etc.) from peer cities, and the characterization and classification of devices. Researchers document the existing, lessons learned, and future requirements of policy dimensions such as infrastructure, enforcement, program administration, data standards, and equity. Overall, there is consensus and agreement among findings and their recommendations though, there may not be a one-size-fits-all approach. Factors such as municipality size, geography, and occasionally climate contribute to varying policies and approaches.

Also, literature pertaining to safety aspects of micromobility was reviewed. The majority of studies assessed safety via surrogate means such as media reporting, rider-based surveys, and hospital records. The findings provide some insight on aspects including helmet use, vulnerable riders, risk factors associated with micromobility devices, infrastructure design, and targeted interventions. However, the research team could not locate studies in which actual crash related data is used – a deficiency recognized in the literature.

A review of the available ordinances in Ohio revealed that most cities tend to have incorporated micromobility into their existing bicycle related guidelines and laws thereby having varying definitions for types of micromobility devices and there is overlap with the O.R.C. legislation adopted for bicycles. As well, municipalities have variance on legislation pertaining to the operation of micromobility devices; with generally, no adopted legislation pertaining to micromobility infrastructure. A summary of Ohio ordinances has been developed in the MUTCD-style format (see Appendix B) for use by municipalities

planning to adopt micromobility in the future. As well, this summary of ordinances can be used as a starting point to develop consistent guidelines/regulations for compliance, enforcement, etc.

The interviews with Ohio-based practitioners brought to light aspects on both the regulatory process and resulting policies surrounding micromobility. Practitioners from a diverse set of locales were selected and interviewed. The overall takeaways from the responses are that a) there was a learning phase associated with most programs and ordinances developed, b) there is both consistency among cities (i.e., areas of concern, resolution methods, and equity requirements) and areas of policy variability (i.e., fleet caps, geofencing, and regulatory needs), and c) practitioners were optimistic about the potential of micromobility, and d) no data-driven safety/operational/economic studies have been performed in support of or against micromobility.

Based on the findings from all tasks completed in this study, some best practices include:

- During the planning stages, and particularly when determining the number of micromobility operators, it is best to start by assessing the demand – size of city/geographic coverage and demand for devices. For small cities a single operator is worthy whereas for big cities two operators are better.
- Additionally, the maximum threshold on the number of permitted devices should be 400. This value can be increased (during peak times like summer) or decreased (during off peak times like winter) by a percentage of total depending on the demand.
- For a start, it is best to use pilot deployments on an annual basis. After gaining some experience, the entity can ramp up to another form of permitting process (franchise agreement or RFP) and a longer permitting cycle (2-3 years). During pilot deployments, building strong relationships with operators is beneficial to the overall success of the program.
- In cities with universities, it is best to include the university into the micromobility program; with separate MOUs that specify distinct differences in operation/maintenance/etc.
- If a city is considering inclusion of micromobility into their current transportation system, it is important for their short/long term plans to include infrastructure for shared mobility. That is, plan to include shared-use lanes, shared-mobility racks in designated locations, signage, etc.
- Agencies must work with operators in ensuring micromobility data is publicly accessible. Doing so will build trust among users and prompt an increase in usage. Additionally, agencies responsible for crash safety must consider the inclusion of micromobility device categories on Ohio's OH-1 crash report. Including specifics for micromobility devices will enable access to injury and fatality risk data – allowing more specific crash analysis and selection of countermeasures.
- Accessibility for the economically disenfranchised groups must be an important factor in any future programs or deployments. Whereas the common operators (Spin, Bird, etc.) already have their own approaches to address equity; the deploying agency must be intentional about adopting additional approaches.
- Cities must consider active enforcement or compliance – especially, stringent parking and rider restrictions to enhance safety, but also reduce on clutter (biggest pubic concern).
- Before starting a program, have some preview days where operator(s) and all other stakeholders are invited to test devices, to talk about the technology, the features involved with geofencing and vandalism and all of those different things.

References.

- ALP, American Legal Publishing. (n.d.). <https://www.amlegal.com/>
- Bach, X., Marquet, O., and Miralles-Guasch, C. (2023). Assessing Social and Spatial Access Equity in Regulatory Frameworks for Moped-Style Scooter Sharing Services. *Transport Policy*, 132, pp. 154–162.
- Baqer, M., Lowry, M., and Krings, A. (2022). Reliability of Vehicle-to-Micromobility Safety Communication. *Journal of Transportation Engineering*, Part A: Systems, 148(11),
- Blankenship, A.N. (2015, March 4). Home Rule Authority in Ohio Municipalities. In *General, Municipal by Coolidge Wall*, <https://www.coollaw.com/blog/2015/03/home-rule-authority-in-ohio-municipalities/>
- Brown, A. (2021). Micromobility, Macro Goals: Aligning Scooter Parking Policy with Broader City Objectives. *Transportation Research Interdisciplinary Perspectives*, 12, 100508.
- BTSCR (2022) E-Scooter Safety: Issues and Solutions. Behavioral Traffic Safety Cooperative Research Program, Research Results Digest, Chapter 1. Washington, DC: National Academy of Sciences.
- CPSC (2020) Safety Concerns Associated with Micromobility Products. Consumer Product Safety Commission.
- Dozza, M. et al. (2023). How Do Different Micromobility Vehicles Affect Longitudinal Control? Results from a Field Experiment. *Journal of Safety Research*, 84, pp. 24–32.
- Dozza, M., Violin, A., and Rasch, A. (2022). A Data-Driven Framework for the Safe Integration of Micromobility into the Transport System: Comparing Bicycles and E-scooters in Field Trials. *Journal of Safety Research*, 81, pp.67–77.
- Fang, K. (2022). Micromobility Injury Events: Motor Vehicle Crashes and Other Transportation Systems Factors. *Transportation Research Interdisciplinary Perspectives*, 14, 100574.
- Fuller, S., Fitch, D., and D’Agostino, M.C. (2021). Local Policies for Better Micromobility.
- Janssen, C. et al. (2020). City-to-City and Temporal Assessment of Peer City Scooter Policy. *TRR* 2674 (7), pp.219–232.
- Johnston, K. et al. (2020). Regulating Micromobility: Examining Transportation Equity and Access. *Journal of Comparative Urban Law and Policy*, 4(1), pp.685–723.
- López-Molina, M. et al. (2022). Skid Resistance Analysis of Urban Bike Lane Pavements for Safe Micromobility. *Sustainability*, 15(1).
- LSSC, Local Solutions Support Center. (2020). *Summary of Home Rule in Ohio*. <https://static1.squarespace.com/static/5ce4377caeb1ce00013a02fd/t/5eb34486f518e77c1a92399a/1588806790652/50+States--Ohio+5.6.20%28final%29.pdf>
- Municode Library. (n.d.). <https://library.municode.com/>
- NACTO (2019) 84 Million Trips Taken on Shared Bikes and Scooters Across the U.S. in 2018. National Association of City Transportation Officials.
- Oeschger, G., Carroll, P., and Caulfield, B. (2020). Micromobility and Public Transport Integration: The Current State of Knowledge. *Transportation Research Part D: Transport and Environment*, 89, 102628.
- Olabi, A.G. et al. (2023). Micromobility: Progress, Benefits, Challenges, Policy and Regulations, Energy Sources and Storage, and its Role in Achieving Sustainable Development Goals. *International Journal of Thermofluids*, 17, 100292.
- Parkes, S.D. et al. (2013). Understanding the Diffusion of Public Bikesystems: Evidence from Europe and North America. *Journal of Transport Geography*, 31 pp.94-103.
- PBIC (2019) The Basics of Micro-Mobility and Related Motorized Devices for Personal Transport. Pedestrian and Bicycle Information Center.

- Reed, T. (2019). Micromobility Potential in the US, UK and Germany. White Paper. INRIX. Accessed November, 4, 2019.
- Riggs, W., Kawashima, M., and Batstone, D. (2021). Exploring Best Practice for Municipal E-scooter Policy in the United States. *Transportation Research Part A: Policy and Practice*, 151, pp.18–27.
- Runnerstrom, N. (2018). Micromobility 101: What is it? <http://blog.transitscreen.com/micromobility-101-what-is-it>
- Powered Micromobility Committee of the SAE, Standard J3194, A Taxonomy and Classification of Powered Micromobility Vehicles.
- Santacreu, A. (2020). Safe Micromobility [Corporate Partnership Board Report]. International Transport Forum (ITF). https://www.itf-oecd.org/sites/default/files/docs/safe-micromobility_1.pdf
- Shaheen, S.A., and Cohen, A. (2019). Shared Micromobility Policy Toolkit: Docked and Dockless Bike and Scooter Sharing. UC Berkeley: Transportation Sustainability Research Center.
- Stehlin, J., and Payne, W. (2023). Disposable Infrastructures: 'Micromobility' Platforms and the Political Economy of Transport Disruption in Austin, Texas. *Urban Studies*, 60(2), pp.274–291.
- Tian, D. et al. (2022). Characteristics and Risk Factors for Electric Scooter-Related Crashes and Injury Crashes among Scooter Riders: A Two-Phase Survey Study. *International Journal of Environmental Research and Public Health*, 19(16),
- Tuncer, S., and Brown, B. (2020). E-scooters on the Ground: Lessons for Redesigning Urban Micro-Mobility. *Proceedings of the 2020 CHI Conference on Human Factors in Computing Systems*, 1–14.
- Yang, H. et al. (2020). Safety of Micromobility: Analysis of E-Scooter Crashes by Mining News Reports. *Accident Analysis & Prevention*, 143, 105608.
- Zakhem, M., and Smith-Colin, J. (2021). Micromobility Implementation Challenges and Opportunities: Analysis of E-scooter Parking and High-Use Corridors. *Transportation Research Part D: Transport and Environment*, 101, 103082.

Appendix A: Recruitment Materials and Interview Script Developed for Practitioners.

Note: Recruitment e-mail requesting participation in interview will be sent via e-mail to contacts at select Cities, Villages, Townships in Ohio. Specific contacts will be identified via consultation with the Technical Assistance Committee (for the project sponsor), the Ohio Local Technical Assistance Program (Ohio LTAP), and through public directory information and other sources. Recruitment e-mail will be customized as noted in italics.

Recruitment E-Mail

IRB: 23-E-56

Dear <Name of Contact>:

Ohio University, in conjunction with the Research and Development Office at the Ohio Department of Transportation, are conducting a research study examining information relating to the adoption of micromobility systems within the state of Ohio. More specifically, the study aims to concisely document ordinances already established by Ohio jurisdictions (cities, villages, and townships) and including but not limited to, any available information from safety studies, operations studies etc. The <Name of Ohio Agency> has been selected on the premise that it was one of the locations in Ohio that have adopted micromobility devices into their transportation system; and that any insights from your ordinances/practices are likely to be valuable to this research study. You are receiving this message because we identified you as an individual who would be able to provide us with the information on practices in <name of city/village/township>.

Request: We want to schedule an interview with you and/or your colleagues to learn more about the methods used by the <name of city/village/township> for adopting micromobility devices and the development of ordinances to manage these devices. If you are interested in participating, please reply back to this email and I will schedule a date/time that works for you. The interview will be conducted via telephone and will take 20-30 minutes. You are welcome to include other colleagues in the interview if you wish.

If you feel that you are not the correct individual for this request, please contact me (see contact information below) and forward our message to the correct individual in your organization. Your participation in this research study is voluntary and your responses will be kept in strict confidence. We are only interested in your jurisdiction's practices and the research team will not identify you by name in any published reports.

We greatly appreciate your help and thank you for your time and efforts on our behalf and for your willingness to discuss with us your jurisdiction's practices on this topic and we look forward to speaking with you. If you have any questions regarding this research study, please contact me at 740.593.4151 or via email at naik@ohio.edu.

Sincerely,

Bhaven Naik, PhD, PE, PTOE, RSP¹.
Principal Investigator
Department of Civil and Environmental Engineering
Ohio University

This research study has been reviewed by the Office of Research Compliance, Human Subjects' Protection Program and/or the Institutional Review Board at Ohio University. For research-related problems or questions regarding your rights as a research participant, you may contact these offices at 740.593.0664 or compliance@ohio.edu.

Note: The “Interview Framework” described below is a general outline of questions and topics for discussion during the telephone interview. The framework is designed to obtain the desired information but also be flexible to pursue interesting items that come up during the conversation. Framework will be customized as noted in italics.

Interview Framework

Introductory Script:

Thank you very much for taking time to talk with us today about this important topic. Your input will be valuable for this research study. We know that your time is valuable, so we have prepared a list of questions that will allow us to complete this interview during our scheduled time of 30 minutes or less.

First, we would like to understand more about how your traffic engineering program (particularly micromobility related adoption/management/etc.) is organized.

- Which specific division(s) is involved responsible for micromobility in your agency? Are there any other agencies outside your agency that you collaborate or work together with in relation to micromobility adoptions? If so, how are the responsibilities divided among the different agencies?
- Which micromobility companies are allowed to operate in your city/township/village?

Next, we will go through a series of questions that relate to your experience(s) with micromobility devices including adoption practices, governance, safety concerns etc.

1. What is your experience with micro-mobility systems in your city/township/village?

REGULATORY POLICY RELATED QUESTIONS

2. Can you describe the regulatory policies in place for micro-mobility systems in your city/township/village?
3. Could you share with us any background of/on how your regulatory policies were developed?
Example ... what did you take into consideration?
 - a. Other ordinances – can you provide examples?
 - b. Research or other sources – can you provide details?
 - c. Other?
4. How have these regulatory policies affected the adoption of micro-mobility systems in your city/township/village? Are there any challenges or concerns that have arisen?
5. Are there any areas where you believe regulatory policies could be improved to better regulate micro-mobility systems?

DESIGN POLICY RELATED QUESTIONS

6. Can you describe any design policies in place for micro-mobility systems in your city/township/village?
7. Could you share with us any background of/on how your design policies were developed?
Example ... what did you take into consideration?

- d. Other ordinances – can you provide examples?
 - e. Research or other sources – can you provide details?
 - f. Other?
8. How have these design policies affected the use and safety of micro-mobility systems?
 9. How has the community responded to the implementation of micro-mobility systems in your city/township/village? Have there been any notable positive or negative effects?
 10. Have there been any safety concerns or issues related to the use of micro-mobility systems in your city/township/village? How have these been addressed?
 11. Before first adoption of micro-mobility devices in your area, were the residents provided any preliminary education? What means/methods were utilized? How long was the information presented?
 12. Have there been any economic impacts from the use of micro-mobility systems in your city/township/village, such as job creation or tourism?
 13. Are there any areas where you believe design policies could be improved to better accommodate micro-mobility systems?
 14. How do you envision micro-mobility systems fitting into the transportation infrastructure of your city/township/village in the future?
 15. What advice or suggestions would you have for other cities/villages/townships that are considering the adoption of e-scooters, e-bikes, or other micro mobility methods?
 16. What has been your experience in cooperating with micro-mobility device providers? Have you noticed any best practices when negotiating to reach the best outcome for the city/township/village?
 17. If your city/township/village has implemented micro-mobility infrastructure, has the rental agency provided funding or have tax dollars paid for such projects?
 18. Do you see micro-mobility as being a potential reliable source of transportation for your city/township/village? (sort of the same as question 10, but with an emphasis on reliability)
 19. Do you see your city/township/village government as wanting to adopt micro-mobility, or do you see them as being opposed to its implementation? (similar to question 6 with emphasis on city government)
 20. Do you have any idea or data that depicts the utilization of micro-mobility devices in your jurisdiction by economically disenfranchised groups?
 21. Could you share with us details on how your jurisdiction (or the mobility companies in your area – Bird, Lime etc.) determine/target the locations where to place the devices? Do you incorporate equitable coverage?
 22. With regard to equity, is this something your jurisdiction has factored into their agreements with the mobility provider(s)?

That concludes our list of questions for this interview. Is there anything else that you would like to discuss that you think might be useful for our research study?

- Additional Discussion

Thank you for your time and for your input to this research study.

A Summarized Reference To
Common Ohio Micromobility Laws and
Their Variants

Introduction

This document presents a summarized version of common laws pertaining to micromobility across the municipalities within the State of Ohio. These laws have been categorized into six sections including: *Definitions*, *Operation of Micromobility*, *Safety of Micromobility*, *Design of Micromobility Infrastructure*, *Business Regulations for Micromobility Operators*, and *Licensing Laws*.

To facilitate ease in reading and use of this document; a formatting similar to that seen in the Manual on Uniform Traffic Control Devices (MUTCD) has been adopted. More importantly, most sections are formatted under headings which include:

- “Standard” – section of guidance/law that is mandatory and is base law for municipalities to adopt.
- “Guidance” – section of guidance/law that should be adopted if the standard is adopted.
- “Option” – section of guidance/law that can be adopted if municipalities feel they are applicable to their jurisdiction(s).
- “Alternative” – section of guidance/law that are contradictory to standard laws, but are nonetheless written into law across Ohio. Municipalities can adopt these if they feel they are more appropriate than the standard law.

In addition,

- The **Bolded sections** of guidance/ laws were extracted from the Ohio Revised Code (O.R.C).
- When written in the Guidance and Option sections, *italicized text* is provided for context only and need not be included when implementing the additional law.
- Numbering: relevant excerpts of legislation have been given a numerical identifier.
 - First digit corresponds to section.
 - Second digit corresponds to the “Part” of the section the legislation is in.
 - Third and fourth digits (where applicable) correspond to the order in which the legislation appears.

Most laws have been presented without specific penalties, because O.R.C. 4511.99 defines a traffic code penalty which applies to most micromobility legislation. Excluding when specific penalties have been given that replace O.R.C. 4511.99, and excluding when the law is not a piece of the Traffic Code, it can be assumed that O.R.C. 4511.99 applies. For reference, O.R.C. 4511.99 reads as follows:

Whoever violates any provision of sections [4511.01](#) to [4511.76](#) of the Revised Code for which no penalty otherwise is provided in the section violated is guilty of one of the following:

(A) Except as otherwise provided in division (B) or (C) of this section, a minor misdemeanor;

(B) 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, a misdemeanor of the fourth degree;

(C) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two or more predicate motor vehicle or traffic offenses, a misdemeanor of the third degree.

In addition, O.R.C. 4511.991 provides penalties for violations committed under the influence. O.R.C. 4511.991 reads as follows:

(A) As used in this section and each section referenced in division (B) of this section, all of the following apply:

(1) "Distracted" means doing either of the following while operating a vehicle:

(a) Using an electronic wireless communications device, as defined in section [4511.204](#) of the Revised Code, in violation of that section.

(b) Engaging in any activity that is not necessary to the operation of a vehicle and impairs, or reasonably would be expected to impair, the ability of the operator to drive the vehicle safely.

(2) "Distracted" does not include operating a motor vehicle while wearing an earphone or earplug over or in both ears at the same time. A person who so wears earphones or earplugs may be charged with a violation of section [4511.84](#) of the Revised Code.

(3) "Distracted" does not include conducting any activity while operating a utility service vehicle or a vehicle for or on behalf of a utility, provided that the driver of the vehicle is acting in response to an emergency, power outage, or a circumstance affecting the health or safety of individuals.

As used in division (A)(3) of this section:

(a) "Utility" means an entity specified in division (A), (C), (D), (E), or (G) of section [4905.03](#) of the Revised Code.

(b) "Utility service vehicle" means a vehicle owned or operated by a utility.

(B) If an offender violates section [4511.03](#), [4511.051](#), [4511.12](#), [4511.121](#), [4511.132](#), [4511.21](#), [4511.211](#), [4511.213](#), [4511.22](#), [4511.23](#), [4511.25](#), [4511.26](#), [4511.27](#), [4511.28](#), [4511.29](#), [4511.30](#), [4511.31](#), [4511.32](#), [4511.33](#), [4511.34](#), [4511.35](#), [4511.36](#), [4511.37](#), [4511.38](#), [4511.39](#), [4511.40](#), [4511.41](#), [4511.42](#), [4511.43](#), [4511.431](#), [4511.44](#), [4511.441](#), [4511.451](#), [4511.46](#), [4511.47](#), [4511.54](#), [4511.55](#), [4511.57](#), [4511.58](#), [4511.59](#), [4511.60](#), [4511.61](#), [4511.64](#), [4511.71](#), [4511.711](#), [4511.712](#), [4511.713](#), [4511.72](#), or [4511.73](#) of the Revised Code while distracted and the

distracting activity is a contributing factor to the commission of the violation, the offender is subject to the applicable penalty for the violation and, notwithstanding section [2929.28](#) of the Revised Code, is subject to an additional fine of not more than one hundred dollars as follows:

(1) Subject to Traffic Rule 13, if a law enforcement officer issues an offender a ticket, citation, or summons for a violation of any of the aforementioned sections of the Revised Code that indicates that the offender was distracted while committing the violation and that the distracting activity was a contributing factor to the commission of the violation, the offender may enter a written plea of guilty and waive the offender's right to contest the ticket, citation, or summons in a trial provided that the offender pays the total amount of the fine established for the violation and pays the additional fine of one hundred dollars.

In lieu of payment of the additional fine of one hundred dollars, the offender instead may elect to attend a distracted driving safety course, the duration and contents of which shall be established by the director of public safety. If the offender attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully completed the course. The offender shall be required to pay the total amount of the fine established for the violation, but shall not be required to pay the additional fine of one hundred dollars, so long as the offender submits to the court both the offender's payment in full and such written evidence.

(2) If the offender appears in person to contest the ticket, citation, or summons in a trial and the offender pleads guilty to or is convicted of the violation, the court, in addition to all other penalties provided by law, may impose the applicable penalty for the violation and may impose the additional fine of not more than one hundred dollars.

If the court imposes upon the offender the applicable penalty for the violation and an additional fine of not more than one hundred dollars, the court shall inform the offender that, in lieu of payment of the additional fine of not more than one hundred dollars, the offender instead may elect to attend the distracted driving safety course described in division (B)(1) of this section. If the offender elects the course option and attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully completed the course. The offender shall be required to pay the total amount of the fine established for the violation, but shall not be required to pay the additional fine of not more than one hundred dollars, so long as the offender submits to the court the offender's payment and such written evidence.

(C) If a law enforcement officer issues an offender a ticket, citation, or summons for a violation of any of the sections of the Revised Code listed in division (B) of this section that indicates that the offender was distracted while committing the violation and that the distracting activity was a contributing factor to the commission of the violation, the officer shall do both of the following:

- (1) Report the issuance of the ticket, citation, or summons to the officer's law enforcement agency;
- (2) Ensure that such report indicates the offender's race.

Section I: Definitions

1.0.1: Electric Personal Assistive Mobility Device Definition.

Standard:

"Electric personal assistive mobility device" means a self-balancing two non-tandem wheeled device that is designed to transport only one person, has an electric propulsion system of an average of 750 watts, and when ridden on a paved level surface by an operator who weighs 170 pounds has a maximum speed of less than 20 mph.

1.0.2: E-Scooter Definition

Standard:

“Electric scooter” means any two or three wheeled device that has handlebars, a floor board, is designed to be stood or sat upon by the operator, and is powered by an electric motor that is capable of propelling the device with or without human propulsion.

Guidance:

- *An electric scooter...*is manufacturer-equipped with braking capabilities...
- *An electric scooter...* has a reflector light in the back...
- *An electric scooter has a...* lamp pointed forward in the front...

Option:

- An “e-scooter shall not be considered a “motor scooter,” “motorcycle,” or “non-motorized scooter” (propelled or drawn by muscular power only) as may be defined in these Ordinances or in the O.R.C.
- An electric scooter is powered by electricity. The electricity is stored on board in a rechargeable battery.
- *An electric scooter...* is propelled at no more than 15 mph.
- *An electric scooter has...* A maximum speed of no more than 20 mph on a paved level surface when powered solely by the electric motor.
- *An electric scooter is...* designed such that the rider of an e-scooter is able to keep both feet on the footboard while traveling.
- *An electric scooter has...* Two wheels, one in the front and one in the back...
- “E-scooter” shall mean a device weighing less than 150 pounds...
- Some devices of this type are equipped with a seat, but none has operable pedals.
- *"Electronic scooter" or "e-scooter" means a device, rented or subscribed to from an electronic scooter device vendor...*

1.0.3: Electric Bicycle Definition

Standard:

“Electric bicycle.” Means a “class 1 electric bicycle”, a “class 2 electric bicycle”, or a “class 3 electric bicycle” as defined below.

(a) “Class 1 electric bicycle.” Means a bicycle that is equipped with fully operable pedals and an electric motor of less than 750 watts that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 20 mph.

(b) “Class 2 electric bicycle.” Means a bicycle that is equipped with fully operable pedals and an electric motor of less than 750 watts that may provide assistance regardless of whether the rider is pedaling and is not capable of providing assistance when the bicycle reaches the speed of 20 mph.

(c) “Class 3 electric bicycle.” Means a bicycle that is equipped with fully operable pedals and an electric motor of less than 750 watts that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 28 mph.

Alternative:

- “Electric bicycle” means a two or three-wheeled vehicle with fully operational pedals and an electric motor of less than 750 watts (1 h.p.) whose maximum speed on a paved level surface when powered solely by such motor while ridden by an operator, is less than 20 mph.
- "Electric bicycle," or "e-bike" means a two-wheeled device that has handlebars, a seat, and pedals designed to be operated similar to a bicycle, and is powered by electricity. The electricity is stored on board in a rechargeable battery.

1.0.4: Micromobility Device Definition

Standard:

“Low-speed micromobility device” means a device weighing less than 100 pounds that has handlebars, is propelled by an electric motor or human power, and has an attainable speed on a paved level surface of not more than 20 mph when propelled by the electric motor.

Option:

- These include scooters, electric scooters (e-scooters), motorized skateboards, hoverboards, in-line skates, monowheels, roller skates, self-balancing scooters, and other small, lightweight, wheeled conveyances.

1.0.5: Shared-Use Path Definition

Standard:

"Shared-use path" means a bikeway outside the traveled way and physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent alignment. A shared-use path also may be used by pedestrians, including skaters, joggers, users of manual and motorized wheelchairs, and other authorized motorized and non-motorized users. A shared-use path does not include

any trail 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 nonmotorized use.

1.0.6: Vehicle Definition

Standard:

"Vehicle" means every device, including a motorized bicycle and an electric bicycle, in, upon, or by which any person or property may be transported or drawn upon a highway, except that "vehicle" does not include any motorized wheelchair, any electric personal assistive mobility device, any low-speed micromobility device, any personal delivery device as defined in section 4511.513 of the O.R.C., any device that is moved by power collected from overhead electric trolley wires or that is used exclusively upon stationary rails or tracks, or any device, other than a bicycle, that is moved by human power.

1.0.7: Skateboard Definition

Standard:

“Skateboard” is defined as any vehicle or device capable of being operated or ridden by a person and consisting of a board, plank or platform mounted on wheels or rollers, whether propelled by gravity, muscle power or mechanical means, which is not equipped with a positive, mechanical means of steering and stopping such vehicle or device.

Option:

- “Skateboard” is defined as every device, other than a bicycle or tricycle, designed solely for use as a play vehicle by a person...

1.0.8: Shared micromobility device, and similar systems, definition.

Standard:

“Shared micromobility device” means bicycles, electric bicycles, scooters, and electric scooters distributed by persons or companies throughout parts or all of the city to be rented per trip.

Alternative:

- "Shared mobility device" means any wheeled device, other than an automobile or motorcycle, that is powered by a motor; is accessed via an on-demand portal, whether a smartphone application, membership card, or similar method; is operated by a private entity that owns, manages, and maintains devices for shared use by members of the public; and is available to members of the public in unstaffed, self-service locations.

1.0.9: Motor Scooter Definition

Standard:

"Motorcycle" means every motor vehicle, other than a tractor, having a seat or saddle for the use of the operator and designed to travel on not more than three wheels in contact with the ground, including, but not limited to, motor vehicles known as "motor-driven cycle," "motor scooter," "autocycle," "cab-enclosed motorcycle," or "motorcycle" without regard to weight or brake horsepower.

Alternative:

- "Motorized scooter." Any two-wheeled device that has handlebars, is designed to be stood or sat upon by the operator, and is powered by an electric motor, or gasoline two-stroke engine and is capable of propelling the device with or without human propulsion. A "motorized scooter" is further described as: (1) being designed to travel on not more than three wheels in contact with the ground; (2) having no pedals and not being capable of being pedaled; (3) having an engine or motor that is capable of propelling the vehicle at a speed not greater than 25 miles per hour on a level surface; (4) is designed or intended by its manufacturer to be utilized primarily as a recreational or pleasure vehicle or a vehicle for traveling short distances; and (5) is neither designed nor intended by its manufacturer to be utilized primarily as an assistive device to increase, maintain or improve the mobility of an individual with a disability or other physical condition that limits or impairs the individual's ability to walk.

1.0.10: Scooter Definition

Standard:

"Scooter" shall mean a vehicle typically ridden for purposes of recreation, consisting of a footboard mounted on two wheels, with a long steering handle, propelled solely by human power, specifically by resting one foot on the footboard and pushing the other foot against the ground.

1.0.11: Bike share station defined.

Standard:

"Bike Share Station" means a structure which docks multiple bicycles and offers citizens the ability to access the bicycles for a fee.

1.0.12: Tricycle definition.

Standard:

"Tricycle" means a three-wheeled adult vehicle propelled by human power having a single front wheel and two parallel rear wheels.

Option:

- *Tricycle means a device having... a steering apparatus such as handlebars...*
- *Tricycle means a device having... a saddle seat or seats...*
- *Tricycle means a device ... which is propelled by the feet acting on treadles connected with cranks or levys or is equipped with a helper motor and shall include any motor driven or motor assisted three-wheel vehicle which is not subject to and actually registered under a vehicle registration law of the State.*

1.0.13: Docked shared mobility device program definition.

Standard:

"Docked Shared Mobility Device Program" means a program in which Operators distribute Shared Mobility Devices to Users via a stationary location or dock and the Shared Mobility Devices must be returned at specific stationary locations or docks. Shared Mobility Devices are tracked via GPS or other similar technology and can be located by Users and Operators.

1.0.14: Dockless shared mobility device program definition.

Standard:

"Dockless Shared Mobility Device Program" means a program in which Operators distribute Shared Mobility Devices to Users throughout a City to be rented per trip. The Shared Mobility Devices can be locked at any lawful location, such as a bike or scooter rack(s). These Devices are tracked via GPS or other similar technology and can be located by Users and Operators.

1.0.15: Geo fencing definition.

Standard:

"Geo-fencing" means the use of a Global Positioning System (GPS), Radio Frequency Identification (RFID), or other similar technology to create a virtual geographic boundary, enabling software to trigger a disabling response when a shared mobility device enters or leaves a particular area.

1.0.16: Free Operator definition.

Standard:

"Free Operator" means a company, person, or philanthropic organization that manages, owns, or operates a Shared Mobility Device Program but does not charge for the use of their Shared Mobility Device Program.

1.0.17: Operator (of a micromobility company) definition.

Standard:

"Operator" means a company or person that manages, owns, or operates a Shared Mobility Device Program, business, or enterprise.

1.0.18: Shared mobility device program fee definition.

Standard:

"Shared Mobility Device Program Fee" means a per vehicle annual fee paid by Operators to repair, maintain, and build public infrastructure and cover the City's administrative costs associated with Shared Mobility Device Programs.

1.0.19: Shared mobility device program permit definition.

Standard:

"Shared mobility Device Program Permit" means a permit issued by the City to Operators.

1.0.20: Shared mobility device program definition.

Standard:

"Shared Mobility Device Program" means a transportation business or operation managed by an Operator or Free Operator that is ideal for short distance, point-to-point trips providing Users the ability to pick up a Shared Mobility Device from one location and leave it at another within a Program's area. The Program provides Users unencumbered access to Shared Mobility Devices within a defined Program area. Shared Mobility Devices can be remotely accessed via a smart phone application or other means and do not need to be attended by the Operator.

1.0.21: Electronic scooter device vendor definition.

Standard:

"Electronic scooter device vendor" means an entity approved to use/occupy the right-of-way for offering electronic scooters or e-scooters to subscribers on a fee basis subscription for short-term rental in point-to-point trips.

1.0.22: Bicycle Definition.

"Bicycle" means every device, other than a device that is designed solely for use as a play vehicle by a child, that is propelled solely by human power upon which a person may ride, and that has two or more wheels, any of which is more than fourteen inches in diameter.

Section II: Operation of Micromobility

Part 1: Operation of Bicycles

2.1.1: Bicycle yield ROW to pedestrians on sidewalks – overtaking of pedestrians.

Standard:

(A) Any person operating a bicycle shall yield the right-of-way to pedestrian and vehicular traffic upon the roadway as lawfully required, and shall also yield the right-of-way to a pedestrian upon a sidewalk.

(B) Any person operating a bicycle shall give timely and audible signal before overtaking and passing a pedestrian (or another bicycle) upon a roadway or sidewalk.

Guidance:

- *Any person operating a bicycle shall give timely and audible signal before overtaking and passing a pedestrian (or another bicycle) upon a roadway or sidewalk... This audible signal must be given only by bell or other warning device capable of giving an audible signal and shall be given at such a distance and in such a manner as not to startle the person being overtaken and passed.*

Option:

- *No person operating a bicycle shall fail to yield the right-of-way to pedestrians on sidewalks... and crosswalks.*
- *Any person riding a bicycle or e-scooter upon a bicycle/pedestrian way who is approaching a pedestrian lawfully using such way shall give audible warning and shall yield to such pedestrian, dismounting if necessary to do so.*
- *Any person riding a bicycle shall yield the right of way in the following circumstances:*
 - (1) At an intersection;
 - (2) To pedestrian traffic;
 - (3) When a vehicle is stopped to yield right of way to a pedestrian;
 - (4) When traffic is so close as to be a hazard.

2.1.2: Riding of bicycles on crosswalks.

Standard:

The operator of a bicycle shall yield the right-of-way to pedestrians within crosswalks.

Guidance:

- A person shall not operate a bicycle or motorized bicycle upon and along a crosswalk, where such use is prohibited by traffic-control devices.
- If neither vehicular traffic nor bicycle or mobility device traffic at a "bike crossing" is controlled by a stop or yield sign, or a traffic signal, the operator of a bicycle or mobility device shall yield the right-of-way at bike crossings to all vehicles on the road or street unless otherwise directed by a police officer.

Alternative:

- No person shall ride a bicycle across or through any intersection involving a through street. Such intersections are to be crossed by walking the bicycle across or through the intersection.

2.1.3: Overtaking blind pedestrians.

Standard:

Whenever a person is riding a bicycle upon a sidewalk, the person, before overtaking and passing a blind person carrying a white or metallic cane (or guided by a dog), shall dismount and overtake or pass on foot.

Option:

- *Whenever a person is riding a bicycle upon a sidewalk, he shall, before overtaking or passing a... child under the age of six years... or a blind person carrying a white or metallic cane, dismount and overtake or pass such... child... or blind person on foot.*

2.1.4: Hand signals when riding/turning/stopping.

Standard:

(A) Except as provided in division (B) of this section, all signals required by sections [4511.01](#) to [4511.78](#) of the O.R.C., when given by hand and arm, shall be given from the left side of the vehicle in the following manner, and such signals shall indicate as follows:

- (1) Left turn, hand and arm extended horizontally;**
- (2) Right turn, hand and arm extended upward;**
- (3) Stop or decrease speed, hand and arm extended downward.**

(B) As an alternative to division (A)(2) of this section, a person operating a bicycle or electric bicycle may give a right turn signal by extending the right hand and arm horizontally and to the right side of the bicycle or electric bicycle.

(C) 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.

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 section [4511.991](#) of the O.R.C.

Support:

(A) No person shall turn a vehicle or trackless trolley or move right or left upon a highway unless and until such person has exercised due care to ascertain that the movement can be made with reasonable safety nor without giving an appropriate signal in the manner hereinafter provided.

When required, a signal of intention to turn or move right or left shall be given continuously during not less than the last one hundred feet traveled by the vehicle or trackless trolley before turning, except that in the case of a person operating a bicycle or electric bicycle, the signal shall be made not less than one time but is not required to be continuous. A bicycle or electric bicycle operator is not required to make a signal if the bicycle or electric bicycle 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 or electric bicycle.

No person shall stop or suddenly decrease the speed of a vehicle or trackless trolley without first giving an appropriate signal in the manner provided herein to the driver of any vehicle or trackless trolley immediately to the rear when there is opportunity to give a signal.

Any stop or turn signal required by this section shall be given either by means of the hand and arm, or by signal lights that clearly indicate to both approaching and following traffic intention to turn or move right or left, except that any motor vehicle in use on a highway shall be equipped with, and the required signal shall be given by, signal lights when the distance from the center of the top of the steering post to the left outside limit of the body, cab, or load of such motor vehicle exceeds twenty-four inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen feet, whether a single vehicle or a combination of vehicles.

The signal lights required by this section shall not be flashed on one side only on a disabled vehicle or trackless trolley, flashed as a courtesy or "do pass" signal to operators of other vehicles or trackless trolleys approaching from the rear, nor be flashed on one side only of a parked vehicle or trackless trolley except as may be necessary for compliance with this section.

(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.

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 section [4511.991](#) of the O.R.C.

2.1.5: Exercise due care to avoid collision.

Standard:

Every rider of a bicycle (or skateboard, inline skates, and roller skates) shall exercise due care to avoid colliding with any pedestrian or any vehicle upon any roadway, sidewalk or bicycle path, or endangering the life, limb or property of any person while in the lawful use of the streets, sidewalks or any other private or public property.

Option:

- *Every rider of a bicycle shall exercise due care to avoid colliding with any pedestrian or any vehicle upon any roadway, sidewalk or bicycle path... and shall give an audible signal when necessary and shall exercise proper precaution upon observing any child or any obviously confused, incapacitated or intoxicated person.*

2.1.6: Speed not greater than is prudent.

Standard:

No person shall operate a bicycle (or tricycle, electric bicycle, or low speed micromobility device) at a speed greater than is reasonable and proper under the conditions then existing.

Guidance:

- *No person shall operate a bicycle at a speed greater than is reasonable and proper under the conditions then existing... nor in excess of any posted speed limit established within the City.*

2.1.7: Emerging from alley/building/driveway.

Standard:

The operator of a bicycle emerging from or turning into an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alley, driveway or building, yield the right-of-way to all pedestrians approaching on such sidewalk area. Upon entering the street, such operator shall yield the right-of-way to all vehicles approaching on such street.

2.1.8: Trick riding.

Standard:

No person shall engage in trick riding or operate any bicycle upon any street, alley, sidewalk or public way without maintaining full control of the bicycle by keeping one hand upon the grips.

Alternative:

- No person shall engage in trick riding or operate a bicycle without both hands upon the handle grips except when necessary to give the hand signals required herein.

2.1.9: Use of bike lanes instead of street.

Standard:

Whenever a designated usable path for bicycles has been provided adjacent to a street, bicycle riders shall use such path and shall not use the street.

2.1.10: Exercising reasonable and ordinary control.

Standard:

No person shall operate a bicycle or electric bicycle without exercising reasonable and ordinary control over such bicycle or electric bicycle.

2.1.11: Operation in weaving/zigzag course.

Standard:

No person shall operate a bicycle or electric bicycle in a weaving or zigzag course, unless such irregular course is necessary for safe operation in compliance with law.

2.1.12: Obedience to traffic-control signals.

Standard:

Any person operating a bicycle shall obey the instructions of traffic-control signals and traffic-control devices applicable to vehicles, unless otherwise directed by a police officer.

2.1.13: Age of rider.

The laws presented hereinafter often regulate the ability of a young person to ride on roadways and sidewalks. As these laws are reviewed, it should be noted that ORC 4511.711(A) reads as follows:

“Nothing in this section shall be construed as prohibiting local authorities from regulating the operation of bicycles or electric bicycles within their respective jurisdictions, except that no local authority may require that bicycles or electric bicycles be operated on sidewalks.”

In addition, jurisdictions may choose to adjust the age in the following laws if they deem the standard age too lenient or too strict.

Standard:

No person under the age of 11 years, unless accompanied by a parent or legal guardian, shall operate a bicycle on the roadways within the City, provided sidewalks are available. Persons 11

years of age and older may operate a bicycle upon the roadways, but shall be governed by the same provisions of the Traffic Code relative to right of way as other vehicles.

Option:

- No person under the age of 11 years shall ride a bicycle or tricycle across or through any intersection. Such intersections are to be crossed by walking the bicycle or tricycle across or through the intersection.

Alternative:

- No person 11 years of age or under shall ride a bicycle except upon a sidewalk.
- Minors 11 years of age or less may be permitted to ride bicycles on sidewalks where the buildings do not abut the paved portion of the sidewalk; provided that, where approaching a pedestrian or other person lawfully using the sidewalk, any such minor riding on the sidewalk shall give audible warning by means of a bell or horn and shall yield the use of the sidewalk to such pedestrian or other persons dismounting if necessary to do so.
- A person operating a bicycle shall ride upon the sidewalk rather than the roadway when sidewalks are available, except that no person shall ride a bicycle upon a sidewalk upon or along which signs have been erected by authority of Council or other duly designated local authority prohibiting such bicycle riding, or within a business district. At no time shall a person under the age of 11 years operate a bicycle on a street.
- (a) A person operating a bicycle shall ride upon the sidewalk rather than the roadway when sidewalks are available, except that no person shall ride a bicycle upon a sidewalk upon or along which signs have been erected by authority of Council or other duly designated local authority prohibiting such bicycle riding.
(b) A person operating a bicycle shall ride upon a sidewalk or roadway with due caution and safety. Children under the age of 11 years may operate a bicycle on a roadway at the discretion of their parents.
- It shall be permissible for children under the age of 11 years to ride on sidewalks in the City except in the congested traffic area.
- Children under 11 years of age and those adults certified to be either mentally retarded or having developmental disabilities, when riding or running any bicycle along, over or upon any sidewalk in the City, shall keep to the right, go in single file at a slow speed and exercise the utmost care with reference to any pedestrians on such sidewalk.
- (a) No person who is 11 years of age or older shall operate a bicycle upon a sidewalk.
(b) No person shall operate a bicycle, skateboard, roller skates or roller blades upon a sidewalk within a business district.
(c) No person under 11 years of age shall operate a bicycle upon a sidewalk if requested by the Police Department to operate it upon the roadways after having demonstrated his competency to do so to the Department.
- No person 11 or more years of age shall ride a bicycle upon any sidewalk running parallel to any public street with a speed limit of under 35 miles per hour.

2.1.14: Obedience to signs prohibiting u-turns, right, or left turns.

Standard:

Whenever authorized signs are erected indicating that no right, left or "U" turn is permitted, no person operating a bicycle or tricycle shall disobey the direction of any such sign, unless the person dismounts from the bicycle or tricycle to make such turn, in which event the person shall obey the regulations applicable to pedestrians.

2.1.15: Prohibition of law enforcement “stopping” bicycle riders to issue tickets.

Standard:

Notwithstanding any provision of the law to the contrary, no law enforcement officer shall cause an operator of a bicycle, in-line skates, roller skates, skateboard, or similar device being operated on any street or highway to stop for the sole purpose of determining whether a violation of this section has been or is being committed, or for the sole purpose of issuing a ticket, citation, or summons for a violation of that nature, or causing the arrest of or commencing a prosecution of a person for a violation of that nature.

2.1.16: Festivals and street closures.

Standard:

For the purpose of public safety, all vehicular traffic including bicycles, skateboards, in-line (roller blade) skates and roller skates is prohibited during any festivals wherein the roadway has been closed. This prohibition shall not apply to police bicycles, registered parade participants or mobility aids for handicapped persons.

2.1.17: Operating bicycles, e-bikes, motorcycles on roadway.

Standard:

(A) Every person operating a bicycle or electric bicycle 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, 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 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) 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.

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 section [4511.991](#) of the O.R.C.

Option:

- The person operates the bicycle, skateboard, inline skates, and roller skates when practicable within three feet of the right edge of the roadway obeying all traffic rules applicable to vehicles.
- Bicycles shall be operated as closely as possible to the right side of the motor vehicular traveled portion of a street or on a sidewalk, bicycle path or multi-use path.
- Persons riding bicycles on heavily traveled streets or highways must ride in single file, must keep close to the right-hand curb, and must give a signal by extension of the hand to indicate the direction in which he is intending to change the course of the bicycle.

Alternative:

- It shall be legal to ride a bicycle or tricycle upon a street or public way, subject to the following: Persons riding bicycles or tricycles upon a street shall ride in single file only and not abreast.

2.1.18: Attaching or clinging to vehicles.

Standard:

(A) No person riding upon any motorcycle, bicycle, electric bicycle, low speed micromobility device, coaster, roller skates, sled, skateboard, or toy vehicle shall attach the same or self to any streetcar, trackless trolley, or vehicle upon a roadway.

No operator shall knowingly permit any person riding upon any motorcycle, bicycle, electric bicycle, low speed micromobility device, coaster, roller skates, sled, skateboard, or toy vehicle to attach the same or self to any streetcar, trackless trolley, or vehicle while it is moving upon a roadway.

This section does not apply to the towing of a disabled vehicle.

(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.

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 section [4511.991](#) of the O.R.C.

Guidance:

- *It shall be unlawful to cling to any vehicle... upon any street, alley, sidewalk, or other public way.*

2.1.19: Direction of travel.

Standard:

No person shall ride any bicycle otherwise than in the direction of vehicular travel on any street or highway.

2.1.20: Endangering bicyclists.

Standard:

(a) No person shall throw any object at or in the direction of any person riding a bicycle.

(b) No person shall open the door of any motor vehicle with the intent to strike, injure or interfere with any person riding a bicycle.

2.1.21: Parking of bicycle in business districts.

Standard:

No person shall ride or park a bicycle or operate a skateboard or ride upon in-line skates on any sidewalk area within the Central Business District. However, bicycles may be parked in racks where provided.

2.1.22: Riding on sidewalks permitted/prohibited in certain areas.

Standard:

(A) No person shall drive any vehicle, other than a bicycle or an electric bicycle if the motor is not engaged, upon a sidewalk or sidewalk area except upon a permanent or duly authorized temporary driveway.

This prohibition does 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 with the motor engaged while in the performance of the officer's duties.

Nothing in this section shall be construed as prohibiting local authorities from regulating the operation of bicycles or electric bicycles within their respective jurisdictions, except that no local authority may require that bicycles or electric bicycles be operated on sidewalks.

(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.

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 section [4511.991](#) of the O.R.C.

Option:

- No person shall operate a bicycle, skateboard or scooter upon a sidewalk where signs are erected prohibiting such operation.
- No person shall operate a bicycle upon a sidewalk within a business district where such sidewalk extends from store front to curb.
- No person shall ride a bicycle or roller skates, sled, toy vehicle, skateboard or other similar device upon a sidewalk of the City within the business district.
- It shall be permissible for any person to ride a bicycle upon the sidewalks in the City only within the residential district, and when riding on the sidewalks in the residential district bicycle riders shall use the right side of the sidewalk. For the purpose of this section the “residential district” shall be construed to include all parts of the City with the exception of the business section.
- Any person may ride a bicycle on a sidewalk or sidewalk area.
- Any person operating a bicycle may ride upon the sidewalk rather than the roadway when sidewalks are available and not congested with pedestrian traffic. If the sidewalk is congested with pedestrian traffic, the bicycle operator using the sidewalk shall walk the bicycle.
- When riding on sidewalks within a business district, bicycle riders shall use the portion of the sidewalk nearest to and adjacent to the street and shall turn corners slowly and in such a manner as will prevent collision with pedestrians legally using the intercepting sidewalk.
- Bicycles and e-scooters may be operated on shared bicycle/pedestrian ways, including on such shared bicycle/pedestrian ways in public parks, as authorized by applicable rules.

- No person or persons, except children under 11 years of age and those adults certified to be either mentally retarded or having developmental disability, shall ride or run any bicycle along, over or upon any sidewalks of the City.
- A person operating a bicycle shall ride upon the sidewalk rather than the roadway when sidewalks are available, except that no person shall ride a bicycle upon a sidewalk upon or along which signs have been erected by authority of Council or other duly designated local authority prohibiting such bicycle riding, or within a business district. At no time shall a person under the age of 11 years operate a bicycle on a street.

2.1.23: Walking bicycle on sidewalk.

Standard:

A person walking a bicycle or motorized bicycle upon and along a sidewalk or a roadway crosswalk, shall have all the rights and duties applicable to a pedestrian under the same circumstances.

2.1.24: Operation of bicycles, motorcycles, mobility devices.

Standard:

(A) For purposes of this section, "snowmobile" has the same meaning as given that term in section [4519.01](#) of the O.R.C.

(B) No person operating a bicycle or electric bicycle (or 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 (or mobility device) other than upon a firmly attached and regular seat thereon, and no person shall ride upon a bicycle or electric bicycle (or mobility device) other than upon such a firmly attached and regular seat.

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.

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.

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

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

No bicycle, electric bicycle, (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 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.

(C)(1) Except as provided in division (C)(2) 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 (C)(2) of this section, no person who is under the age of eighteen years, or who holds a motorcycle operator's endorsement or license bearing a "novice" designation that is currently in effect as provided in section [4507.13](#) of the O.R.C., shall operate a motorcycle on a highway, or be a passenger on a motorcycle, unless wearing a United States department of transportation-approved 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 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) Division (C)(1) of this section does not apply to a person operating an autocycle or cab-enclosed motorcycle when the occupant compartment top is in place enclosing the occupants.

(3)(a) 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 section [4507.05](#) of the O.R.C. unless the person, at the time of such operation, is wearing on the person's head a protective helmet that has been approved by the United States department of transportation that conforms with rules adopted by the director.

(b) No person shall operate a motorcycle with a valid temporary instruction permit and temporary instruction permit identification card issued by the registrar pursuant to section [4507.05](#) of the O.R.C. in any of the following circumstances:

(i) At any time when lighted lights are required by division (A)(1) of section [4513.03](#) of the O.R.C.;

(ii) While carrying a passenger;

(iii) On any limited access highway or heavily congested roadway.

(D) 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.

(E) Except as otherwise provided in this division, whoever violates division (B) or (C)(1) or (3) 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 division (B) or (C)(1) or (3) 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 division (B) or (C)(1) or (3) of this section is guilty of a misdemeanor of the third degree.

Option:

- A person operating a mobility device without a permanent and regular seat attached thereto shall not ride other than standing upon the footboard.
- No person operating an e-scooter should do so on any streets if the posted speed limit is over 35 mph unless in a dedicated bike lane or shared use path.
- No person operating an e-scooter shall exceed a speed at greater than 15 mph.
- No operator of any bicycle shall ride upon other than the permanent and regular seat attached thereto, or carry any other person upon the operator's seat, package carrier, handle bar, frame or fenders of such bicycle, and no person shall so ride upon any bicycle, except that a baby seat used for its designed purpose shall be permitted. Only children under seven years of age may be carried on a bicycle on such a baby seat and only by persons 16 years of age or older, with a special seat for the passenger and wheel covers or other devices to prevent the passenger's feet from getting into the spokes.

Guidance:

Note: The age in the following piece of legislation has been found to be 12, 14, 16, and 18 in different municipalities. Municipalities wishing to implement this piece of legislation may choose whichever age they desire. Sixteen is chosen as the standard age for simplicity.

- No person under the age of 16 years shall operate a bicycle, or ride as a passenger on a bicycle equipped with a passenger seat, within the City unless such person is wearing a protective helmet on his or her head, with the chin strap fastened under the chin. Such helmet shall be fitted to the size of the operator and shall meet or exceed the standards set by the American National Standards Institute (ANSI) or the Snell Memorial Foundation (SNELL). This subsection shall not apply to any person riding a bicycle or who is a passenger on a bicycle on property zoned Class U-1 where such person resides. This requirement shall also apply to a minor child who rides upon a bicycle as a passenger or while in a restraining seat which is attached to the bicycle.

No parent, guardian or person acting for a parent shall permit a person under 16 years of age to violate this subsection.

Any person under the age of 16 years found in violation of this subsection shall be informed by the police of the violation and of the severe injuries which may result when an accident occurs to a child not wearing a helmet. The police may take possession of the bicycle and hold it until the parent, guardian or person acting on behalf of the child claims the bicycle and is informed by the police of the violation and the severe injuries which may result.

It shall be an affirmative defense to a violation of this section that the parent, guardian or person acting on behalf of a parent or guardian made a good faith effort to purchase a helmet for the minor but was unable to do so as the result of the unavailability of a helmet meeting the requirements in this subsection.

Any parent, guardian or person acting on behalf of a parent or guardian of a person under the age of 16 years, who permits such person under age of 16 years to operate or be a passenger on a bicycle in the City, on public or private property, in violation of this subsection, shall be fined not more than \$25.

Option:

- Failure to wear protective helmet as herein described shall not be considered evidence of either comparative or contributory negligence in any civil suit arising out of an accident in which a child under 11 years of age is injured, nor shall failure to wear protective helmet be admissible as evidence in the trial of any civil action.
- The Chief of Police may waive the \$25 civil infraction penalty upon presentation of proof of purchase of a protective helmet which meets or exceeds the standards set forth herein subsequent to the violation, or upon good cause shown, as determined solely by the Chief of Police.

Alternative Penalties:

- First Offense:
 - (a) 1st Offense: A written warning shall be served upon the violator and the parent or person in loco parentis, with applicable information attached advising of the dangers of failure to wear a protective helmet. The warning will be signed by the parent or person in loco parentis of the minor, and a copy filed at the police department. Such person shall be informed that an approved helmet must be obtained for the child and worn by the child whenever he or she is riding a bicycle.
 - (b) First offense: A written warning will be served upon the violator and the parent or person in loco parentis, with applicable information attached advising of the dangers of failure to wear a protective helmet. The warning will be signed by the parent or person in loco parentis of the minor, and a copy filed at the police department.
- Second Offense:
 - (a) 2nd Offense: A citation shall be issued to the parent, or person in loco parentis, for any offense which occurs subsequent to a written warning. This violation shall be punishable by a fine of not more than \$25. However, the case may be dismissed upon the parent or person in loco parentis and the child demonstrating evidence of the ownership and possession of an approved helmet within seven days of the issuance of the violation.
 - (b) Second offense: A citation will be issued to the parent, legal guardian or custodian of the violator, with a fine not to exceed \$50. The case may be dismissed upon the parent or person in loco parentis and the violator viewing a NHTSA (National Highway Traffic Safety Administration) approved safety video on protective helmet use and proof of obtaining an approved helmet.
- Third Offense:
 - (a) 3rd and Subsequent Offenses: A citation shall be issued to the parent or person in loco parentis of the violator, with a fine not to exceed \$75. However, the fine shall be reduced to \$25 if the parent or person in loco parentis and the child demonstrate evidence of the ownership and possession of an approved helmet and proof of attending a bicycle safety course approved by the City Police Department.

- (b) Third offense: Fine not to exceed \$100.
- Fourth Offense:
 - (a) Fourth and subsequent offenses: Up to \$250 fine (fourth degree misdemeanor).
- A bicycle rider under the age of 11 years of age who violates this section and the parent, guardian, or legal custodian of said rider, may be given a written warning detailing the violation along with information concerning the dangers which result when a bicycle accident occurs to a person who is not wearing a helmet. A second violation of this section shall result in a fine upon the rider's parent, guardian, or legal custodian in an amount not to exceed \$25. For each and every subsequent violation of this section the rider's parent, guardian, or legal custodian shall be subject to a fine in an amount not to exceed \$50.

2.1.25: Electric Bicycles; labels, compliance with federal regulations; permitted use; violations.

Standard:

(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 section [1.60](#) of the O.R.C. 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 section [1.60](#) of the O.R.C. 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 nonmotorized use, unless the county, township, municipal corporation, other local authority, or state agency as defined in section [1.60](#) of the O.R.C. 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 (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.

(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 section [2901.20](#) of the O.R.C. 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.

2.1.26: Dogs accompanying bicycles.

Standard:

No person riding or using a bicycle upon any roadway shall induce or encourage any dog to accompany him or her.

2.1.27: Curfew

Standard:

No person shall operate or park a bicycle upon any street, sidewalk, bicycle path or multi-use path during the period beginning 30 minutes after sunset and ending 30 minutes before sunrise, or whenever, by reason of fog or otherwise, visibility is rendered difficult, unless such bicycle is equipped with a headlight displaying a beam of white light in the direction in which the bicycle is heading or proceeding, clearly visible at a distance of not less than 200 feet, which headlight shall be firmly attached to the bicycle and properly lighted, and also a red tail light or reflector displaying a red light or reflection clearly visible in the rear of the bicycle, and attached thereto, at a distance of at least 200 feet. However, no light other than a red light or reflector on the rear of the bicycle shall be required when such a bicycle is parked.

2.1.28: Pulling away from curb.

Standard:

No bicycle shall start or pull away from a curb while another vehicle is passing abreast of such bicycle.

2.1.29: Bicycles and electric bicycles - issuance of ticket - points not assessed.

Standard:

(A) Sections [4511.01](#) to [4511.78](#), [4511.99](#), and [4513.01](#) to [4513.37](#) of the O.R.C. that are applicable to bicycles and electric bicycles apply whenever a bicycle or electric bicycle is 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, a bicycle operator or electric bicycle operator who violates any section of the O.R.C. described in division (A) of this section that is applicable to bicycles or electric bicycles 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 or electric bicycle shall not have any points assessed against the person's driver's license, commercial driver's license, temporary instruction permit, or probationary license under section [4510.036](#) of the O.R.C.

(C) Except as provided in division (D) of this section, in the case of a violation of any section of the O.R.C. described in division (A) of this section by a bicycle operator, electric bicycle 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 at the time of the violation, the court, notwithstanding any provision of the O.R.C. to the contrary, may require the bicycle operator, electric bicycle 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 the O.R.C. for that violation.

(D) Divisions (B) and (C) of this section do not apply to violations of section [4511.19](#) of the O.R.C.

2.1.30: Operation at intersections with malfunctioning traffic control signal lights.

Standard:

(A) The driver of a vehicle, streetcar, or trackless trolley who approaches an intersection where traffic is controlled by traffic control signals shall do all of the following if the signal facing the driver exhibits no colored lights or colored lighted arrows, exhibits a combination of such lights or arrows that fails to clearly indicate the assignment of right-of-way, or, if the vehicle is a bicycle or an electric bicycle, the signals are otherwise malfunctioning due to the failure of a vehicle detector to detect the presence of the bicycle or electric bicycle:

(1) Stop at a clearly marked stop line, 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, streetcars, or trackless trolleys in the intersection or approaching on an intersecting road, if the vehicles, streetcars, or trackless trolleys will constitute an immediate hazard during the time the driver is moving across or within the intersection or junction of roadways;

(3) Exercise ordinary care while proceeding through the intersection.

(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.

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 section [4511.991](#) of the O.R.C.

Part 2: Operation of E-scooters, Scooters, Micromobility, Mobility Devices

2.2.1: Electric Personal Assistive Mobility Devices.

Standard:

(A)(1) Electric personal assistive mobility devices may be operated on the public streets, highways, sidewalks, and paths and portions of roadways set aside for the exclusive use of bicycles in accordance with this section.

(2) Except as otherwise provided in this section, those sections of this chapter that by their nature are applicable to an electric personal assistive mobility device apply to the device and the person operating it whenever it is operated upon any public street, highway, sidewalk, or path or upon any portion of a roadway set aside for the exclusive use of bicycles.

(3) A local authority may regulate or prohibit the operation of electric personal assistive mobility devices on public streets, highways, sidewalks, and paths, and portions of roadways set aside for the exclusive use of bicycles, under its jurisdiction.

(B) No operator of an electric personal assistive mobility device shall do any of the following:

(1) Fail to yield the right-of-way to all pedestrians and human-powered vehicles at all times;

(2) Fail to give an audible signal before overtaking and passing a pedestrian;

(3) Operate the device at night unless the device or its operator is equipped with or wearing both of the following:

(a) A lamp pointing to the front that emits a white light visible from a distance of not less than 500 feet;

(b) A red reflector facing the rear that is visible from all distances from 100 feet to 600 feet when directly in front of lawful lower beams of head lamps on a motor vehicle.

(4) Operate the device on any portion of a street or highway that has an established speed limit of 55 mph or more;

(5) Operate the device upon any path set aside for the exclusive use of pedestrians or other specialized use when an appropriate sign giving notice of the specialized use is posted on the path;

(6) If under 18 years of age, operate the device unless wearing a protective helmet on the person's head with the chin strap properly fastened;

(7) If under 16 years of age, operate the device unless, during the operation, the person is under the direct visual and audible supervision of another person who is 18 years of age or older and is responsible for the immediate care of the person under 16 years of age.

(C) No person who is under 14 years of age shall operate an electric personal assistive mobility device.

(D) No person shall distribute or sell an electric personal assistive mobility device unless the device is accompanied by a written statement that is substantially equivalent to the following: "WARNING: TO REDUCE THE RISK OF SERIOUS INJURY, USE ONLY WHILE WEARING FULL PROTECTIVE EQUIPMENT - HELMET, WRIST GUARDS, ELBOW PADS, AND KNEE PADS."

(E) Nothing in this section affects or shall be construed to affect any rule of the director of natural resources or a board of park district commissioners governing the operation of vehicles on lands under the control of the director or board, as applicable.

(F)(1) Whoever violates division (B) or (C) of this section is guilty of a minor misdemeanor and shall be punished as follows:

(a) The offender shall be fined \$10.

(b) If the offender previously has been convicted of or pleaded guilty to a violation of division (B) or (C) of this section or a substantially similar municipal ordinance, the court, in addition to imposing the fine required under division (F)(1) of this section, shall do one of the following:

(i) Order the impoundment for not less than one day but not more than 30 days of the electric personal assistive mobility device that was involved in the current violation of that division. The court shall order the device to be impounded at a safe indoor location designated by the court and may assess storage fees of not more than five dollars per day, provided the total storage, processing, and release fees assessed against the offender or the device in connection with the device's impoundment or subsequent release shall not exceed \$50.

(ii) If the court does not issue an impoundment order pursuant to division (F)(1)(b)(i) of this section, issue an order prohibiting the offender from operating any electric personal assistive mobility device on the public streets, highways, sidewalks, and paths and portions of roadways set aside for the exclusive use of bicycles for not less than one day but not more than 30 days.

(2) Whoever violates division (D) of this section is guilty of a minor misdemeanor.

Alternative Penalty:

- **Whoever violates subsection (b) or (c) hereof is guilty of a minor misdemeanor and shall be punished as follows:**

The offender shall be fined \$100.

If the offender previously has been convicted of or pleaded guilty to a violation of division (B) or (C) of O.R.C. 4511.512 or a substantially similar municipal ordinance, the court, in addition to imposing the fine required under subsection (f)(1) hereof, shall do one of the following:

Order the impoundment for not less than one day but not more than 30 days of the electric or gas personal assistive mobility device that was involved in the current violation of that section. The court shall order the device to be impounded at a safe indoor location designated by the court and may assess storage fees of not more than five dollars per day, provided the total storage, processing, and release fees assessed against the offender or the device in connection with the device's impoundment or subsequent release shall not exceed \$150.

2.2.2: Low-Speed Micromobility Devices.

Standard:

(A)(1) A low-speed micromobility device may be operated on the public streets, highways, sidewalks, and shared-use paths, and may be operated on any portions of roadways set aside for the exclusive use of bicycles in accordance with this section.

(2) Except as otherwise provided in this section, those sections of this chapter that by their nature could apply to a low-speed micromobility device do apply to the device and the person operating it whenever it is operated upon any public street, highway, sidewalk, or shared-use path, or upon any portion of a roadway set aside for the exclusive use of bicycles.

(B) No operator of a low-speed micromobility device shall do any of the following:

(1) Fail to yield the right-of-way to all pedestrians at all times;

(2) Fail to give an audible signal before overtaking and passing a pedestrian;

(3) Operate the device at night unless the device or its operator is equipped with or wearing both of the following:

(a) A lamp pointing to the front that emits a white light visible from a distance of not less than 500 feet;

(b) A red reflector facing the rear that is visible from all distances from 100 feet to 600 feet when directly in front of lawful lower beams of head lamps on a motor vehicle.

(C)(1) No person who is under 16 years of age shall rent a low-speed micromobility device.

(2) No person shall knowingly rent a low-speed micromobility device to a person who is under 16 years of age.

(3) No person shall knowingly rent a low-speed micromobility device on behalf of a person who is under 16 years of age.

(D) No person shall operate a low-speed micromobility device at a speed greater than 20 mph.

(E)(1) Whoever violates this section is guilty of a minor misdemeanor.

(2) Unless a mens rea is otherwise specified in this section, an offense established under this section is a strict liability offense and section [2901.20](#) of the O.R.C. does not apply. The designation of that offense as a strict liability offense 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.

(F) Notwithstanding division (A)(1) of this section, a municipal corporation, county, township, metropolitan park district, township park district, recreation district, or any division of the department of natural resources if the division has the approval of the director of natural resources may do any of the following:

(1) Regulate or prohibit the operation of low-speed micromobility devices on public streets, highways, sidewalks, and shared-use paths, and portions of roadways set aside for the exclusive use of bicycles, under its jurisdiction;

(2) Include low-speed micromobility devices that are adapted to expand access for people with various physical limitations into a shared bicycle, shared electric bicycle, or similar vehicle sharing program, under its jurisdiction;

(3) Require the owner or operator of a low-speed micromobility device rental service or low-speed micromobility device sharing program to maintain commercial general liability insurance related to the operation of the devices, with limits of up to \$1,000,000 per occurrence and \$2,000,000 per aggregate.

2.2.3: Riding of e-scooters on crosswalks

Standard:

(a) If neither vehicular traffic nor bicycle or mobility device traffic at a "bike crossing" is controlled by a stop or yield sign, or a traffic signal, the operator of a bicycle or mobility device shall yield the right-of-way at bike crossings to all vehicles on the road or street unless otherwise directed by a police officer.

(b) Whoever violates this section is guilty of a minor misdemeanor.

2.2.4: Reckless operation.

Standard:

(a) No person shall operate a bicycle, electric bicycle, or e-scooter:

(1) 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;

(2) Without exercising reasonable and ordinary control over such bicycle, electric bicycle, or e-scooter;

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

(4) Without both hands upon the handle grips except when necessary to give the required hand and arm signals, or as provided in O.R.C. 4511.40(A);

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

2.2.5: Attaching or clinging to vehicles.

Standard:

(a) No person riding upon any motorcycle, bicycle, electric bicycle, low speed micromobility device (including electric scooters), coaster, roller skates, sled, skateboard or toy vehicle shall attach the same or self to any vehicle upon a roadway.

No operator shall knowingly permit any person riding upon any motorcycle, bicycle, electric bicycle, low speed micromobility (including electric scooter), coaster, roller skates, sled, skateboard or toy vehicle to attach the same or self to any vehicle while it is moving upon a roadway. This section does not apply to the towing of a disabled vehicle.

(b) Except as otherwise provided in this subsection, 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.

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 the Traffic Code.

2.2.6: Operation of e-scooters on roadway.

Standard:

(a) Every person operating a bicycle, electric bicycle or mobility device upon a roadway shall ride as near to the right side of the roadway where 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, mobility devices or motorcycles upon a roadway shall ride not more than two (2) abreast in a single lane, except on shared-use paths or parts of roadways set aside for the exclusive use of bicycles, electric bicycles, mobility devices or motorcycles.

(c) This section does not require a person operating a bicycle, electric bicycle or 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 mobility device and an overtaking vehicle to travel safely side by side within the lane.

Option:

- Persons riding bicycles, electric bicycles, motorcycles or low speed micromobility devices (including electric scooters) 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, motorcycles, or low speed micromobility devices.

2.2.7: Operation of e-scooters generally.

Standard:

(a) Every person operating a bicycle, motorized bicycle, or e-scooter shall obey the rules of operation and right-of-way for all vehicles as provided by this chapter and elsewhere in the Municipal Code except when clearly exempted from any section thereof.

(b) Every person operating a bicycle, motorized bicycle, or e-scooter 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.

(c) Persons operating bicycles, motorized bicycles, or e-scooters shall ride in the same direction as all other vehicular traffic.

(d) Persons operating bicycles, motorized bicycles, e-scooters, or motorcycles upon a roadway shall ride not more than two abreast in a single lane.

(e) No person shall operate a bicycle, motorized bicycle, or e-scooter on a city sidewalk, except for bicycles in certain areas ridden by minors 15 years of age or younger as authorized herein:

(1) Minors 15 years of age or less may be permitted to ride bicycles on sidewalks where the buildings do not abut the paved portion of the sidewalk; provided that, where approaching a pedestrian or other person lawfully using the sidewalk, any such minor riding on the sidewalk shall give audible warning by means of a bell or horn and shall yield the use of the sidewalk to such pedestrian or other persons dismounting if necessary to do so.

(f) No operator of an e-scooter device shall do any of the following:

(1) Fail to yield the right-of-way to pedestrians at all times;

(2) Fail to give an audible signal before overtaking and passing a pedestrian;

(3) Operate the device at night, unless the device or its operator is equipped with or wearing both of the following:

(a) A lamp pointing to the front that emits a white light visible from a distance of not less than 500 feet; and

(b) A red reflector facing the rear that is visible from all distances from 100 feet to 600 feet when directly in front of lawful lower beams of head lamps on a motor vehicle.

(4) Park an e-scooter on a sidewalk in a manner that impedes the flow of pedestrian travel, interferes with an intended function of the sidewalk, or blocks or obstructs any doorway, crosswalk, or other access routes.

(5) Operate an e-scooter while it is occupied by more than one person. E-scooters shall only be occupied by one person while in operation.

(g) No person who is under 16 years of age shall rent an e-scooter.

(1) No person shall knowingly rent an e-scooter to a person who is under 16 years of age.

(2) No person shall knowingly rent an e-scooter for use by a person who is under 16 years of age.

(h) No person shall operate an e-scooter at a speed greater than 15 mph.

(i) No person who is under the age of 16 shall operate an e-scooter capable of obtaining a speed greater than 10 mph.

(j) No person shall operate an e-scooter in the Streetcar Obstruction Zone, except when crossing over the Streetcar Obstruction Zone, which shall be done at a 90 degree angle or otherwise perpendicular to the streetcar tracks.

(k) Violation of this section shall be punishable as a traffic violation misdemeanor as defined in the Traffic Code.

Option:

- Bicycles and e-scooters may be operated on shared bicycle/pedestrian ways, including on such shared bicycle/pedestrian ways in public parks, as authorized by applicable rules. Any person riding a bicycle or e-scooter upon a bicycle/pedestrian way who is approaching a pedestrian lawfully using such way shall give audible warning and shall yield to such pedestrian, dismounting if necessary to do so.
- No person operating an e-scooter should do so on any streets or highways if the posted speed limit is over 35 mph unless in a dedicated bike lane or shared use path.
- E-scooter riders must be seated if a seat is present on the E-scooter; if not, must be standing on a standing board.
- Not more than one rider per E-scooter is permitted.

- Riders shall not carry items that require both hands, a rider must keep one hand on the steering handle bars at all times.
- Riders cannot operate an E-scooter without due regard for safety, exercising reasonable and ordinary control over the device.
- Riders cannot weave or zigzag while operating an E-scooter.
- E-scooters cannot be operated on sidewalks except as permitted by the local University.
- *E-scooters are to stay to the right of street lanes...* and to offer the right of way to bicycles in bike lanes and on bike paths.
- A person who commits any violation of this chapter while operating an E-scooter shall not have any points assessed against the person's driver's license, commercial driver's license, temporary instruction permit, or probationary license under Chapter 4510 of the O.R.C.
- The O.R.C. pertaining to traffic law applies when e-scooters operated upon any street or highway;
- E-scooters may be operated on shared bicycle/pedestrian ways, including on such shared bicycle/pedestrian ways in public parks as well as streets, and where available, in bike lanes and bike paths.
- Any person riding an E-scooter upon a bicycle/pedestrian way who is approaching a pedestrian lawfully using such way shall give audible warning and shall yield to such pedestrian, dismounting if necessary to do so.
- This section does not require a person operating a bicycle, electric bicycle or low speed micromobility (including electric scooters) 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 is otherwise unsafe or impracticable to do so, including if the lane is too narrow for the bicycle, electric bicycles or low speed micromobility device (including electric scooters) and an overtaking vehicle to travel safely side by side within the lane.
- (a) Every person operating a bicycle, electric bicycle, or e-scooter 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) This section does not require a person operating a bicycle, electric bicycle, or e-scooter 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, electric bicycle, or e-scooter and an overtaking vehicle to travel safely side by side within the lane.
- E-scooters may only be ridden in campus bike lanes. E-scooter operators must obey all traffic rules, traffic lights and signs and other rules of the road.
 - (1) E-scooters may only be operated in bike lanes. E- scooters are not permitted to be operated on any sidewalk on university property at any time.

- (2) Operators must not carry passengers.
- (3) Operators must not be under the influence of alcohol when operating an e-scooter.
- (4) Operators must not race e-scooters, other personal transportation devices or vehicles.
- (5) Operators may not wear headphones.
- (6) E-scooters are banned from all university buildings, parking lots and garages. E-scooters may not be ridden or parked in university parking lots or garages.
- (7) E-scooters must be parked at bicycle rack pads if on campus property.
- (8) E-scooters must never be parked on sidewalks, block pedestrian pathways, building entrances or impede the work of the university (e.g., mowing or snow removal.)
- (9) E-scooters are not permitted in residence halls or other university buildings. E-scooters may not be charged in residence halls or on other university property.
- (10) E-scooters found in residence halls or left unattended anywhere on university property other than an established bicycle rack pad may be impounded by university police.
- (11) University employees may not operate e-scooters on university property while on university business and will not be reimbursed for any e-scooter use.
- (12) Operators may not transport packages.
- (13) Pedestrians have the right of way at all times.
- (B) Citation and impoundment

When any e-scooter (excluding handicap e-scooters) is determined to be in violation of this Rule, the e-scooter is subject to a \$25 citation, impoundment (impound fee is \$75), or both, at the owner's expense. A \$5 daily storage fee will accrue until the e-scooter is retrieved. Miami university is not responsible for damage to e-scooters. E-scooters will be released to the registered owner or their duly authorized agent only after all the following conditions are met:

 - (1) All outstanding citations and impoundment fees are paid.
 - (2) A picture identification is presented.
 - (3) Proof of ownership or retrieval authorization is presented.
- (C) Appeals of citation/impoundment

Appeals should be addressed in writing within five calendar days to the director of environmental health and safety. Appeals must include all pertinent information and supporting documentation needed to allow the director of environmental health and safety, to make an informed decision. Appeals should contain a complete and full explanation of circumstances or claim.
- (D) Individual responsibility

Individuals will be held personally responsible for any damage caused to university property as a result of the operation of a personal transportation device on university property. Individuals assume the risk of personal injury and death and will be held responsible for any injuries to themselves or others as a result of any violation of this Policy or the improper operation of any personal transportation device on university property.
- (E) Safety tips
 - (1) Wear a helmet

- (2) Maintain a three-foot minimum distance from pedestrians.
- (3) Yield to pedestrians in crosswalks.
- (4) Watch the road for uneven surfaces and debris.
- (5) Be wary of puddles and leaves that may hide potholes.
- (6) Dress to be seen and do not operate at night.
- (7) Share the road and never ride against traffic.
- (8) Eliminate distractions. Do not text while riding.

The recommendations included above are intended to increase safety when riding a motorized scooter but are not intended to be an exhaustive list of safety precautions or to guarantee operator safety. Operators are expected to review and abide by any terms and conditions agreed to in order to ride the motorized scooter. As with any device used for transportation, users operate at their own risk.

Alternative:

- E-scooter riders must be at least 18 years of age.
- E-scooters cannot exceed 20 mph.
- Users of personal transportation devices must comply with all applicable laws, including official traffic control devices and signs. Users must dismount and walk when crossing streets and roads and in any pedestrian accessible area.
- In areas where designated bicycle paths are provided, bicycles and e-scooters may only be ridden in such designated bicycle paths and not on adjacent sidewalks.

2.2.8: Riding on sidewalks.

Standard:

(a) No person shall operate a bicycle, skateboard or scooter upon a sidewalk where signs are erected prohibiting such operation.

(b) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

Option:

- No person shall operate a bicycle, skateboard, or low speed micromobility device (including electric scooters) upon a sidewalk within the immediate downtown business district.
- No person shall ride a bicycle, mobility device, skateboard or roller-skates upon a sidewalk within the City or paved area within a public park owned by the City when the Chief of Police or Traffic Control Commissioner has prohibited the riding of a bicycle, mobility device, skateboard or roller-skates thereon and, with the consent of the member or members of Council in whose ward(s) the sidewalk or paved area within a public park is located has erected signs on or along such sidewalks or paved areas setting forth such prohibition.

- Whenever a person is riding a bicycle, mobility device, skateboard or roller skates upon a sidewalk within the City or paved area within a public park owned by the City, such person shall yield the right-of-way to any pedestrian and give an audible signal before attempting to overtake and pass such pedestrian.
- This section shall not apply to the Divisions of Police, Emergency Medical Services, and Fire personnel, nor to any private safety/security personnel, when personnel are acting within the scope of their official duties while riding a bicycle or mobility device.

2.2.9: Operation of bicycles, motorcycles, mobility devices, and snowmobiles.

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

(b) (1) No person operating a bicycle, mobility device, or motorcycle shall ride other than upon or astride the permanent and regular seat attached thereto, or carry any other person upon such bicycle, mobility device, or motorcycle other than upon a separate firmly attached and regular seat thereon, and no person shall ride upon a bicycle, mobility device, or motorcycle other than upon such a firmly attached and regular seat.

(2) A person operating a mobility device without a permanent and regular seat attached thereto shall not ride other than standing upon the footboard.

(3) 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.

(c) (1) Except as provided in division (c)(2) 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 (c)(2) of this section, no person who is under the age of eighteen (18) years, or who holds a motorcycle operator's endorsement or license bearing a "novice" designation that is currently in effect as provided in O.R.C. 4507.13, shall operate a motorcycle on a highway, or be a passenger on a motorcycle, unless wearing a United States Department of Transportation-approved 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 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) Division (c)(1) of this section does not apply to a person operating an autocycle or cab-enclosed motorcycle when the occupant compartment top is in place enclosing the occupants.

(3) A. 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 O.R.C. 4507.05 unless the person, at the time of such operation, is wearing on the person's head a protective helmet that has been approved by the United States Department of Transportation that conforms with rules adopted by the Director.

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

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

(d) 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.

(e) Except as otherwise provided in this division, whoever violates division (b) or (c)(1) or (c)(3) of this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded guilty to one (1) predicate motor vehicle or traffic offense, whoever violates division (b) or (c)(1) or (c)(3) of this section is guilty of a misdemeanor of the fourth degree. If, within one (1) year of the offense, the offender previously has been convicted of two (2) or more predicate motor vehicle or traffic offenses, whoever violates division (b) or (c)(1) or (c)(3) of this section is guilty of a misdemeanor of the third degree.

Option:

- No person operating a bicycle, electric bicycle or micromobility device shall carry any package, bundle or article that prevents the driver from keeping at least one hand upon the handle bars.
- No bicycle, electric bicycle, micromobility device or motorcycle shall be used to carry more persons at one time than the number for which it is designed and equipped. No 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.
- *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, electric bicycle or micromobility device.*
- A person shall ride upon a motorcycle only while sitting astride the seat, facing forward, with one leg on each side of the motorcycle.
- No person operating a mobility device should do so on any streets if the posted speed limit is over 35 mph unless in a dedicated bike lane or shared use path.
- No person operating a mobility device shall exceed a speed of 20 mph.
- No person under the age of 16 shall operate a mobility device upon any street or highway or any public or private property used by the public for purposes of vehicular travel or parking except on a shared use path.

- (B) (1) No person under the age of 18 shall operate a bicycle or mobility device within the City without wearing a protective helmet on the person's head, with the chin strap fastened under the person's chin. Such helmet shall be fitted to the size of the operator's head and shall meet or exceed the standards set forth by the U.S. Consumer Product Safety Commission (CPSC).

No person the age of one or older but under the age of eighteen shall ride as a passenger on a bicycle or mobility device equipped with a firmly attached passenger seat or astride a regular seat on a tandem bicycle, within the City without wearing a protective helmet on the person's head, with the chin strap fastened under the person's chin. Such helmet shall be fitted to the size of the operator's head and shall meet or exceed the standards set forth by the U.S. Consumer Product Safety Commission (CPSC). Failure to wear a protective helmet as required in this division shall not be considered to be comparative or contributory negligence on the part of the parent, guardian, custodian, person having custody or control, or person in loco parentis of a child nor on the part of the child nor shall such failure be admissible in any civil action.

(2) No person, who is the parent, guardian, custodian, person having custody or control, or person in loco parentis of a child under 18 years of age shall authorize or knowingly permit such child to violate any provision of this division.

Whoever violates division (B) of this section shall be fined no more than \$25.

The Director of Public Safety and the Chief of Police shall be responsible for enforcing division (B) of this section, and shall, as in all other enforcement actions, be afforded discretion and professional judgment in determining the appropriate enforcement action, including a verbal or written warning or the issuances of a summons.

Alternative:

- No person operating a bicycle, mobility device or motorcycle shall carry more persons than the number for which it is designed and equipped, nor shall any person operate a motorcycle on a street or highway when the handle bars or grips are more than 15 inches higher than the seat or saddle for the operator.

2.2.10: Operation of motor scooters.

Standard:

Any person operating a motorized scooter shall:

- (a) Ride the motorized scooter, when practicable, within three feet of the right edge of the roadway, exercising due care when passing a standing vehicle or one proceeding in the same direction;
- (b) Obey the instructions of official traffic-control devices applicable to vehicles, unless otherwise directed by a police officer;
- (c) Before changing course, or stopping upon a roadway, exercise due care that the movement can be made with reasonable safety and give correct signals;

- (d) Yield the right-of-way to a 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;
- (g) Ride single file only;
- (h) Shall not ride at any time on sidewalks.

Option:

- No person shall ride a minibike, motor scooter, motor-assisted bicycle or moped on any sidewalk or in any public park in the City, or in or upon any school ground in the City, except as permitted by regulation adopted by the school authority in charge of such ground. This section shall not be construed to apply to electric bicycles.
- No person shall ride a motorized scooter upon any street without having his or her hands upon the handlebars. No person shall ride a motorized scooter upon any street while wearing headphones.
- No person shall operate a motorized scooter:
 - (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 scooter;
 - (c) In a weaving or zigzag course unless such irregular course is necessary for safe operation or in compliance with law;
 - (d) Without both hands upon the handle grips except when necessary to give the required hand and arm signals; and
 - (e) At a speed greater than is reasonable and prudent under the conditions then existing.
- (a) Motorized scooters shall not be operated on any street or highway with a speed in excess of 20 mph.
 - (b) Motorized scooters shall not be operated by anyone under the age of 12 years on any street, highway or public property.
 - (c) No person riding a motorized scooter shall take or hold onto any moving automobile, bus or other vehicle of any kind upon any street for the purpose of being drawn or propelled by the vehicle. No person operating a motorized scooter shall tow any person on a bicycle, skateboard, skates or any other vehicle or method of conveyance.
 - (d) No person riding a motorized scooter shall carry any additional person on the same.

- (e) A person operating a motorized scooter shall not carry any package, bundle or article that prevents the driver from keeping at least one hand upon the handlebars.
- No person shall operate a motor-driven cycle or motor scooter upon any street or highway located within the corporation limits of the Village with an established speed limit of greater than 45 mph.
- A person shall be permitted to operate a motor-driven cycle or motor scooter across an intersection of a street or highway having an established speed limit greater than 45 mph.

2.2.11: Unicycles.

Standard:

No person shall operate a unicycle or one wheel cycle on the public streets and on sidewalks in business districts.

2.2.12: Use of personal transportation devices on university campuses.

This piece of legislation was designed for Miami University, and as such contains numerous references to Miami University and its other legislation. These references have been left unchanged so that cities with universities may replace such references with references to their own universities.

Standard:

Miami university is committed to creating a sustainable and safe campus. As part of these efforts, Miami university regulates the use of personal transportation devices on university property.

(A) Types of personal transportation devices

Permissible personal transportation devices include the following:

- (1) Bicycles, unicycles, tricycles, and similar vehicles regardless of the number of wheels
- (2) Class one or two electric bicycles
- (3) Skates, including in-line skates, rollerblades, and roller skates
- (4) Skateboards or other wheeled boards of any size or type
- (5) E-scooters with restrictions (see rule [3339-16-19](#) of the Administrative Code)

(B) Prohibited personal transportation devices

Prohibited personal transportation devices include the following:

- (1) Segways

- (2) Golf carts and ATVs
- (3) Bicycles with helper motors (mopeds)
- (4) Any other motorized personal transportation device

(C) Restrictions

Prohibited personal transportation devices including golf carts, segways, electronic skateboards and self-balancing skateboards (commonly referred to as hover-boards) may not be used on university property.

University owned and operated small motorized transportation devices (e.g. golf carts and ATVs) may only be used in the course of conducting official university business.

Personal transportation devices may not be used inside of any university buildings and facilities-including academic buildings and residence halls.

This rule does not prohibit the use of motorized wheelchairs, segways, or small motorized personal transportation devices if being used to accommodate a person with a disability or a baby stroller when being used for the purpose of transporting a child.

(1) Individual responsibility

Individuals will be held personally responsible for any damage caused to university property as a result of the operation of a personal transportation device on university property. Individuals assume the risk of personal injury and death and will be held responsible for any injuries to themselves or others as a result of any violation of this rule or the improper operation of any personal transportation device on university property.

(3) Parking

(a) Motorized personal transportation devices may not be parked inside campus buildings except or residence hall rooms. Bicycles should be parked in bicycle racks or residence hall bike storage rooms.

(b) Chaining or securing a bicycle to any object or structure other than a bicycle rack is prohibited.

(c) Personal transportation devices may not be parked in such a manner as to hinder the safe flow of pedestrian or vehicular traffic, block access to fire hydrants or emergency phones, in bus stops, driveways, parking zones or parking lots. Personal transportation devices parked in violation of this section may be removed by the university and/or immobilized. An impound fee of \$25 will be assessed and a \$5 daily fee will accrue until the personal transportation device is retrieved. The university is not responsible for damage to personal transportation devices or locks incurred during removal.

(d) All personal transportation devices must be removed from campus at the end of spring semester. Personal transportation devices left on university property for more than five days

following spring graduation will be considered abandoned property. These devices will be impounded and disposed of.

2.2.13: Bicycle lanes.

Standard:

(a) Definitions.

(1) “Bicycle lane” means any portion of a roadway designated by signs and/or pavement markings for the exclusive use of bicycles.

(2) “Bicycle” has the same meaning as contained in O.R.C. 4511.01(G).

(b) Designated Bicycle Lane Direction. No person shall ride or operate a bicycle within a bicycle lane different from the direction of other vehicular traffic in the traveled portion of the roadway adjacent to the designated bicycle lane.

(c) Operation of Bicycle in Bicycle Lane.

(1) No persons riding or operating a bicycle shall ride more than two abreast in a bicycle lane.

(2) No person shall park a bicycle in a bicycle lane unless there are exigent or emergency circumstances.

(3) No person riding or operating a bicycle shall make a left turn at an intersection from the bicycle lane.

(4) Every person riding or operating a bicycle in a bicycle lane shall be subject to the provisions of this Traffic Code and the traffic laws of the State applicable to the driver of a vehicle, except as to those provisions which by their nature can have no application.

(d) Driving in a Bicycle Lane.

(1) No person shall drive or operate a motor vehicle upon or across a bicycle lane except as follows:

A. By briefly crossing the bicycle lane to enter or leave an alley, building, private road or driveway.

B. To prepare for a right turn at an intersection, or into an alley, building, private road or driveway. Such turn shall be accomplished by moving the motor vehicle into the bicycle lane within a distance of 200 feet of the intersection, alley, building, private road or driveway to be turned into.

C. The motor vehicle operation upon or across a bicycle lane is required in the course of official duty.

(2) No motor vehicle shall move into or cross the bicycle lane without yielding the right of way to any bicycle that is close enough to constitute an immediate hazard.

(e) Electric Assisted Bicycle; Electric Personal Assistive Mobility Device; Mopeds. An electric assisted bicycle, personal assistive mobility device, and a moped used under pedal power shall be considered a bicycle, rather than a motor vehicle, for purposes of these Codified Ordinances, except when otherwise specifically provided by ordinance.

(f) Duty of Motorist to Bicyclist.

(1) In approaching or passing a person on a bicycle every person operating a motor vehicle shall proceed with caution and shall pass the bicyclist at a reasonable speed and keep a safe distance from the bicyclist.

(2) No person operating a motor vehicle shall harass or endanger a bicyclist by the movement or maneuvering of his or her motor vehicle.

(g) Obstructing a Bicycle Lane.

(1) No person shall:

A. Stop, stand, sit or loiter upon any bicycle lane.

B. Place any object upon any bicycle lane, which impedes or blocks the normal and reasonable movement of any bicyclist unless the placement or parking is necessary for the safe operation or is otherwise in compliance with the law.

C. Park a vehicle or motor vehicle within a bicycle lane.

(2) Subsection (g)(1)C. does not apply to:

A. Emergency or public safety vehicles while displaying a red, white, or blue rotating, flashing or oscillating light, or a rotating, flashing or oscillating light combining any of those colors.

B. School buses picking up or discharging students.

C. Rubbish, garbage, recycling materials, leaf or yard waste collection vehicles while actually engaged in the collection of rubbish, garbage, recycling materials, or leaf and yard waste removal while displaying a rotating, flashing or oscillating amber light.

D. Highway maintenance vehicles as defined in O.R.C. 4511.04, while displaying a flashing, rotating or oscillating amber light.

E. Air compressors, tractors, trailers, trucks, and other equipment while being used in the construction, reconstruction, installation, repair or removal or facilities near, on, over or under a bicycle lane while displaying a flashing, rotating or oscillating amber light.

F. Busses and taxicabs when actually engaged in the loading or unloading of passengers and while simultaneously flashing the front and rear turn signals.

G. Delivery and service vehicles while actually engaged in making deliveries or providing services and while simultaneously flashing the front and rear turn signals.

H. Vehicles for which permission has been granted to park in the bicycle lane by the Chief of Police or his designee for good cause shown.

2.2.14: Speed limit of micromobility devices.

Standard:

No person operating an e-scooter shall exceed a speed at greater than 15 mph.

Option:

- Motorized scooters shall not be operated on any street or highway with a speed in excess of 20 mph.

Alternative:

- No person operating a low speed micromobility device shall exceed a speed of 20 mph.
- No person shall operate a bicycle (or tricycle, electric bicycle, or low speed micromobility device) at a speed greater than is reasonable and proper under the conditions then existing.

Part 3: Skateboards

2.3.1: Riding on sidewalks.

Standard:

- (A) No person shall ride or park a bicycle, operate a skateboard or ride upon in-line skates on any sidewalk area within the Central Business District. However, bicycles may be parked in racks where provided.

Option:

- *No person shall ride or allow another person to ride any skateboard on any street or sidewalk within the business district of the city, or municipal parking lots.*
- *Every person riding a skateboard or wearing roller skate devices on public or private sidewalks shall not do so upon public street surfaces designed primarily for motor vehicles and shall dismount when crossing intersections.*
- *A person operating a skateboard shall ride upon the sidewalk rather than the roadway when sidewalks are available, except that no person shall ride a skateboard upon a sidewalk upon or along which signs have been erected by authority of the Chief of Police prohibiting such riding, or within a business district.*

Alternative:

- No person shall ride a skateboard on sidewalks where the buildings abut the paved portion of the sidewalks. Any person riding a skateboard on a sidewalk where such use is permitted shall give audible warnings of his or her approach to any pedestrian or other person lawfully using the sidewalk, shall yield the use of the sidewalk to such pedestrian or other person, and shall dismount if necessary to do so.
- No person shall ride or use a skateboard on any sidewalk, parking area or other public way or area within a district zoned for commercial use, religious or cultural use, or any public facility without the express permission of the owner of such property.
- All persons on roller skates or inline skates, or riding in or by means of any toy vehicle, skateboard, scooter, sled or similar device, upon accessing any public street, alley, parking lot or sidewalk in a Mixed Use District must follow rules governing bicycle use. See O.R.C. 4511.53 Rules for bicycles, motorcycles and snowmobiles.
- It shall be permissible for any person to ride a bicycle, skateboard, inline skates, and roller skates upon the sidewalks in the Village only within the residential district, and when riding on the sidewalks in the residential district bicycle riders, skateboarders, inline skaters, and rollers skaters shall use the right side of the sidewalk.

2.3.2: Riding on streets

Standard:

No person shall operate and/or ride a skateboard upon any public roadway, street and/or highway within the City.

Guidance:

- No person shall ride a skateboard across or through any intersection involving a through street. Such intersections are to be crossed by carrying the skateboard across or through such intersection.

Alternative:

- All persons on roller skates or inline skates, or riding in or by means of any toy vehicle, skateboard, scooter, sled or similar device, upon accessing any public street, alley, parking lot or sidewalk in a Mixed Use District must follow rules governing bicycle use. See)
- O.R.C. 4511.53 Rules for bicycles, motorcycles and snowmobiles.
- No person shall skateboard on any street or alley except when crossing a street on a crosswalk and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. Whoever violates this section is guilty of a minor misdemeanor.
- No person shall ride or operate roller skates or a skateboard upon any roadway in the City, except when crossing a street in a crosswalk.

2.3.3: Attaching to vehicles

Standard:

No person riding upon any skateboard shall attach the same or himself to any moving vehicle or bicycle upon a roadway; no operator shall knowingly permit any person riding upon any skateboard to attach the same or himself to any moving vehicle or bicycle.

2.3.4: Riding abreast

Standard:

No person riding a skateboard upon a roadway shall ride abreast, except on paths or parts of roadways set aside for the exclusive use of skateboards.

2.3.5: Curfew

Any person on roller skates or inline skates, or riding in or by means of any toy vehicle, skateboard, scooter, sled or similar device, upon accessing any public street, alley, parking lot or sidewalk in any specific use district shall not ride during the hours from sunset to sunrise.

Alternative:

- No person shall ride a skateboard, transport themselves by roller blades or roller skates, ride a non-motorized or motorized scooter, or ride or operate a like instrument, after sunset or before sunrise.
- No person shall ride a skateboard or use any roller skate device upon any public street or other public property within the village from one half-hour after sunset to one half-hour before sunrise.

2.3.6: Trespassing for skateboard operation

Standard:

No person on roller skates or inline skates, or riding in or by means of any toy vehicle, skateboard, scooter, sled or similar device, shall go upon any private property without the express, written consent of the owner of such property. This section shall not apply to a person on property owned or rented by the person's spouse, parent or legal guardian.

Alternative:

- For the purpose of this section, "motor-driven or electric cycles" are defined as any motor scooter, motor-driven skateboard with less than 150 cubic centimeter displacement, electric scooter, electric skateboard, or any other such similar device.
No person shall operate any such device upon private property without having first obtained the consent of the owner of said property.

2.3.7: Reckless operation/duty to operate with care.

Standard:

No person shall operate a skateboard:

- (a) Without due regard for the safety and rights of pedestrians and drivers and occupants of all other vehicles, and so 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 skateboard;
- (c) In a weaving or zigzag course, unless such irregular course is necessary for safe operation or in compliance with law;
- (d) At a speed greater than is reasonable and prudent under the conditions then existing.
- (e) Except as otherwise provided in this subsection, 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.

Option:

- No person shall ride or operate a skateboard at or on any place where a sign has been posted prohibiting such riding or operation.
- *No person shall operate a skateboard at a speed greater than is reasonable and prudent under the conditions then existing.* For the purposes of this section any speed above 15 mph shall be prima facie unreasonable and imprudent.

Alternative:

- Every person operating a bicycle, skateboard, inline skates, and roller skates shall at all times operate such bicycle, skateboard, inline skates, and roller skates with due regard to his own safety and the safety of other persons lawfully upon the streets, sidewalks, and other public ways and shall always yield the right-of-way to pedestrians.
- For the purpose of this section, “motor-driven or electric cycles” are defined as any motor scooter, motor-driven skateboard with less than 150 cubic centimeter displacement, electric scooter, electric skateboard, or any other such similar device.
- No person shall operate any such device on any street or highway in any willful or wanton disregard or without due regard for the safety of persons or property.

2.3.8: Riding in parking lots

Standard:

No person shall ride or use a skateboard on any sidewalk, parking area or other public way or area within a district zoned for commercial use, religious or cultural use, or any public facility without the express permission of the owner of such property.

Alternative:

- No person shall operate a skateboard or ride upon in-line skates on any city owned and operated parking lot.
- All persons on roller skates or inline skates, or riding in or by means of any toy vehicle, skateboard, scooter, sled or similar device, upon accessing any public street, alley,

parking lot or sidewalk in a Mixed Use District must follow rules governing bicycle use. See O.R.C. 4511.53 Rules for bicycles, motorcycles and snowmobiles.

2.3.9: Prohibited on ramps

Standard:

(a) No person shall operate any bicycle, motorized bicycle, motorcycle, skateboard, scooter or other wheeled vehicle upon any ramp designated for disabled person access unless such wheeled vehicle or apparatus is then and there being used for the transportation of a disabled person

(b) This section shall not apply to ramp areas of crosswalks crossing duly designated and accepted public thoroughfares.

(c) Whoever violates this section is guilty of a minor misdemeanor and shall be fined not more than \$100 and court costs.

2.3.10: Duty to observe traffic regulations

Standard:

Every person operating a bicycle, skateboard, inline skates, and roller skates shall comply with all traffic signs and signals erected for vehicular and pedestrian traffic and with all laws, ordinances, and regulations applicable thereto, except such provisions as by their nature would have no application.

2.3.11: Riding single file

Standard:

Every person riding a skateboard or wearing roller skate devices shall operate on any sidewalks, public or private, in single file as near to the right side of the sidewalk as is practical and shall exercise due care when passing or meeting other persons or property upon such sidewalk area.

Alternative:

- Upon all heavily traveled thoroughfares it shall be the duty of all persons operating bicycles, skateboards, in line skates, and roller skates to ride in single file.

2.3.12: Riding near right edge

Standard:

Every person operating a skateboard 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.

Whoever violates this section is guilty of a minor misdemeanor.

2.3.13: Impounding of skateboards

Standard:

Any law enforcement officer who observes a violation of this section may seize and impound the bicycle, skateboard, inline skates or roller skates used by the violator. These devices shall be returned upon request to any adult owner or parent or guardian of a juvenile offender.

Option:

- *For the purpose of this section, “motor-driven or electric cycles” are defined as any motor scooter, motor-driven skateboard with less than 150 cubic centimeter displacement, electric scooter, electric skateboard, or any other such similar device. A peace officer who cites a person for a violation of this section may confiscate or impound any motor-driven or electric cycle used by the person in the commission of the offense. The person or owner, or in the case of a juvenile operator, the parent or guardian of said juvenile operator, may recover the motor-driven or electric cycle from said confiscation or impound after a minimum of 24 hours after citation upon presentation of proper identification.*
- *In addition to the penalties provided heretofore, a court may prohibit any person who violates or fails to comply with any of the provisions of this chapter relating to skateboards from riding a skateboard for a period not to exceed three months. In addition, any person violating or failing to comply with any of the provisions of this chapter relating to skateboards may be punished by having his or her skateboard impounded for a period not exceeding 30 days.*

2.3.14: Operation by minors.

Standard:

No person, age 15 or under, on roller skates or inline skates, or riding on or by means of any toy vehicle, skateboard, scooter, sled or similar device shall operate such device upon a public street, alley, parking lot, sidewalk or private property without wearing a helmet and wrist guards.

2.3.15: Construction of Skate-Trick Infrastructure

Standard:

No person shall do any of the following within the Village:

Erect, construct, or place any type of ramp designed for use with skateboards, roller skates, street skates, scooters, pedal cycles, or any human or non-human powered device onto the streets, alleys, sidewalks, and traffic ways in the Village, or on any property owned, leased, managed or under control of the Village, except in areas provided for such purposes.

2.3.16: Impeding flow of traffic

Standard:

No person shall ride a skateboard, roller skates, street skates, scooters, pedal cycles, or any human or other powered device on any street or alley in such a manner as to impede or block the normal and reasonable movement of traffic.

Alternative:

- No person shall park, leave, store or otherwise place any wheeled device anywhere within the Village Business, Village Square or Village Institutional District in such a manner as to obstruct or hinder the normal or customary entrances to or exits from any building or place or in such a manner as to obstruct or hinder the normal or customary use of any sidewalk or walkway.

2.3.17: Yielding of Right of Way to Pedestrians

Standard:

Whenever a person is riding a skateboard upon a sidewalk or street, such person shall yield the right-of-way to any pedestrian.

Alternative:

- Every person riding a skateboard or wearing roller skate devices shall yield the right of way to all pedestrians at all times and shall pass them, without causing injury or reasonable fear for their safety, even if dismounting or the cessation of locomotion shall be necessary.

2.3.18: Overtaking blind pedestrians

Standard:

- Whenever a person is riding a skateboard upon a sidewalk, the person, before overtaking and passing a blind person carrying a white or metallic cane, shall dismount and overtake or pass such blind person on foot.

Option:

- *Every person riding a skateboard or wearing roller skate devices shall, before overtaking, meeting in the opposite direction or passing a blind person carrying a white cane or guided by a dog, dismount and/or overtake, meet or pass on foot.*

2.3.19: Riding at night.

Standard:

No person shall ride a skateboard or wear roller skate devices at night upon public or private sidewalks unless such person wears distinctive, reflective clothing or specific reflective devices upon his or her person in such size and magnitude as to give reasonably prudent persons notice of the skateboarder's or roller skater's presence and proximity in the immediate area.

2.3.20: Riding in public areas

Standard:

No person shall ride a skateboard, transport themselves by roller blades or roller skates, ride a non-motorized or motorized scooter, or ride or operate a like instrument, in public areas.

Section III: Safety of Micromobility

Part 1: Bicycles

3.1.1: Parking of bicycle; prohibited acts.

Standard:

(A) No person shall stand or park a trackless trolley or vehicle, except when necessary to avoid conflict with other traffic or to comply with sections [4511.01](#) to [4511.78](#), [4511.99](#), and [4513.01](#) to [4513.37](#) of the O.R.C., or while obeying the directions of a police officer or a traffic control device, in any of the following places:

- (1) On a sidewalk, except as provided in division (B) of this section;**
- (2) In front of a public or private driveway;**
- (3) Within an intersection;**
- (4) Within 10 feet of a fire hydrant;**
- (5) On a crosswalk;**
- (6) Within 20 feet of a crosswalk at an intersection;**
- (7) Within 30 feet of, and upon the approach to, any flashing beacon, stop sign, or traffic control device;**
- (8) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by a traffic control device;**
- (9) Within 50 feet of the nearest rail of a railroad crossing;**
- (10) Within 20 feet of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within 75 feet of the entrance when it is properly posted with signs;**
- (11) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;**
- (12) Alongside any vehicle stopped or parked at the edge or curb of a street;**
- (13) Upon any bridge or elevated structure upon a highway, or within a highway tunnel;**
- (14) At any place where signs prohibit stopping;**
- (15) Within one foot of another parked vehicle;**
- (16) On the roadway portion of a freeway, expressway, or thruway.**

(B) A person is permitted, without charge or restriction, to stand or park on a sidewalk a motor-driven cycle or motor scooter that has an engine not larger than 150 cubic centimeters, a low-speed micromobility device, or a bicycle or electric bicycle, provided that the motor-driven cycle, motor scooter, low-speed micromobility device, bicycle, or electric bicycle does not impede the normal flow of pedestrian traffic. This division does not authorize any person to operate a vehicle in violation of section [4511.711](#) of the O.R.C.

(C) Except as otherwise provided in this division, whoever violates division (A) 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.

Option:

- (a) No person shall park a bicycle or electric bicycle upon a sidewalk or in an alley 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) Whoever violates this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.
- Where bicycle or mobility device racks or other such devices to park bicycles or mobility devices are provided in a commercial area, park, school or other such place, no person shall park a bicycle or mobility device in such area, except in the rack provided or other fixture designated for such purpose.
- *No person shall park a bicycle or motorized bicycle on a sidewalk in such a manner as to interfere with pedestrian traffic... or damage the property of another.*
- No bicycle or motorized bicycle shall remain unlocked when parked on any public way or place.
- *No person shall park a bicycle upon a sidewalk in such a manner so as to unduly interfere with pedestrian traffic... or upon a roadway other than against the curb.*
- (b) Whenever any police officer determines a bicycle to be parked or standing in violation of subsection (a), such officer shall have the authority to move or remove such bicycle as follows:
 - (1) Whenever any police officer finds a bicycle parked upon a sidewalk in such a manner as to unduly interfere with pedestrian traffic or standing upon a roadway so as to unduly interfere with vehicular traffic, such officer may move such bicycle, or require the owner or other person in charge of the bicycle to move same, to a position off the paved or improved or main-traveled part of such roadway.

- (2) Whenever any police officer finds a bicycle unattended upon a roadway so as to unduly interfere with vehicular traffic, such officer may provide for the removal of such bicycle.
- No operator of a bicycle or motorcycle shall park the same on any public property within the City unless such vehicle is securely locked.
- (a) No person shall secure a bicycle to a fire hydrant, fire call box or traffic control device.
 - (b) No person shall secure a bicycle to a pole, meter or device located within a bus loading zone.
 - (c) No person shall secure a bicycle to a pole, meter or device located within 25 feet of any intersection.
 - (d) No person shall secure a bicycle to a pole, meter or device on public or private property on which notice has been posted forbidding the securing of bicycles.
- No person shall park a bicycle or mobility device on a sidewalk in such a manner as to block crosswalks, curb ramps, transit stops, fire escapes, fire hydrants, loading zones, disability parking, street furniture, building entryways, private property, railroad crossings, or vehicular driveways.
- Bicycles, electric bicycles and micromobility devices shall be parked upright.
- *No person shall park a bicycle or mobility device upon a sidewalk in such a manner so as to unduly interfere with pedestrian flow.* This includes ADA ramps, areas departing to and from buildings, and at transit stops.
- Bicycles parked on sidewalks in the business district shall be parked not further than two feet from the curb thereof and in no instance shall the bicycles be parked adjacent to or leaning upon the buildings and show windows in the business district.

3.1.2: Bicycle equipment.

Standard:

(A) Every bicycle or electric bicycle when in use at the times specified in section [4513.03](#) of the O.R.C., shall be equipped with the following:

- (1) A lamp mounted on the front of either the bicycle or electric bicycle 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 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 may be equipped with a device capable of giving an audible signal, except that a bicycle or electric bicycle shall not be equipped with nor shall any person use upon a bicycle or electric bicycle any siren or whistle.

(D) Every bicycle and electric bicycle shall be equipped with an adequate brake when used on a street or highway.

(E) 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.

Option:

- *Every bicycle shall be equipped with...* an essentially colorless reflector on the front of a type approved by the Director;
Either with tires with retroreflective sidewalls or with an essentially colorless or amber reflector mounted on the spokes of the front wheel and an essentially colorless or red reflector mounted on the spokes of the rear wheel. Each reflector shall be visible on each side of the wheel from a distance of 600 feet when directly in front at lawful lower beams of head lamps on a motor vehicle. Retroreflective tires or reflectors shall be of a type approved by the Director.
- Bicycles shall be equipped with brakes which stop a bike moving at 10 mph within 15 feet on level, clean, dry pavement.
- No person shall operate upon the streets or public places in the City any bicycle which has been modified or altered in such a way as to cause the pedal in its lowermost position to be more than 12 inches above the ground.

3.1.3: Parental responsibility.

Standard:

No parent of any child or guardian of any ward shall authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter.

3.1.4: Bicycle racing.

Standard:

- (A) Bicycle racing on the highways is prohibited except as authorized in this section.

(B) Bicycle racing on a highway shall not be unlawful when a racing event has been approved by state or local authorities on any highway under their respective jurisdictions. Approval of bicycle highway racing events shall be granted only under conditions which assure reasonable safety for all participants, spectators and other highway users, and which prevent unreasonable interference with traffic flow which would seriously inconvenience other highway users.

(C) By agreement with the approving authority, participants in an approved bicycle highway racing event may be exempted from compliance with any traffic laws otherwise applicable thereto, provided that traffic-control is adequate to assure the safety of all highway users.

Part 2: Skateboards

3.2.1: Parking of skateboards.

Standard:

No person shall park a skateboard or similar device upon sidewalks or upon public property in such a manner so as to unduly interfere with pedestrian traffic or upon a roadway so as to unduly interfere with vehicular traffic.

Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

Alternative:

- It shall be unlawful for any person to leave a skateboard, roller skates, street skates, scooter, pedal cycle, or any other human-powered device upon a sidewalk in such a manner as to obstruct pedestrian traffic.

Part 3: Scooters, Micromobility Devices, Motorized Scooters

3.3.1: Parking of micromobility devices.

Standard:

(A) No person shall stand or park a trackless trolley or vehicle, except when necessary to avoid conflict with other traffic or to comply with sections [4511.01](#) to [4511.78](#), [4511.99](#), and

[4513.01](#) to [4513.37](#) of the O.R.C., or while obeying the directions of a police officer or a traffic control device, in any of the following places:

- (1) On a sidewalk, except as provided in division (B) of this section;
 - (2) In front of a public or private driveway;
 - (3) Within an intersection;
 - (4) Within 10 feet of a fire hydrant;
 - (5) On a crosswalk;
 - (6) Within 20 feet of a crosswalk at an intersection;
 - (7) Within 30 feet of, and upon the approach to, any flashing beacon, stop sign, or traffic control device;
 - (8) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by a traffic control device;
 - (9) Within 50 feet of the nearest rail of a railroad crossing;
 - (10) Within 20 feet of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within 75 feet of the entrance when it is properly posted with signs;
 - (11) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;
 - (12) Alongside any vehicle stopped or parked at the edge or curb of a street;
 - (13) Upon any bridge or elevated structure upon a highway, or within a highway tunnel;
 - (14) At any place where signs prohibit stopping;
 - (15) Within one foot of another parked vehicle;
 - (16) On the roadway portion of a freeway, expressway, or thruway.
- (B) A person is permitted, without charge or restriction, to stand or park on a sidewalk a motor-driven cycle or motor scooter that has an engine not larger than 150 cubic centimeters, a low-speed micromobility device, or a bicycle or electric bicycle, provided that the motor-driven cycle, motor scooter, low-speed micromobility device, bicycle, or electric bicycle does not impede the normal flow of pedestrian traffic. This division does not authorize any person to operate a vehicle in violation of section [4511.711](#) of the O.R.C.
- (C) Except as otherwise provided in this division, whoever violates division (A) 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.

Option:

- (A) Riders of micromobility devices shall park devices upright on hard surfaces on the curb of the sidewalk, beside a bicycle rack or in another area specifically designated for bicycle parking or on the street next to an unmarked curb.
- (B) Riders shall not park micromobility devices in such a manner as to block the pedestrian clear zone area of the sidewalk; ADA paths of travel including accessible ramps, any fire hydrant, call box, or other emergency facility; bus bench, or utility pole or box.
- (C) Riders shall not park micromobility devices in such a manner as to impede or interfere with the reasonable use of any commercial window display or access to or from any building entrance/exit doorway.
- (D) Riders shall not park micromobility devices in such a manner as to impede or interfere with the reasonable use of any bicycle rack or news rack.
- (E) Riders may park micromobility devices in on-street parking spaces in the following circumstances:
 - (1) When marked parking spaces are officially designated stations for such devices;
 - (2) Where the curb is less than three feet wide;
 - (3) In neighborhoods with rolled curbs or with inadequate sidewalk space;
 - (4) In marked parking spaces designated for motorcycles.
- (F) Riders may park micromobility devices on blocks without sidewalks only if the travel lane(s) and six-foot pedestrian clear zone are not impeded.
- (G) Riders shall not park micromobility devices directly adjacent to or within the following areas such that that access is impeded:
 - (1) Transit zones, including bus stops, shelters, passenger waiting areas and bus layover and staging zones, except at existing bicycle racks;
 - (2) Loading zones;
 - (3) Disabled parking zone;
 - (4) Street curb that requires pedestrian access (e.g., benches, parking pay stations, bus shelters, transit information signs, etc.);
 - (5) Curb ramps;
 - (6) Entryways, and
 - (7) Driveways.
- (a) No person shall park a bicycle, electric bicycle or low speed micromobility device (including electric scooters) 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) Whoever violates this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a

misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

- Where bicycle or mobility device racks or other such devices to park bicycles or mobility devices are provided in a commercial area, park, school or other such place, no person shall park a bicycle or mobility device in such area, except in the rack provided or other fixture designated for such purpose.

3.3.2: Equipment of motorized scooters.

Standard:

(a) Every motorized scooter when operated upon a street shall be equipped with the following:

(1) A brake adequate to control the movement of and to stop such motorized scooter when necessary. Such brake shall be maintained in good working order at all times;

(2) A parking brake adequate to hold the vehicle on any grade on which it is operated, under all conditions or loading, on a surface free from snow, ice, or loose material;

(3) A bell, horn or other signal device capable of giving a signal audible for a distance of at least 100 feet;

(4) At least one and no more than two headlights;

(5) A taillight with a reflective lens;

(6) A brake light;

(7) A rearview mirror; and

(8) Handlebars equipped with safety grips.

Option:

- Every person riding a motorized scooter on a street, path, or City property, shall wear a properly secured protective helmet, which meets the standards for bicycle helmets.
- No motorized scooter or similar type of vehicle powered by an internal combustion engine shall be operated in the City unless such vehicle is equipped with a properly installed, unmodified two-stage muffler, in good working order, and in constant operation, and within the range specified by the manufacturer, effective to prevent excessive or unusual noise.

3.3.3: Equipment of micromobility devices.

Standard:

(a) Every bicycle or mobility device when in use at the times specified in Section [4513.03](#) of the O.R.C., shall be equipped with the following:

(1) A lamp mounted on the front of either the bicycle, 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 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 mobility device and white lamps and white reflectors shall not be used on the rear of the bicycle or mobility device.

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

(d) Every bicycle or mobility device shall be equipped with an adequate brake when used on a street or highway.

3.3.4: Parent's responsibility.

Standard:

(a) No parent of any child or guardian of any ward shall authorize or knowingly permit any such child or ward to violate any of the provisions described herein.

(b) Whoever violates any provision of this section is guilty of a minor misdemeanor.

Section IV: Design of Micromobility Infrastructure

4.0.1: Designing, modifying, and maintaining public streets to facilitate bicycle usage.

The following guidelines are hereby established.

(A) When four-lane thoroughfares are initially constructed, overlaid with a new course of asphalt, or reconstructed, the outside lanes may be striped wider than the inside lanes if minimum lane width standards will not be compromised and if the following criteria are met:

(1) The segment of street being constructed, overlaid, or reconstructed must have a continuous length of at least one-half mile, or connect to an existing wide outside lane;

(2) The city must determine that the street segment does not contain any unique geometric or unusual circumstances that would cause the uneven lane widths to present a hazard to the public safety, health, and/or welfare; and

(3) If the thoroughfare is a state and/or federal highway or project, the appropriate state and/or federal agency must approve the modified striping plan.

(B) The city will make every reasonable effort to either install and maintain traffic signal detectors that are sensitive to the presence of bicycles or provide for other means of actuation of traffic signals for bicyclists.

(C) When designing or reviewing plans for new streets or when developing plans for the reconstruction of existing streets, the city and all utility companies will specify that utility covers, storm water inlets containing street grates, and other surface irregularities be designed to be safe for the passage of bicycles.

(D) When traffic volume, street design, and current or projected bicycle usage suggest that a street is especially appropriate for bicycle traffic, the city will consider identifying the street with “Bicycle Route” signs.

(E) Wherever it has street maintenance responsibility, the city will make every effort to promptly remove debris from street edges and intersections, and to maintain as smooth as practical transitions between street surfaces and concrete gutter sections, and between street surfaces and any street grates.

4.0.2: Bicycle Parking.

When bicycle parking accommodations are provided on a site, they shall be located in an area adjacent to the building and separate from vehicular or pedestrian (sidewalk) traffic circulation so as to prevent traffic conflicts and safety hazards between vehicles, people, and bicyclists.

4.0.3: Bicycle parking design standards.

When bicycle parking spaces are provided in exchange for one or more required vehicular parking space, the following design standards shall apply:

(a) Location of Bicycle Parking Spaces.

(1) The bicycle parking area shall be convenient to building entrances and street access, but shall not interfere with normal pedestrian and vehicle traffic. For passive security purposes, the bike parking shall be well-lit and clearly visible to building occupants or clearly visible from the street.

(2) Uncovered bicycle parking spaces shall be no more than 50 feet from the principal building entrance and at the same grade as the sidewalk or an accessible route.

(3) Covered bicycle parking spaces shall be located in a secure location in an area that is easily accessible from the public right-of-way and building entrances. A secure location shall be one of the following: a locked room, a fenced area with a locked gate, or a location within view or within 100 feet of an attendant or security guard.

(4) Bicycle parking for residential uses may be provided in garages, storage rooms and other resident-accessible, secure areas. Space within dwelling units or on balconies are not counted toward satisfying bicycle parking requirements.

(b) Design of Bicycle Parking Spaces.

(1) Required bicycle spaces must have a minimum dimension of two feet in width by six feet in length, with a minimum overhead vertical clearance of seven feet. Each bicycle parking space must be accessible without moving another bicycle. There must be an aisle at least five feet wide between each row of bicycle parking to allow room for bicycle maneuvering.

(2) The area devoted to bicycle parking must be surfaced as required for vehicle parking areas.

(3) Bicycle racks must support the bicycle in a stable position. Structures that require a user-supplied locking device must be designed to easily allow a high-security U-shaped lock to secure the bike frame and one wheel while both wheels are still on the frame's brackets. All racks must be securely anchored to the ground or a structure to prevent the rack from being removed from the location.

Section V: Business Regulations for Micromobility Vendors

Part 1: Bicycle Vendors

5.1.1: Bicycle Rental Agencies.

Standard:

No rental agency shall rent or offer any bicycle for rent unless the bicycle is licensed and a license plate is attached thereto as provided herein, and such bicycle is equipped with the lights and other equipment required herein.

5.1.2: Bicycle dealers/vendors to record sales.

Standard:

- (a) Every person engaged in the business of buying or selling new or second hand bicycles shall make a report to the Division of Police (or other relevant Police authority) of every bicycle purchased or sold by such dealer, giving the name and address of the person from whom purchased or to whom sold, a description of such bicycle by name or make, the frame number thereof and the number of the license plate/tag/decal, if any, found thereon, within seven days of the date of the transaction.
- (b) Except as otherwise provided in this subsection, 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.

Option:

- The Division of Police (or other relevant Police authority) is hereby authorized and empowered to furnish bicycle dealers with the necessary and proper printed forms and blanks to carry out the purpose expressed in this chapter.
- *Every person buying, selling... or giving away ...a new or secondhand bicycle shall make a report to the Police Department of every bicycle purchased, sold... or given away ...by such person, giving the name and address...*
- *All persons engaged in the business of buying, trading or exchanging secondhand bicycles, unicycles or tricycles are required to make a... quarterly report ...to the Police Department giving the name and address...*

- *...from whom each such vehicle is purchased, traded or exchanged, the frame number thereof, and the number of the license tag found thereon, if any.* Such tag shall be returned to the Police Department.

5.1.3: Bicycle dealers selling to minors.

Standard:

No person engaged in the business of buying or selling new or used or secondhand bicycles shall purchase from or sell to a minor under the age of 18 years any such bicycle unless such minor is accompanied by his parent or guardian, or unless such minor produces the written consent of his parent or guardian.

5.1.4: Repair shops to record serial number.

Standard:

No person, corporation or firm in the business of selling and/or repairing bicycles shall sell, repair, dispose of or transfer the ownership of any bicycle without keeping a written record of the seller, purchaser, manufacturer's serial number and type or model thereof. Such records shall be kept for a period of three (or five) years and shall be available to the Chief of Police upon request.

Part 2: Shared Micromobility Vendors

Note to Section 5.2: A very small fraction of the cities examined in this study had set up business regulations for shared micromobility vendors; because of this, no standard law can be extracted. Instead, three models of business regulations will be presented: a franchise agreement, a permit program, and a pilot program. The regulations have been taken semi-verbatim from their cities of origin, and as such, reference sections of their own municipal code. Municipalities wishing to adopt this particular legislation are encouraged to modify section numbers to fit their own codes.

5.2.1: Operation of mobility device program prohibited.

Standard:

- (a) No person shall park, leave standing, leave lying, abandon, or otherwise place a shared mobility device in a public right-of-way or on public property anywhere within the City.
- (b) No person shall operate a shared mobility device in a public right-of-way or on public property anywhere within the City.
- (c) No person shall provide or offer for use a shared mobility device anywhere within the City.

- (d) Whoever violates this section is guilty of a minor misdemeanor.
- (e) In addition, any violation of Subsection (c) shall constitute a public nuisance, and the Municipal Attorney is authorized to file for injunctive and/or other relief on the City's behalf as necessary to abate the nuisance.
- (f) City officials designated by the City Manager, and any party contracted by the City to specifically impound shared mobility devices are authorized to impound any shared mobility device that has been offered for use, placed in a public right-of-way or on public property, or operated in a public right-of-way or on public property in violation of this chapter. Impounded devices shall be subject to impound and storage fees established by the City Manager in the same manner as other city fees.

Alternative:

- This section shall apply to any business offering for lease or rental any low speed micromobility device within the City or for use within the City. No such person or entity shall offer for lease or rental any low speed micromobility device within the City or for use within the City. The device is defined by O.R.C. 4501.01(FFF).

5.2.2: Franchise Agreement.

5.2.2.1: Applicability.

- (a) e-Scooter shall have the same meaning as defined in Cincinnati Municipal Code [Section 501-1-E3](#), "e-Scooter."
- (b) This chapter applies to any person engaged in the business of providing e-scooter rental or sharing services to the public within the city.
- (c) The requirements of this chapter shall supplement the provisions of Title V, "Traffic Code," of the Cincinnati Municipal Code.
- (d) No person shall engage in the business of e-scooter rental or sharing services to the public within the city unless that person has obtained a franchise from the city to engage in such a business.
- (e) No person shall obtain a franchise from the city until that person has complied with the following:
- (1) Submitted a timely and complete application for a franchise or timely and complete response to a request for proposals conducted by the city;
 - (2) Paid the application fee established by the city manager, if applicable;
 - (3) Posted a bond and obtained the insurance required by Sec. 811-07; and
 - (4) Executed a franchise agreement with the city for the provision of e-scooter rental or sharing services.

5.2.2.2: General Provisions.

- (a) It is unlawful for any person to commence or engage in the business of providing e-scooter rental or sharing services within the city without first obtaining a franchise and entering into a franchise agreement with the city.
- (b) Each franchisee shall comply with all laws of the city of Cincinnati, the state of Ohio, and the federal government. Each franchisee shall obtain and maintain all applicable licenses and permits required by federal, state, and local laws, rules, regulations, and orders of regulatory bodies.
- (c) Each franchisee shall comply with all rules and regulations established by the city manager or his or her designee for the safe and effective administration, operation, and enforcement of the e-scooter rental and sharing services pursuant to Sec. 811-09.
- (d) A franchisee shall not be relieved of the obligation to comply with all requirements of this chapter and the franchise agreement by failure of the city to enforce compliance with such requirements.
- (e) The city reserves its right to grant franchises and similar rights to more than one (1) person.
- (f) Each franchisee shall identify and mark each of its e-scooters located within the city with the franchisee's name so that they are easily identifiable.
- (g) A franchisee providing e-scooter rental or sharing services is not and shall not be deemed to be an agent or employee of the city. A franchisee shall be solely responsible for any losses or damages of any kind arising from its performance or nonperformance under its franchise. A franchisee shall indemnify, defend, and hold the city harmless against any and all claims and suits brought against the city resulting from the franchisee's performance or nonperformance under the franchise agreement.
- (h) The execution of the franchise agreement and the issuance of a franchise, and the renewal thereof, is at the sole discretion of the city manager and shall not be construed as creating any vested rights in the franchisee. Each franchise is revocable in accordance with the terms of this chapter and the terms of the franchise agreement.
- (i) A franchise may not be assigned or transferred to another person.
- (j) A franchise authorizes a franchisee to provide e-scooter rental or sharing services within the city.
- (k) All of the franchisee's equipment, including e-scooters and other vehicles used in connection with e-scooter rental or sharing services, shall be subject at all times to inspection by the city, and the city manager or his or her designee may require the cleaning, repair, replacement, or retirement of any equipment, including e-scooters and other vehicles used in connection with e-scooter or sharing services.

5.2.2.3: Award of e-Scooter Franchisees.

- (a) Any person wishing to obtain a franchise to engage in the business of providing e-scooter rental or sharing services within the city shall submit an application to the city manager in compliance with the process established for awarding franchises.
- (b) Where appropriate, the city manager may choose to conduct a request for services pursuant to Cincinnati Municipal Code [Section 321-1-R6](#) to solicit qualified franchisees in lieu of an application process.
- (c) An applicant for a franchise shall provide the city with satisfactory evidence demonstrating that:
- (1) The applicant has the experience, personnel, equipment, and other resources to provide e-scooter rental or sharing services in the city and the management of such; and
 - (2) The applicant has the capacity and willingness to comply with all local, state, and federal laws, and all rules and regulations of the city for the rental, sharing, and operation of rental e-scooters.
- (d) Applicants for a new franchise and applicants for the renewal of an existing franchise shall provide information requested by the city manager and other relevant information. The application and supporting materials shall be submitted under oath. At a minimum, the application shall include the following information:
- (1) The name and mailing address of the applicant; contact information for the applicant's designated representative; the name of the person to be granted the franchise; if the applicant is a corporation, the names of the corporation's principal officers; the names of the local operating managers who will be responsible for the rental or sharing services for the applicant, together with the business address and telephone number of each manager;
 - (2) If the applicant is a corporation, proof that the corporation is in good standing in the State of Ohio and, if the applicant is not an Ohio corporation, proof that the applicant is authorized to do business in the State of Ohio. If the applicant is operating under a fictitious name, the applicant shall be required to submit information that such fictitious name is registered and held by the applicant;
 - (3) A statement of whether the applicant operates or has operated an e-scooter rental or sharing business in Ohio or any other state or territory. If the applicant has provided or is providing e-scooter rental or sharing services, the applicant shall describe all cases where and when it provided such services (but not more than ten (10) communities), and whether any of the applicant's permits, approvals, or licenses to provide such services have ever been revoked or suspended within the last five (5) years;
 - (4) A complete record of all felony convictions, and all misdemeanor convictions within the last five (5) years, involving the applicant's e-scooter rental and sharing services. If the applicant is not an individual, the applicant also shall provide the complete record of such convictions for

any person who is an officer, majority shareholder, or partner in the applicant, and any person having a controlling interest in the applicant;

(5) A complete record of all civil penalties and liquidated damages in excess of five thousand dollars (\$5,000.00) assessed against the applicant by local, state, and federal governmental entities within the last five (5) years involving the e-scooter rentals or sharing services;

(6) The types of e-scooters or other vehicles which the applicant has in its inventory and their capabilities, including any e-scooters that are adapted to expand access for people with physical limitations;

(7) Evidence demonstrating the applicant's capacity to satisfy the requirements imposed on franchisees pursuant to Sec. 811-07;

(8) A list of the e-scooters, vehicles, equipment, and containers that will be used by the applicant to provide e-scooter rental or sharing services. At a minimum, the list shall identify the make, model, and year of each e-scooter or vehicle. The city manager may inspect any of the e-scooters, vehicles, equipment, and containers identified by the applicant and thereby determine whether the applicant possesses the e-scooters, vehicles, equipment, and containers that are capable of providing safe and efficient e-scooter rental and sharing services in compliance with this chapter; and

(9) A chart identifying the maximum rates that the applicant charges customers for various types of e-scooter rental or sharing services.

(e) When applicable, each applicant shall submit a nonrefundable application fee to the city in the amount established by the city manager. The application fee is due and payable when the application is submitted. This fee shall not apply to responses to a request for services.

(f) New applications must be submitted to the city manager at least sixty (60) days before the applicant wishes to begin providing e-scooter rental or sharing services. Renewal applications must be submitted to the city manager at least thirty (30) days before the applicant's existing franchise expires.

(g) A franchise for e-scooter rental or sharing services may be granted to a person when the city manager concludes that the applicant has satisfied the requirements in this chapter. This includes successfully responding to the request for services or completing the application and the city rating the person's proposal or application as most advantageous.

(h) The city manager retains the sole discretion to approve or deny an application. Among others, an application for a franchise for e-scooter rental or sharing services may be denied for the following reasons:

(1) The applicant has not submitted a complete application with all of the required supporting documents or paid the application fee;

(2) The applicant has submitted false or materially misleading statements in the application;

- (3) The applicant or a partner, director, or officer of the applicant has been convicted of a felony within the past five (5) years, or has been convicted of a misdemeanor within the past three (3) years, involving provision of scooter rental or sharing services;
- (4) The applicant has failed to satisfy one or more of the requirements of this chapter or the Cincinnati Municipal Code;
- (5) Any reason that would justify the suspension or revocation of a franchise, as described in [Sec. 811-11](#); and
- (6) The addition of further franchises would exceed either the total number of allowable e-scooters in the city or the number of franchises determined by the city manager to be needed by the city.

5.2.2.4: Requirement to Execute a Franchise Agreement with the City; Payment of Franchise Fees.

- (a) Each applicant awarded a franchise for e-scooter rental or sharing services shall execute a franchise agreement, including all required attachments, in the form prescribed by the city manager or his or her designee.
- (b) All franchise agreements shall impose an affirmative obligation on each franchisee to cause all persons operating or using its e-scooters within the city to be insured under a policy of insurance against loss from liability imposed by law for damages arising out of the e-scooters' use and operation, which policy shall be issued by an insurance carrier licensed to do business in the state of Ohio and acceptable to the city, and which policy shall provide coverage of no less than the following specified limits:
 - (1) Ten thousand dollars because of bodily injury to or death of one person in any one accident.
- (c) In connection with the execution of a franchise agreement, each franchisee shall submit the required franchise fees and documentation to the city, including, but not limited to, the following:
 - (1) An annual fee of two thousand five hundred dollars (\$2,500) for the administrative costs of oversight of the franchise, which fee shall be due and payable on the commencement date of the franchise and on each anniversary of the commencement date during the term of the franchise agreement.
 - (2) Monthly franchise fees as compensation for the rights and benefits granted by the franchise, including, but not limited to, the right to operate an e-scooter rental or sharing business in the city. The franchise fee shall be equal to twenty-five cents (\$0.25) per trip or activation of an e-scooter (which shall equal the total number of trips or activations of an e-scooter within a calendar month multiplied by \$0.25) for each e-scooter maintained by the franchisee within the city. A trip shall mean anytime a person activates or uses the e-scooter and pays a fee for such use. The franchisee shall submit its monthly franchise fee payments to the city no later than five business days after the end of each month.

(3) A statement of the franchisee's total number of trips in the city that accompanies each monthly franchisee fee payment, which statement shall be submitted on a form prescribed by the city manager or his or her designee. The statement shall include the number of e-scooters deployed or available in the city and the amount of trips and fees per day for each e-scooter. Statements and remittances shall be accepted as timely if postmarked within five days after the end of the month; if the fifth day falls upon a Saturday, Sunday, or federal or state holiday, statements and remittances shall be accepted as timely if postmarked on the next business day. Payments not received by the due date shall be assessed (1) an administrative fee to reimburse the city for the reasonable administrative costs associated with collecting such monies; and (2) interest for each day of delinquency at the rate of eighteen (18) percent per annum or the maximum allowed by law, whichever is less, for each day of delinquency, until the total unpaid amount due and owing is paid in full. The administrative fee shall be equal to six (6) percent of the amount owed by the franchisee to the city or fifteen dollars (\$15.00), whichever is greater.

(4) An annual report concerning the franchisee's total trips for the year. This annual report shall be examined by an independent reviewer, who shall confirm that the franchisee's computations concerning trips and franchise fees were performed in accordance with the requirements of this chapter. The report of the reviewer shall state that its examination of the franchisee's records was performed in accordance with professional standards. Each franchisee shall notify the city of the date its fiscal year ends. Each franchisee shall file the auditor's report with the city within one hundred twenty (120) days after the end of the franchisee's fiscal year. Franchisee shall be solely responsible for retaining the independent auditor and paying for his or her services.

(5) A certificate evidencing insurance coverage for the following types of insurance coverage and specified limits of coverage is in effect for the same term as the franchise agreement, and naming the city as an additional insured (except with regard to the workers compensation and employers liability insurances), issued by an insurance company licensed to do business in the state of Ohio, acceptable to the city, and as required and set forth in greater specificity in the franchise agreement:

(a) Comprehensive general liability insurance with a limit of a one million dollar (\$1,000,000) per occurrence and a two million dollar (\$2,000,000) general aggregate. This policy must include the following coverages: premises and operations liability, independent contractors, products and completed operations, personal injury, contractual liability, and fire damage;

(b) Automotive liability insurance coverage providing a combined single limit of not less than one million dollars (\$1,000,000) per occurrence. This policy must include the following coverages: bodily injury and property damage including premises and operations;

(c) Workers compensation insurance shall be provided for all of franchisee's employees as required under Ohio law; and

(d) Employer's liability insurance providing a single limit of not less than one million dollars (\$1,000,000), bodily injury by each accident, and providing a single limit of not less than one million dollars (\$1,000,000), bodily injury disease per each employee, and providing a single limit of not less than one million dollars (\$1,000,000) bodily injury by disease policy limit.

(6) A bond in the amount of twenty percent (20%) of the franchisee's gross revenues for the quarter immediately preceding the execution date of the franchise agreement. For franchisees who did not hold a franchise in the quarter immediately preceding the execution date of the franchise agreement, the bond shall be in the amount of fifty thousand dollars (\$50,000). The bond shall conform with the requirements of Cincinnati Municipal Code [Chapter 304](#).

(7) Documentation acceptable to the city demonstrating the franchisee's compliance with the requirements of Sec. 811-07(b), which documentation shall be made available at any time upon the city's request.

(d) All amounts paid by the franchisee shall be subject to confirmation and re-computation by the city. An acceptance of payment shall not be construed as an accord that the amount paid is the correct amount, nor shall acceptance of payment be construed as a release of any claim the city may have for further or additional sums payable.

(e) Billing methods that have the effect of reducing or avoiding the payment of franchise fees are prohibited and will be cause for termination of the franchise. Any person who uses false, misleading, or fraudulent billing methods for the purpose of reducing or avoiding the payment of franchise fees may be subject to the penalties provided by this chapter.

(f) Payment of the franchise fee shall not exempt the franchisee from the payment of any other fee, tax, or charge on the business, occupation, property, or income of the franchisee that may be imposed by the city, the county, the state, or the federal government.

(g) The franchisee shall notify the city in writing by registered or certified mail thirty (30) days in advance of any cancellation, intent not to renew, or any other changes in the insurance coverage required by this section. Upon the cancellation or lapse of any policy of insurance required by this chapter or the franchise agreement, the franchisee's license to operate as a franchisee in the city under its franchise agreement shall be deemed to be immediately revoked unless, before the expiration date of the policy of insurance, another policy of insurance containing all the requirements of the original policy of insurance is obtained and a new certificate is provided to the city.

(h) The bond required by this section shall be used to ensure the franchisee's performance under this chapter and the franchise agreement. Among other things, the bond shall be used to ensure the franchisee's payment of franchise fees and other sums that are due and owing to the city. The bond shall also be used to indemnify the city from any damages that may be suffered by the city in any manner as a result of the city's award of a franchise to the applicant, including, but not limited to, damages resulting from the franchisee's performance or nonperformance of the conditions and requirements of the franchise agreement, the franchisee's use of the city's streets, the failure of the franchisee to conform with applicable laws, and any negligent, reckless, or intentional wrongful act or omission of the franchisee or the franchisee's employees, agents, officers, or representatives. The bond shall be kept in full force at all times during the term of the franchise. The bond shall be released by the city within one year following the expiration or termination of the franchise agreement.

(i) A franchisee's failure to remit fees and documentation required by this chapter shall be grounds for the suspension or revocation of the franchise.

(j) The city may seek judicial relief to recover all fees, costs, and interest due and owing by a franchisee. The franchisee shall pay the city's court costs, reasonable attorney fees, accounting and auditing costs, and other collection costs incurred by the city as a result of franchisee's failure to remit the fees and documentation required by this chapter and the franchise agreement.

5.2.2.5: Rules and Regulations for Franchisee Operations.

(a) The city manager or his or her designee is authorized to establish rules and regulations for the safe and effective administration, operation, and enforcement of the e-scooter rental and sharing services program. The regulations may include but are not limited to the following categories:

- (1) Required notices and information to be provided to e-scooter renters and users;
 - (2) Required management and enforcement tools so the city and franchisees may effectively control, monitor, and manage rented e-scooters;
 - (3) Required maintenance obligations and abatement obligations regarding retrieval of e-scooters which are determined by the city to be in disrepair, in need of service, or located outside of permissible areas of operation;
 - (4) Identification requirements to ensure rented e-scooters are identifiable and ensure the payment of fees and costs associated with such rentals;
 - (5) Restrictions on parking in the city right-of-way;
 - (6) Environmental concerns and regulations based on the weather;
 - (7) Rider education and public health concerns regarding safety;
 - (8) Restrictions on fleet size or the number of shared or rentable e-scooters owned or operated by a franchisee;
 - (9) Allowances for accessible e-scooters or similar devices which are intended to allow those persons with physical limitations access to similar rentable devices;
 - (10) Curfew restrictions and boundaries for permanent and temporary restricted areas of operation; and
 - (11) All regulations necessary for the safe and effective management and control of e-scooters in the city's streets, paths, roads, rights-of-way, and other public grounds.
- (b) The rules and regulations established pursuant to this section shall promote the safe and orderly operation of e-scooters within the city and shall promote the safety and welfare of pedestrians, residents, businesses, city staff, and right-of-way users. All e-scooter rental franchises shall agree to abide by such rules and regulations.
- (c) Each franchisee shall prepare, keep, and maintain current, accurate records demonstrating its compliance with the requirements of this chapter and the franchise agreement.

(d) The city shall have the right to inspect and review a franchisee's records concerning its franchise. The city shall provide fifteen (15) days advance written notice of any such inspection. The city also may copy and audit the franchisee's records, at the city's expense. The records shall be readily accessible for review by the city.

5.2.2.6: Suspension or Revocation of Franchise.

(a) The city manager may suspend or revoke a franchise and the corresponding franchise agreement if the city manager concludes that:

- (1) The franchise was issued due to a mistake of law or fact;
- (2) The franchise was issued based upon a false statement or misrepresentation by the franchisee;
- (3) The franchisee has violated an applicable provision of the Cincinnati Municipal Code, state law, or federal law;
- (4) A necessary permit, approval, or license of the franchisee has become invalid;
- (5) The franchisee is no longer engaged in providing e-scooter rental or sharing services in the city;
- (6) The services and other activities authorized under the franchise are not being performed in accordance with the requirements of this chapter, the franchise agreement, or the application for a franchise;
- (7) Timely and full payment of the franchise fee has not been accomplished by the franchisee in compliance with this chapter;
- (8) The franchisee or one (1) of its principals has been convicted under a local, state, or federal law for a crime involving e-scooter rental or sharing services;
- (9) The franchisee failed to provide, pay for, and maintain the coverage in accordance with the requirements of this chapter;
- (10) The franchisee violated a requirement of this chapter or the franchise agreement;
- (11) The franchisee failed to comply with a lawful order of the city manager or his or her designee; or
- (12) The franchisee's actions or inactions demonstrate that the franchisee is not competent or fit to provide services to the public.

(b) Before the city manager suspends or revokes a franchise, the city manager or his or her designee shall provide notice to the franchisee and an opportunity to be heard in the manner set forth in [Sec. 811-13](#).

(c) A franchise that has been suspended or revoked under this chapter shall not be reinstated or reissued unless, at a minimum, the franchisee has complied with all of the requirements of this chapter, submitted a complete application, paid the application fee, executed a franchise agreement, and been approved by the city manager.

(d) The revocation of a franchise shall automatically terminate the corresponding franchise agreement.

5.2.2.7: Right to appeal the Denial, Suspension, or Revocation of a Franchise.

(a) Prior to the denial of an application or the suspension or revocation of a franchise, the applicant or franchisee shall be given reasonable notice of the city manager's proposed action and shall be given an opportunity to present evidence to the city manager or his or her designee explaining why the franchise should not be denied, suspended, or revoked. The city manager shall consider any evidence presented by the applicant or franchisee that the city manager determines is relevant to the appeal before the city manager issues a final decision. Notice of the city's proposed action and notice of the city's final decision shall be served upon the applicant or franchisee by certified mail.

(b) The applicant or franchisee may appeal the city's final decision by filing a notice of appeal with the office of administrative hearings pursuant to Chapter 1501 of the Cincinnati Municipal Code within fifteen (15) days after written notice of the city manager's decision is issued. An appeal to the office of administrative hearings shall not act as a stay of the city manager's decision to suspend or revoke a franchise.

5.2.2.8: Penalties.

A violation of any section of this chapter shall constitute a Class D civil offense.

5.2.3: Permit Program.

5.2.3.1: Permit required, term, and fees.

(A) All Operators wishing to operate a Shared Mobility Device Program within the City shall submit a Shared Mobility Device Program Application ("Program Application"), a Shared Mobility Device Program Application Fee, ("Program Application Fee") and secure a Shared Mobility Device Program Permit ("Program Permit"), as issued by the City of Kettering Engineering Department, and submit a Shared Mobility Device Program Fee ("Program Permit Fee"). The decision to issue a Program Permit is at the sole discretion of the City.

(B) Each Program Permit shall be active for one year from the date of issuance. Prior to the expiration of the Program Permit, applicants desiring to continue to operate their Shared Mobility Device Programs within the City must apply for a renewal of the Program Permit.

(C) The Program Application Fee, Program Permit Fee, and other fees as applicable, shall be established and maintained in a fee schedule by the City of Kettering Engineering Department.

(D) All Operators shall pay the City, through the City of Kettering Engineering Department, a Program Permit Fee per Shared Mobility Device, per year, calculated based upon the fleet size requested and approved in the Program Permit Application. Should an increase in fleet size be approved in accordance with Section 478.06 of this Chapter, the Program Permit Fee amount shall also be increased to reflect the new fleet size. The Program Fee shall pay for the City's

administrative costs and the cost of installation, maintenance, and repair of City's infrastructure related to or necessitated by the Shared Mobility Device Program.

(E) Shared Mobility Device Programs that are managed by Free Operators shall be required to secure a Program Permit as stated in this Section. However, Shared Mobility Device Programs that are managed by Free Operators shall be exempt from the fees required in subsections (C) and (D) of this Section for each fiscal year in which the Shared Mobility Device Program continues to be managed by a Free Operator.

(F) The Program Permit Application shall, at a minimum, require the following:

(1) The form of business of the applicant and, if the business is a corporation, association, or other legal entity, a copy of the documents establishing the business and the name and address of each person with a 20 percent or greater ownership interest in the business;

(2) The address of the fixed facilities to be used in the operation, if any, and the address of the applicant's corporate headquarters, if different from the address of the fixed facilities;

(3) The name of a person designated by the applicant to receive, on behalf of the applicant, any future notices sent by the City to the Operator and that person's contact information, including a mailing address, telephone number, and e-mail address;

(4) The plans and information required under Section 478.09 of this Chapter regarding alternative means for Users to pay for the use of Operator's Shared Mobility Devices and the equitable distribution of Shared Mobility Devices to low-income, minority, non-English speaking, and zero-car populations;

(5) Documentary evidence from an insurance company indicating that such insurance company has bound itself to provide the applicant with the liability insurance required in Section 478.12 of this Chapter;

(6) Documentary evidence from a bonding company, insurance company, or bank indicating that it has bound itself to provide the applicant with the performance bond or irrevocable line of credit required in Section 478.12 of this Chapter;

(7) The number and type of Shared Mobility Devices to be operated under the Program Permit, not to exceed the limits set in Section 478.06 of this Chapter, unless otherwise approved by the City;

(8) A signed agreement to indemnify and hold harmless the City from any damages related to the use of Shared Mobility Devices in the City;

(9) An example of the language agreed to by any User of the Operator's Shared Mobility Devices that holds the City harmless from and indemnifies the City from any damages related to the User's use of the Operator's Shared Mobility Devices in the City;

(10) A notarized signature of the applicant; and

(11) Any additional information requested by the City necessary to determine whether the Applicant is able to meet the requirements of this Chapter.

(G) At a minimum, the Program Permit shall contain the following:

- (1) The amount of Shared Mobility Devices the Operator is permitted to have in service;
- (2) The hours that the Shared Mobility Devices may be in service;
- (3) The expiration date of the permit; and
- (4) The name, address, and contact information of the Operator.

(H) The City may refuse to issue or renew a Program Permit under the following circumstances:

- (1) If the Operator or applicant intentionally or knowingly makes a false statement in an Application for a Program Permit;
- (2) If the Operator or applicant has violated any state, local, or federal law, rule, or regulation;
- (3) If the City determines, in its sole discretion, that the amount of Shared Mobility Devices deployed within the City exceeds the amount of Shared Mobility Devices permitted to operate within the City or exceeds an amount that the City Rights of Way is capable of withstanding; or
- (4) If the City, in its sole discretion, determines that the Operator has not been responsive to community or City concerns in its use of the Rights of Way.

(I) It shall be unlawful to operate a Shared Mobility Device Program without a valid Program Permit obtained in accordance with this Chapter and a valid Rights of Way Certificate of Registration obtained in accordance with Chapter 901 – Rights of Way Administration of this Code.

(J) A Program Permit is non-transferable.

Alternative:

- (A) Any business seeking to operate a shared micromobility device program within the city shall first enter into a micromobility device use agreement (“use agreement”) from the city conditioned on compliance with the provisions of this chapter and any other conditions (including insurance indemnity, and performance bond) established by use agreement.
 - (B) No business shall operate a shared micromobility device program within the city except pursuant to such use agreement and provisions (each such operator being considered a “provider”).
 - (C) Providers shall provide easily visible contact information, including toll-free phone number and/or e-mail address on each shared micromobility device for city employees and/or members of the public to make relocation requests or to report other issues with devices.
 - (D) The city reserves the right to terminate a use agreement for cause or woefully negligent practices that cannot be remedied after a 30-day written notice of alleged

negligence and after providing such provider a right to remedy such deficiency. Upon completion of the aforementioned the city can require that a provider's fleet of micromobility devices be removed from the city's right-of-way within 30 days.

(E) Providers will take reasonable steps to ensure that all riders understand the requirements of ADA accessibility and the importance of leaving ADA paths of travel clear and accessible.

(F) Providers may stage micromobility devices in permitted parking areas described in this chapter. To the extent a provider desires to stage micromobility devices in areas other than the public right-of-way, the provider must first obtain the right to do so from the City Administrator's Office, property owner, or public agency.

(G) Provider must adhere to all indemnification and insurance requirements, included in the use agreement. Failure to abide by requirements of this provision of the use agreement is grounds for revocation under paragraph (D) above.

5.2.3.2: Use of rights of way.

(A) Docked Shared Mobility Device Programs may locate their docking stations on private property as permitted in writing by the owners of that property. Docked Shared Mobility Device Programs may locate their docking stations in public Rights of Way pursuant to the Operator's receipt of a Certificate of Registration in accordance with Chapter 901 – Rights of Way Administration of this Code. The locations of docking stations in the public Rights of Way shall be determined by the City in its sole discretion. A user, having activated and completed use of the Shared Mobility Device in accordance with the Operator's rules, must leave the Shared Mobility Device at the docking station designated by the Docked Shared Mobility Device Program within the Program's service area for the next User.

(B) Dockless Shared Mobility Device Programs may locate their Shared Mobility Devices, racks, and other parking equipment on private property as permitted in writing by the owners of that property, or on public Rights of Way pursuant to the Operator's receipt of a Certificate of Registration in accordance with Chapter 901- Rights of Way Administration of this Code. The locations of Dockless Shared Mobility Devices and their racks or other parking equipment in the public Rights of Way shall be determined by the City in its sole discretion. A User, having activated and used the Shared Mobility Device in accordance with the Operator's rules, may leave the Shared Mobility Device at any designated lawful location, subject to Section 478.07 of this Chapter, within the Dockless Shared Mobility Device Program's service area. The Shared Mobility Device is then available for another's use.

5.2.3.3: Operations and maintenance.

(A) All Operators shall have staffed operations located within the City for the purpose of Shared Mobility Device maintenance and rebalancing.

(B) All Operators shall have a staffed 24-hour customer service phone number for Users to report safety concerns, maintenance issues, complaints, or ask questions.

(C) Every Shared Mobility Device shall have the Operator's name, phone number for reporting issues, and a unique identifier for each Shared Mobility Device that is clearly displayed and visible to the User on the Shared Mobility Device.

(D) All Operators must affix to each of their Shared Mobility Devices a readily accessible, clearly displayed, tactile sign containing raised characters and accompanying Braille that identifies the Operator's name, phone number for reporting issues, the unique identifier of the Shared Mobility Device, and the contact information for the City of Kettering.

(E) All Shared Mobility Device Program websites and mobile applications must be accessible to visually impaired pedestrians to report issues with any Shared Mobility Devices.

(F) Operators shall deploy their Shared Mobility Devices for use by Users prior to 7:00 a.m., local time, daily from the Shared Mobility Devices' docks, racks, or designated parking areas approved by the City in accordance with section 478.07(F) of this Chapter. All Shared Mobility Devices must be immobilized each day by 8:00 p.m. Operators must retrieve any Shared Mobility Devices that are left outside of a dock, rack, or designated parking area and return the Shared Mobility Device to a dock, rack, or designated parking area by 9:00 p.m. An Operator's failure to perform these duties may result in the impoundment of any Shared Mobility Device(s) left outside of a dock, rack, or designated parking area past 9:00 p.m., and Operator must pay all costs of impoundment. Continued failure to adhere to this Section may result in the termination, suspension, revocation of Operator's Program Permit or a refusal to renew the Program Permit upon Operator's submission of a Program Permit Application.

(G) Any inoperable, faulty, or damaged Shared Mobility Device shall be removed from the public Rights of Way within two hours of notice given by any means to the Operator by any individual or entity. Any inoperable or unsafe Shared Mobility Device shall be repaired to full working order before being placed back into operation by Operators.

(H) If the City determines that a Shared Mobility Device is a safety hazard to the public or that a Shared Mobility Device is parked in violation of this Section or Section 478.07 of this Chapter then the City may impound the Shared Mobility Device(s). Notice of impoundment shall be sent via regular U.S. Mail or certified mail to the Operator at the mailing address listed in Operator's Program Permit Application and shall state that the Shared Mobility Device shall be disposed of if Operator does not claim it within ten (10) days of the date listed in the notice. The Operator may reclaim the Shared Mobility Device upon the presentation of proof of ownership of the Shared Mobility Device and the payment of an impoundment fee covering the cost of retrieval and storage of the Shared Mobility Device. The City will not be liable for any damages that occur as a result of impoundment. The Operator shall pay for the cost of removal and storage related to impoundment of the Shared Mobility Device(s). Any Shared Mobility Device, removed by the City from public Rights of Way pursuant to this Chapter, which is not claimed by the Operator in accordance with this Section and remains unclaimed with the City for 60 days, shall be considered abandoned, and the City may assert ownership of same, and keep or dispose of said Shared Mobility Device as City sees fit, including public sale. The proceeds of any such sale shall belong to City.

(I) The City may, with or without notice, inspect Operator's compliance with this Chapter. If an Operator is found to be in non-compliance, the City may terminate, suspend, or revoke the Operator's Program Permit in accordance with Section 478.13 of this Chapter or may refuse to renew the Operator's Program Permit upon Operator's submission of a Program Permit Application.

5.2.3.4: Fleet size requirements.

(A) Permitted shared bicycle operators for both bicycles and electric bicycles shall have a maximum bicycle/electric bicycle fleet size of 100 bicycles.

(B) Permitted shared electric scooter operators shall have a maximum fleet size of 100 electric scooters.

(C) Permitted operators with a combination of shared bicycles/electric bicycles and shared scooters shall have a maximum of 150 shared micromobility devices provided that there is a minimum of 20 of each type of shared micromobility device.

(D) The total number of shared micromobility devices permitted under this program shall be limited to a cumulative total of 500 between all permittees.

(E) All applicants shall include their fleet size in their application for a micromobility device use agreement.

(F) The city may increase the maximum number of shared micromobility devices in an operator's fleet above the maximums in divisions (A) through (C) above at its sole discretion and will consider doing so on a permit-by-permit basis. In order to increase the maximum number of shared micromobility devices, an operator must demonstrate that, on average, each shared micromobility device in their fleet is being used more than three times per day. Operators may request an increase to their fleet size above the maximum amount up to one time per month, provided that at least two months have elapsed after their initial permit issuance.

Option:

- *Permitted bicycle Operators for both bicycles and electric bicycles shall have a minimum fleet size of 50 bicycles/electric bicycles, and a maximum bicycle/electric bicycle fleet size of 100 bicycles.*
- *Permitted electric scooter Operators shall have a minimum fleet size of 50 electric scooters, and a maximum fleet size of 100 electric scooters.*
- *Permitted Operators with a combination of bicycles/electric bicycles and scooters shall have a minimum fleet size of 50 Shared Mobility Devices and a maximum of 150 Shared Mobility Devices, provided that there is a minimum of 20 of each type of Shared Mobility Device.*

5.2.3.5: Shared Mobility Device Parking

(A) Shared Mobility Devices may not be parked in a manner that would impede normal and reasonable pedestrian access on a sidewalk, or in any manner that would impede the pedestrian

zone of a sidewalk to less than five feet, or in any manner that would impede the opening or closing of automobile doors, or in any manner the exiting or entry to an automobile.

(B) The City may prohibit the parking of Shared Mobility Devices in certain block faces.

(C) Shared Mobility Devices may not be parked in a manner that would impede vehicular traffic on a street or alley.

(D) Shared Mobility Devices shall not be parked in a manner such that access to the following is impeded:

(1) ADA handicap parking zones;

(2) Street furniture that requires pedestrian access (i.e. benches, parking pay stations, bus shelters, etc.);

(3) Curb ramps;

(4) Entryways; and

(5) Driveways.

(E) Shared Mobility Devices shall not be parked within:

(1) Transit zones, including bus stops, shelters, passenger waiting areas and bus staging zones, except at existing bicycle racks;

(2) Loading zones; and

(3) Landscape planting beds or other landscape materials, including islands and boulevards.

(F) The City may require that Shared Mobility Devices be parked within certain designed parking stations or areas within the City, and the City may require that those stations or areas be Geo-fenced (“designated parking areas”).

(G) Incorrectly parked Shared Mobility Devices shall be moved within 2 hours of notice to the Operator by any means, unless the Shared Mobility Device is creating a public safety hazard at which time the Shared Mobility Device must be moved immediately. Such notice to the Operator may be made by any individual or entity.

(H) The City may immediately remove and impound, in accordance with Section 478.05(F) of this Chapter, a Shared Mobility Device from the Rights of Way if it is found to be a safety hazard or is found to be in violation of any part of this Chapter.

Option:

- Any shared mobility device, removed by the city from public right-of-way pursuant to subsection (G) above, which is not claimed by the operator, and remains unclaimed with the city for 60 days, shall be considered abandoned, and the city may assert ownership of same, and keep or dispose of said small vehicle as city sees fit, including public sale. The

proceeds of any such sale shall belong to city and shall be deposited into city's general fund.

5.2.3.6: Safety Requirements.

(A) All bicycles used in Shared Mobility Device Programs issued a Program Permit under this Chapter shall meet the standards outlined in the Code of Federal Regulations (CFR) under Title 16, Chapter II, Subchapter C, Part 1512—Requirements for Bicycles. Additionally, permitted Shared Mobility Device Programs shall meet the safety standards outlined in the International Organization for Standardization (ISO) Section 43.150—Cycles, subsection 4210.

(B) All electric bicycles used in Shared Mobility Device Programs issued a Program Permit under this Chapter shall meet the Consumer Product Safety Act definition of low-speed electric bicycles; and shall be subject to the same requirements as ordinary bicycles described in subsection (A). This means, among other requirements, that electric bicycles shall have fully operable pedals, an electric motor of less than 750 watts, and a top motor-powered speed of less than 20 miles per hour when operated by a rider weighing 170 pounds. Additionally, the City may terminate any Program Permit issued if the battery or motor on an electric bicycle is determined by the City to be unsafe for public use.

(C) All electric bicycles used in Shared Mobility Device Programs issued a Program Permit under this ordinance shall meet the requirements of Section 4511.522 of the O.R.C.

(D) All electric scooters used in Shared Mobility Device Programs issued a Program Permit under this Chapter shall meet the Consumer Product Safety Act definition of electric scooters, in addition to requirements provided by the City's definition for electric scooters as defined in Section 478.02.

(E) All Shared Mobility Devices shall meet City's requirements for lights during hours of darkness, including a front light that emits white light and a rear red light as described in Section 474.05(a) of this Code and all other applicable requirements of City and state law.

(F) All Shared Mobility Devices used in Shared Mobility Device Programs issued a Program Permit under this Chapter shall meet the requirements of Section 4511.711 of the Ohio Revised Code.

(G) All permitted Shared Mobility Device Programs shall have visible language located via signage on the Shared Mobility Device and on the mobile payment application to rent the Shared Mobility Device that notifies the User that:

- (1) Helmet use is encouraged while riding a Shared Mobility Device;
- (2) Users of class 2 electric bicycles and electric scooters shall yield to bicycles in bike lanes;
- (3) Users of Shared Mobility Devices, including e-scooters, shall follow Section 474 of this Code and Section 4511.711 of the O.R.C. with regards to riding on a sidewalk;

(4) Whenever any person is riding a Shared Mobility Device upon a sidewalk, the rider must disengage the motor, and such person shall yield the Rights of Way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian;

(5) No person shall ride a Shared Mobility Device upon a sidewalk within a business district where such sidewalk extends from store front to curb; and

(6) When riding on-street, Shared Mobility Devices shall follow all posted traffic signs and signals.

5.2.3.7: Distribution.

(A) If an Operator has over 150 Shared Mobility Devices, at least 20 percent shall be rebalanced once per day to be located in underserved areas of the City, as determined by City staff.

(B) All Operators shall provide the City with a plan for equitable Shared Mobility Device sharing service, including: education of, marketing to, and engagement with low-income, minority, non-English speaking, and zero-car populations. The plan should address such topics as how to use Shared Mobility Device Programs, Shared Mobility Device safety, and Shared Mobility Device laws and regulations.

(C) All Operators shall provide information on how Users can use the Shared Mobility Device Program without (1) a smartphone; and/or (2) a credit or debit card.

5.2.3.8: Geo-fencing.

(A) The City shall maintain a list of areas of the City that are Geo-fenced. Geo-fencing may include streets, sidewalks, paths, parks, campuses, and other areas of the City. Operators shall make the necessary adjustments to their Shared Mobility Devices and Shared Mobility Device Programs to account for Geo-fenced areas so that Users are notified of all Geo-fenced locations.

(B) During temporary street or other Rights of Way closures due to scheduled construction, special events, or other planned activities the City shall provide Operators with at least 21-day notice of the change in order to establish temporary Geo-fenced areas. In order to protect the public health, safety, and welfare during an emergency, the City may require Operators to immediately establish temporary Geo-fenced areas.

(C) Operators shall make all necessary adjustments to their Shared Mobility Device Programs and Shared Mobility Devices to ensure that the Operator's Shared Mobility Devices become inoperable when entering a Geofenced area.

5.2.3.9: Data, statistics, and reporting.

(A) All Operators must include active location tracking capabilities on each Shared Mobility Device to ensure the easy location of all Shared Mobility Devices, as well as to facilitate data collection and data sharing as outlined in this Section.

(B) All Operators will provide Users with a privacy policy that safeguards Users' personal, financial, and travel information and usage, including but not limited to trip origination and destination data.

(C) All Operators shall maintain a record of maintenance activities, including but not limited to Shared Mobility Device identification number and maintenance records. These records shall be made available to the City upon request.

(D) All Operators shall provide the City, or a third-party researcher designated by the City, the following data on a monthly basis in a format approved by the City:

- (1) Aggregated breakdown of Users by gender and age;
- (2) The number of Shared Mobility Devices in circulation;
- (3) Daily, weekly and monthly active Users;
- (4) Shared Mobility Device usage, including:
 - (a) Total User miles, broken out daily, monthly, quarterly, and annually; and
 - (b) The number and duration of rides per User per day, as well as the number of rides per Shared Mobility Device per day.
- (5) Anonymized aggregated data taken by the Operator's Shared Mobility Devices in the form of heat maps showing routes, trends, origins, and destinations;
- (6) Anonymized trip data taken by the Operator's Shared Mobility Devices that includes the origin and destination, trip duration, and date and time of trip;
- (7) Customer comments/complaints and resolution, theft/vandalism, and average repair times; and
- (8) Reported collisions.

(E) All Operators shall provide the City with anonymous real-time data (information that is delivered immediately after collection) on the availability and location of the entire Operator fleet in the City upon request.

(F) All Operators shall conduct qualitative surveys, developed collaboratively between the City and Operator, after the first six months of operation, and then annually after the first six-month survey.

5.2.3.10: Insurance and indemnification.

(A) All Operators shall continuously maintain throughout the entire term of the Program Permit general commercial liability insurance that covers the operation of Operator's Shared Mobility Device Program with a minimum liability limit of \$1,000,000, listing the City as additionally insured, and issued by an insurance company licensed to do business in Ohio, and any additional insurance requirements as specified in the Program Permit Application.

(B) Prior to the Program Permit being issued, all applicants shall sign an agreement indemnifying and holding harmless the City as outlined in the Shared Mobility Device Program Permit.

(C) All Operators shall provide the City with a surety bond or an irrevocable, unconditional letter of credit in accordance with the requirements of Chapter 901.121 of this Code.

(D) All Operators shall agree that the City is not responsible for educating Users regarding safety requirements and other laws, nor is the City responsible for educating Users on how to ride or operate a Shared Mobility Device. Operators agree to educate Users regarding laws applicable to riding and operating a Shared Mobility Device in the City and to instruct Users to comply with applicable laws pertaining to Shared Mobility Devices.

5.2.3.11: Termination suspension and revocation.

(A) Termination of Program Permit. The City may, for cause or convenience in its sole discretion, terminate a Program Permit by providing the Operator with a notice of termination. If a Program Permit is terminated then the Operator must remove all Shared Mobility Devices and all equipment and infrastructure related to the Shared Mobility Device Program from the Rights of Way within seven (7) days of the notice of termination. If the Shared Mobility Devices and related equipment and infrastructure are not removed in accordance with the notice of termination, the City may impound the Shared Mobility Devices and all related equipment and infrastructure pursuant to the provisions of this Chapter.

(B) Suspension of Program Permit. The City may suspend a Program Permit if the City determines that the Operator has failed to comply with Sections 478.05 or 478.07 of this Chapter. The City may suspend a Program Permit for any other municipal purpose to protect the public health, safety, or welfare. A suspension of a Program Permit will not extend or alter the expiration date of the Program Permit.

(C) Revocation of Program Permit. The City may revoke a Program Permit if it determines:

- (1) The Operator, or their agents or employees made a false statement in the Program Permit Application;
- (2) The Operator has diminished, failed to maintain, or altered the insurance required under this Chapter;
- (3) The Operator has diminished, failed to maintain, or altered the performance bond or letter of credit required by this Chapter;
- (4) The Operator has failed to pay a fee or fees as required by this Chapter; or
- (5) The Operator, to the satisfaction of the City, has not adequately responded to issues or concerns of which the Operator has received notice. If a Program Permit is revoked by the City, the Operator and any person with a twenty percent (20%) or larger interest in the Operator, shall not be eligible for another Program Permit for a period of up to two years.

5.2.3.12: Appeal.

Any applicant who is denied a Program Permit, or an Operator whose Program Permit is terminated, suspended, or revoked as outlined in Section 478.13, may appeal, or request a review or reconsideration of that Program Permit decision. An appeal of a Program Permit decision may

be made to the City of Kettering Business License Review Board, under Section 711.16 of this Code, by submitting the notice of termination, suspension, or revocation or Program Permit denial as well as a request for the appeal, in writing, within ten calendar days of the original Program Permit decision. The request must include:

- (1) The Program Permit Application that is up for review or reconsideration. The Program Permit may be identified by its identification number and the Program Permit Application address;
- (2) The specific objections to the original City decision;
- (3) The specific actions being proposed by the Operator that could change the Program Permit decision; and
- (4) Any fee required to process the appeal as established in the fee schedule maintained by City's Engineering Department.

5.2.4: Pilot Program.

(a) City Council hereby creates a pilot program for use of electronic scooters and/or shared mobility devices, as such terms are hereafter defined, on City streets, pursuant to the Electronic Scooter Pilot Program guidelines adopted herein.

(b) Definitions. For purposes of this section, Council establishes the following definitions.

(1) "Electronic scooter" or "e-scooter" means a two-wheeled device, rented or subscribed to from an electronic scooter device vendor, that has handlebars, a floor board designed to be stood upon when operating and is powered by electricity. Some devices of this type are equipped with a seat, but none has operable pedals. The electricity is stored on board in a rechargeable battery.

(2) "Electronic scooter device vendor" means an entity approved to use/occupy the right-of-way for offering electronic scooters or e-scooters to subscribers on a fee basis subscription for short-term rental in point-to-point trips.

(c) Council hereby authorizes the Mayor to enter into a memorandum of understanding (the "MOU") with Cuyahoga County, Ohio establishing, for a term not to exceed six months from the date of passage of this Ordinance 2021-46, certain rights and responsibilities of the parties in connection with the Electronic Scooter Pilot Program, a copy of which MOU is attached to Ordinance 2021-46 as Exhibit A, and which is incorporated herein by reference as if fully rewritten. Council's authorization to enter into the MOU, as provided to the Mayor herein, shall expire upon the expiration of 30 days from the date of passage of this Ordinance 2021-46 in the event that the Mayor has not by that time both executed the MOU and provided an executed copy thereof to Cuyahoga County, Ohio.

(d) The City hereby establishes electronic scooter rebalancing stations (each a "rebalancing station") throughout the City, at locations designated on a certain rebalancing station map, a copy of which is attached to Ordinance 2021-38 as Exhibit B and which is incorporated herein by reference as if fully reproduced.

(e) The City hereby licenses five electronic scooters per shared mobility device vendor during the pendency of the Electronic Scooter Pilot Program.

(f) Each shared mobility device vendor shall be obligated to (i) provide the City Police Department with a contact person who can be reached during normal hours of operation as established hereunder; (ii) to cause any electronic scooter, e-scooter or shared mobility device to be returned to a designated rebalancing station within three hours of the termination of the use of such electronic scooter, e-scooter or shared mobility device (hereafter referred to, either collectively or individually, as an "electronic scooter"); and (iii) comply with all Electronic Scooter Pilot Program rules or guidelines established in this section.

(g) Any electronic scooter may be operated within the City from 7:00 a.m. to 7:00 p.m., and each shared mobility device vendor shall be obligated to program the City's designated electronic scooters to comply with these time restrictions.

(h) Electronic scooters may be operated only on the following designated streets: Cedar Road, Fairmount Boulevard, South Taylor Road, South Green Road, Warrensville Center Road, and Meadowbrook Boulevard. Cuyahoga County shall install geo-fencing to reasonably enforce these geographic restrictions.

(i) Electronic scooters operable within the City shall not exceed a speed limit of 15 miles per hour.

(j) No person who is under the age of 16 shall operate an electronic scooter within the City. No parent of any child or guardian of any ward shall authorize or knowingly permit any such child or ward to violate the age restrictions established in this section.

(k) A person exerting control of or operating an electronic scooter shall be permitted to stand or park it on a sidewalk, without charge or restriction, provided that the electronic scooter does not impede the normal flow of pedestrian traffic or otherwise prevent use of the sidewalk, including, but not limited to, use of the sidewalk by any person utilizing a wheelchair or assistive motorized device. Under no circumstances shall any person exerting control over or operating an electronic scooter park or leave such electronic scooter on private property.

(l) Any electronic scooter shall be considered a motor vehicle as defined in Section [402.22](#) and, accordingly, shall be subject to the ordinances set forth in the [Chapter 432](#) relating to the operation of a motor vehicle.

(m) No operator of an electronic scooter shall do any of the following: (i) allow passengers while the electronic scooter is in operation or motion; or (ii) structurally alter the electronic scooter from the original manufacturer's design.

(n) In addition to any regulations set forth in Chapter 432, the following rules shall apply to the operation of any electronic scooter within the City:

(1) Electronic scooters shall not be operated on any sidewalk.

(2) Joyriding or use of any electronic scooter in any parking lot is prohibited.

(3) Every person operating an electronic scooter shall obey the instructions of official traffic control devices and signals applicable to vehicles, unless otherwise directed by a police officer.

(4) No person operating an electronic scooter shall carry any package, bundle or article that prevent the operator from safely operating the electronic scooter.

(5) Every person operating an electronic scooter upon a roadway shall ride as near to the right side of the roadway as practicable obeying all traffic rules applicable to motor vehicles and exercising due care when passing a standing vehicle or one proceeding in the same direction.

(6) Whenever authorized signs are erected indicating that no right, left or "U" turn is permitted, no person operating an electronic scooter shall disobey the direction of any such sign, except when such person dismounts from the electronic scooter, in which event such person shall then obey the regulations applicable to pedestrians.

(o) In the event that any of the terms or provisions of this section conflict with the terms and provisions set forth in Chapter 432, the terms and provisions of this section shall be controlling.

Part 3: Independent Micromobility Vendors

5.3.1: Disclosure by retail dealers.

Standard:

(a) Any dealer who sells any motorized scooter at retail shall include in the bill of sale a statement that: (1) the operation of motorized scooters on highways and public vehicular areas by persons under the age of 14 is prohibited by City Ordinance; and (2) the maximum speed at which the motorized scooters may travel shall accompany the bill of sale. The purchaser, or the parent or legal guardian of the purchaser if the purchaser is a minor, must sign the bill of sale indicating that all purchasers and signors understand provisions (1) and (2) and acknowledge a receipt of the ordinance.

(b) Any dealer who sells in the City any such motorized scooter that does not comply with the provisions of this section shall be guilty of a second degree misdemeanor.

(c) Any dealer subject to this section may obtain copies of the ordinance applicable to motorized scooters from the Clerk of Council.

(d) This provision shall continue in effect until such time as the State of Ohio makes provision for the regulation of motorized scooter retail dealer regulation and at such time this provision shall be null and void.

Section VI: Licensing Laws

Part 1: Bicycle Licensing

Bicycle licensing laws across Ohio are relatively uniform in structure, but some aspects of the legislation vary greatly across municipalities. Municipalities may choose, if desired, to adjust the fee and time period values given in the following legislation.

6.1.1: Bicycle licensing required; application for license; issuance; fee; term/expiration.

Standard:

A. License required—Impoundment.

1. No person shall operate or use a bicycle on any street, sidewalk, driveway, playground, or any other city-owned property without first obtaining from the City License Clerk a tag therefor as provided in this section.

B. Issuance—Term. The City License Clerk is hereby authorized and directed to issue bicycle licenses upon written application. Such licenses shall be issued once and shall be valid during the period of time that the licensee owns the bicycle. A bicycle license shall entitle the licensee to operate the bicycle for which the license is issued on all streets and public street or highways within the city.

C. Fee. The license fee to be paid for each bicycle licensed under this section shall be one dollar payable in advance for all licenses issued by the License Division and \$1.25 for licenses issued at one of the Deputy Registrars.

Option:

- Any purchaser of a bicycle shall have five days from the date of purchase to obtain a bicycle license.
- This provision shall not apply to any bicycle in transit within the corporate limits of the Municipality, provided that the owner is a resident of another community.
- Every owner of a bicycle shall list and register with the Chief of Police his name and address, the name of the manufacturer of the bicycle, and its number, style and general description.
- The license shall remain in force without necessity of renewal until such time as the licensed bicycle is sold, given away or in any other way changes ownership.
- The Safety Director's designee shall not issue a license for any bicycle when he or she knows or has reasonable grounds to believe that the applicant is not the owner or entitled to the possession of such bicycle.

- In case of loss or destruction of a license tag or registration card, a duplicate tag or registration card shall be issued upon application therefore by the Chief of Police for a fee of one dollar (\$1.00) for each duplicate tag and fifty cents (\$.50) for each duplicate registration card, provided such owner gives satisfactory proof to the Chief of Police that he is the registered owner, either by affidavit or otherwise, as the Chief of Police may require.
- At the time of registration, the Police Division shall furnish to the applicant a serially numbered tag of the form and design approved.
- A record of all the registrations shall be kept by the Police Division in a record book.
- No license issued under the provisions of this section shall be transferable to or used on any other bicycle.
- A registration tag or number shall be issued for each bicycle registered. The number shall be on a metal band, sticker or decal which shall be attached to the frame of the bicycle. The numbering system is to be selected by the Police Division.

(B) There shall be a fee of \$1 required for the registration of bicycles.

- No such license shall be required of a nonresident of the Village. This provision shall not apply to any bicycle in transit within the Village, as long as the owner thereof is a nonresident of the Village.
- The registration fee of two dollars (\$2.00) may be waived by the City if both of the following conditions are met:
 - (a) At the time of registration, the applicant offers satisfactory proof of ownership of a bicycle helmet; and
 - (b) At the time of registration, the applicant signs a pledge agreeing to wear the helmet at all times when riding the registered bicycle.
- In the event any license plate is lost, stolen, mutilated or destroyed, a fee of one dollar (\$1.00) shall be charged for the issuance of a duplicate plate.
- Repetitious or successive violations of this chapter shall be sufficient cause for the complete revocation of the license and license tag.
- All bicycles shall be in good mechanical condition. To be in good mechanical condition, a bicycle must have a seat, handlebars which firmly control the steering of such bicycle, wheels which have a sufficient number of spokes adjusted in such manner or be of such other construction so as to make them of sound and sturdy construction, capable of carrying reasonable loads, brakes on the bicycle must be in good condition at all times and capable of stopping the bicycle in a reasonable distance.
- The City Manager may appoint any city employee, independent contractor or unpaid volunteer to implement or assist in implementing the application, registration or inspection procedure.

Alternative:

- No person who resides within the City shall ride or propel a bicycle upon any sidewalk, street or public path set aside for the exclusive use of bicycles, unless such bicycle has been licensed and a license decal is attached thereto as provided herein.
- Application for a bicycle license shall be made to the City Manager or to his designated Deputy Registrar. Such license shall be effective from April 1 to March 31 of the next succeeding year and shall be issued upon payment of a fee of fifty (50) cents.
- All license tags and registration cards shall expire ten years after date of original issuance or on the selling or trading of, junking of, or dismantling of the bicycle, by the original registered owner, whichever occurs sooner.
- Bicycles operated on the streets of the city may be registered at the Police Division.
- Application for Bicycle Licenses. Application for license and license tags shall be made to the Police Chief, upon a form provided by him and if such application is approved, the Police Chief shall so indicate, in writing. However, if he does not approve the application, the applicant will be notified, in writing as to reasons for refusal.

Issuance of the License. The Police Chief shall have the authority to issue bicycle licenses, upon written application. The licenses shall be effective until surrendered as provided in subsection (d) hereof. Every license shall have a registration number of the bicycle to which it is issued in the name of the City. The Police Chief shall keep a record of the license issuance, to whom issued, the number thereof and the number and make of the bicycle frame.

Attachment of License. Upon the issuance of a license, the licensee shall affix said license to the bicycle frame, in such a manner and position as to be plainly visible. The removal of such license, except by proper authority shall be a violation of this chapter.

Penalty. Except as otherwise provided in this subsection, 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.

- (a) No person shall operate a bicycle or mobility device upon any street or public place in the City unless such bicycle has been registered and tagged as provided for herein, or as provided in the bicycle owner's city of residence, except as provided in subsection (c) herein.
- (b) This section shall not be applicable to the owner or operator of a bicycle, residing in a community which does not provide for registration and licensing of bicycles.
- (c) Mobility devices registered to a Shared Mobility Device and Bicycle Vendor are exempt from local registration, licensing and tagging requirements.
- Bicycles may be voluntarily registered with the Police Department. In making such registration, the owner's name and address, the date of registration and the make, color and serial number of the bicycle shall be recorded.

- Each owner or operator of a bicycle shall obtain, from the Mayor, on or before July 1 of each odd-numbered year, a new license plate and shall pay fifty cents (\$.50) for such new plate, which shall replace the old plate and be attached in the same manner. The purchase of the new plate shall be recorded on the license and the duplicates thereof at the time of purchase.
- (a) License Required . No person shall ride or propel a bicycle on any street or public way in the Village, or upon any part thereof, unless such bicycle has been provided with the proper license tag as required herein.
- (b) Application. Application for a license tag shall be made to a Village Police Officer, upon a form to be provided by the Village. If the Police Officer approves the application he shall so indicate in writing thereon and deliver same, together with the fee to the Mayor, but if he does not approve the application he shall return the fee to the applicant.
- (c) License Issuance Records . The Mayor shall have the authority to issue, upon written application, approved by the Police Officer, bicycle licenses which shall be effective until surrendered as hereinafter provided. Every license plate shall have displayed upon it, the registration number of the bicycle to which it is issued, and the name of the Village. The Mayor and the Police Officer shall each keep a record of issuance of such license, to whom issued, the number thereof, and the number and make of the bicycle frame and the Mayor shall keep a record of all fees collected for issuance of such licenses.
- (d) Renewal . All such licenses shall be renewed for a period of two years in the following manner:
 Each owner or operator of a bicycle shall secure from the Mayor, on or before December 31, of each even numbered year, a new license plate, which shall replace the old plate and be attached in the same manner. The purchase of the new plate shall be recorded on the license and the duplicate thereof at the time of purchase. Additional renewals shall be made each two years thereafter in the manner and at the time herein provided for the first renewal. No owner or operator of a bicycle shall for any reason be entitled to a refund of any part of any license fee or a renewal fee.
- The annual license fee for each bicycle shall be \$.50 payable in advance. The license may be transferred without charge whenever the ownership of the bicycle is transferred to any other bicycle purchased and operated by the licensee, but shall not be transferred to any person other than the original licensee. Upon transfer of such license, the original decal or plate shall be returned to the City Auditor.
- The Police Department shall provide a tag or decal bearing a distinctive identification and the year of issuance stamped thereon.

6.1.2: Impounding of bicycles.

Standard:

Whenever any bicycles shall be operated by any person in violation of the provisions of this chapter, the bicycle may be seized by any member of the Police Department and impounded for a period of time not to exceed 60 days. In the event that the bicycle so impounded is not claimed by the owner or operator of the same or by the parent or guardian of the owner or operator within a time period of 90 days after it was released from impoundment, it shall be sold by the Chief of

Police and the proceeds of the sale shall be deposited by the Director of Finance into the General Fund.

Option:

- *In addition to being subject to the penalty provided in Section [303.99](#), whoever violates any provision of this chapter may have his bicycle impounded for a period of not more than five days and/or may be prohibited from riding a bicycle for not more than six months.*
- A court may prohibit any person who violates or fails to comply with any of the provisions of this chapter relating to bicycles from riding a bicycle for a period not to exceed three months. In addition, any person violating or failing to comply with any of the provisions of this chapter relating to bicycles may be punished by having his or her bicycle impounded for a period not exceeding 30 days.
- Such impounded vehicles shall not be released except upon written order signed by the Chief of Police or some other officer designated by him. Any charges for towing or storing any impounded vehicle shall be paid by the owner of the vehicle or his agent directly to the garage acting as Motor Vehicle Pound. All parking citation charges, delinquent or otherwise, shall be paid before such vehicle is released.

Bicycles and motorcycles impounded from persons under the age of eighteen years shall be released only to the parent or guardian of such person who shall be apprised of the reason for impounding the vehicle.

- If any bicycle is found in a street or alley in the City without a license identification tag as above set forth, or with a mutilated or altered serial number or no serial number stamped on the frame of the bicycle, it shall be prima-facie evidence that the bicycle is being operated without proper registration and such bicycle shall be impounded.
- 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 and tricycles impounded, the name and address of the violator if he is not the owner, together with the nature and circumstances of each violation as well as the disposition of each case.
- Whenever any bicycle is operated by any minor under the age of eighteen years (18 yrs.) in violation of any of the provisions of this Chapter, such bicycle may be seized by any policeman and impounded by the Police Division. Such bicycle so impounded shall be surrendered to the parent or guardian of such minor, without charge, after a full explanation to such parent or guardian of the reason for the impounding of such bicycle. A complete record of each such impounding shall be kept in the office of the Chief of Police.
- In the event that a bicycle is recovered and unclaimed or impounded and not claimed by the owner or operator of the same, or by the parent or guardian of such owner or operator, it shall be sold by the Police Chief and the proceeds of such sale shall be disposed of in the manner provided by law.
- All impounded bicycles, if unclaimed after 90 days, shall be sold at public auction at a time and place designated by the Chief of Police. The Chief shall give public notice of the time and place of such public auction.

- In the event any bicycle appears abandoned or lost, the Police Department of the City shall take possession of such bicycle and hold the same until the proper ownership is proven. Should no claim be made for such bicycle within sixty days, then the Police Department shall dispose of the same under the provisions of the laws of the State.

6.1.3: Bicycle license tags.

Standard:

The City License Clerk shall provide metallic tags or reflective decals having the registration number stamped thereon, in numerical order commencing with number one, and suitable for attachment upon the frame of each bicycle. Also, such tag or decal shall be attached to and sealed upon the frame of each bicycle and shall remain attached at all times during the existence and validity of the license.

Option:

- The operator of a bicycle shall display his registration card or produce satisfactory proof that he has such registration card upon the demand of any officer.
- No person shall remove a license decal from a bicycle during the period for which it is issued except upon a transfer of ownership or in the event the bicycle is dismantled and no longer operated upon any street in the City.
- *The City Manager or the Deputy Registrar shall issue a license number assigned to the bicycle and the name of the City, together with a certificate bearing the name of the owner, with the license number and year stamped thereon.*
- Any person who is the owner of a licensed bicycle and who changes their residence within the City must notify the Police Department of the location of their new residence and the number of their license plate decal.
- *The officer, upon issuing a bicycle license, shall also issue a license plate decal bearing the number assigned to the bicycle and the name of the City.*
- (A) No person shall knowingly, or under circumstances whereby he or she should have known, sell, receive, dispose of, conceal or have in his or her possession any bicycle, bicycle part or accessory of which the manufacturer's serial number or city registration tag and/or number has been defaced, covered, altered, removed or destroyed.
(B) Every person to whom any bicycle is offered for sale, storage or dismantling, from which bicycle the serial number has been defaced, covered, altered, removed or destroyed shall immediately notify the Police Division of such fact.
- No person shall willfully or maliciously remove, destroy, mutilate or alter the number on any bicycle frame, or remove, destroy, mutilate or alter any license tag or registration card during the time such tag or card is operative. If any bicycle does not have a serial number stamped on the frame or if such number is illegible, the Police Department shall stamp an identification number on such bicycle frame.
- License tags shall be suitable for attachment upon the rear of the rear fender of the bicycle or motorized bicycle or upon the rear of the frame, if there is no rear fender.

6.1.4: Registration record.

Standard:

Registration Record. The City License Clerk shall keep a record of the date of issuance of each license, the name and address of the owner of the bicycle, the names of the parents of the owner if the owner is a minor under the age of eighteen years, and the make and the manufacturer's number of each bicycle registered. The City License Clerk shall issue an exact copy of such registration record to each applicant.

Option:

- *The Chief of Police or someone designated by him shall keep a record of the number of each license, the date issued, the name of the person to whom issued and the number on the frame of the bicycle for which issued and a record of all bicycle license fees collected by him.*

6.1.5: Inspection of bicycles.

Standard:

The City Manager/Safety Director shall cause to be conducted periodic inspections of all bicycles at such times and in such manner as he at his discretion determines practicable. Any operating defects found as a result of any such inspection shall be corrected within ten days of notice thereof and the bicycle reinspected. If such defect is not so corrected and such bicycle reinspected within ten days, such bicycle shall not be operated within or on the public ways of the City and, if so operated, shall be impounded by the Division of Police until arrangements have been made to have the defect corrected. A fee of one dollar (\$1.00) per day shall be charged for each day any bicycle is impounded and held under this Section before release.

Alternative:

- The Chief of Police, or an officer assigned such responsibility, shall inspect each bicycle before licensing the same and shall refuse a license for any bicycle which he determines to be in an unsafe mechanical condition.
- Bicycle inspection; certification.
 - (1) Before the Police Department issues any bicycle license, each applicant shall first have his or her bicycle inspected by the Police Department to determine that the bicycle is in good working order and that the required equipment is properly installed.
 - (2) Such safety inspection shall include, but is not limited to, an inspection of lights, reflectors, brakes, wheel alignment, fork alignment, chain and chain guards, tires, fenders, handlebars, handlebar grips and warning device.
 - (3) If the bicycle is found to be in good working order and if the required equipment has been properly installed, the Police Chief or his duly authorized representative shall so certify. If there is defective equipment on the bicycle or it is not in good working order, the applicant for the license shall be informed of the defects or conditions that must be corrected.
- Annual inspection is encouraged.

6.1.6: Display of tags.

Standard:

Upon the issuance of a license, the licensee shall affix to the bicycle, a proper plate to be furnished by the City, which he shall cause to be firmly attached to the rear mudguard or frame of the bicycle, in such a position as to be plainly visible from the rear. No person shall remove any such plate, except by proper authority or upon transfer of ownership.

6.1.7: Transfer of bicycle ownership.

Standard:

(a) It shall be the duty of every person who sells or transfers ownership of any bicycle to report such sale or transfer to the Chief of Police, and if such person has had his bicycle licensed and registered he shall also return to the Chief of Police the registration card and license tag and furnish the Chief of Police with the name and address of the person to whom the bicycle was sold or transferred. Such report shall be made by the person selling or transferring within five days of the date of sale or transfer. The purchaser or transferee of such bicycle shall apply within five days for a registration card and license tag.

(b) Every person who dismantles, reduces to junk or renders any bicycle inoperable, whether the bicycle is registered or not, shall report the same to the Chief of Police.

(c) Except as otherwise provided in this subsection, 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.

Option:

- The number of any license surrendered as provided in this section shall not be reissued.

Alternative:

- Upon the sale or other transfer of a licensed bicycle, the licensee shall remove the license plate and shall either surrender the same to the Chief of Police or, upon proper application but without payment of an additional fee, have such plate assigned to another bicycle owned by the applicant.
- No person shall sell or transfer ownership of any bicycle without reporting to the Police Department within forty-eight hours from the time thereof, full and complete information relative to such transfer, so that such bicycle may be registered in the name of the transferee. The purchaser or transferee of any such bicycle shall apply for a transfer of registration therefor within five days from the time the same is acquired by him.
- Upon the sale or transfer of a licensed bicycle, the licensee thereof shall immediately remove the license tag and retain it in his possession. Upon proof of ownership, the licensee may transfer the license tag to another bicycle for the sum of fifty cents (\$.50).

- Upon the sale or transfer of a licensed bicycle the licensee thereof shall remove and surrender to the Chief of Police the attached license tag or may have the Chief assign such tag to another bicycle owned or operated by the licensee, without charge.
- No bicycle license may be assigned to another bicycle or to another owner.

6.1.8: Licensing to minors.

Standard:

Every owner of a bicycle shall register with the Police Department his or her name and address, the name of the manufacturer of the bicycle and the number, style and a general description of the bicycle. If the owner of the bicycle is a minor under the age of eighteen years, it shall be the responsibility of the parent or guardian, the person having the care of such minor or the person with whom he or she lives to cause registration to be made. Upon receiving the above information and, upon the applicant showing a bicycle safety helmet, the Police Department shall issue a bicycle license to the owner of such bicycle which shall be effective for so long as the owner of the bicycle continues to be the owner of such bicycle.

Alternative:

- A minor, upon making application for a bicycle license, shall furnish to the City Manager or Deputy Registrar a certification by a parent or guardian, either upon the application or upon a separate form, that the information stated therein is true.

6.1.9: Violation by minors – suspension of license.

(a) Violations of this chapter by a minor shall be reported to the Chief of Police, who shall maintain a record of such reported violations.

(b) Upon the first reported violation, a warning shall be issued to the minor and the parents, guardian or person having the care and control of the minor.

(c) Upon a reporting of a second violation within one year of the first reported violation, the Chief of Police shall serve notice upon the minor and the parent, guardian or person having control of the minor child to appear at a time set in the notice. If, upon hearing it is determined by the Chief of Police that a violation of this chapter did occur and that the minor cited was the person responsible for the violation, the Chief of Police may suspend the license granted under Section [373.12](#) for not more than ninety (90) days.

(d) Upon the reporting of a third violation within one year after the first reported violation, the Chief of Police or his duly authorized representative shall serve notice upon the minor and the parent, guardian or person having the care and custody of the minor to appear at a time set in the notice. If upon hearing it is determined by the Chief of Police that a violation of this chapter did occur and that the minor cited was the person responsible for the violation, the Chief of Police may suspend the license granted under Section [373.13](#) for not more than one year.

(e) Any minor who has his license suspended under subsection (c) or (d) hereof or any parent, guardian or person having the care and control of a minor whose license has been suspended under

subsections (c) or (d) hereof may appeal from the determination of the Chief of Police to the Mayor by filing a written notice of appeal within ten days after the determination by the Chief of Police. The Mayor shall hear such appeal and may affirm, reverse or modify the suspension imposed by the Chief of Police.

Part 2: Skateboard, Motor Scooter, and Micromobility Licensing

6.2.1: Impounding of skateboards, scooters, motorized vehicles.

Standard:

(a) Police officers are authorized to provide for the removal and impounding of bicycles, skateboards, scooters or other motorized vehicles when they are left illegally parked and unattended upon any sidewalk in the business district.

(b) Police officers are authorized to provide for the removal and impounding of bicycles, skateboards, scooters or other motorized vehicles when they are left illegally parked and unattended in a residential area in such a manner as to unduly interfere with pedestrian traffic or upon a roadway so as to unduly interfere with vehicular traffic.

(c) Any bicycle, skateboard, scooter or other motorized vehicle that has been impounded, may be claimed by appearing at the Police Department and furnishing satisfactory evidence of identity and ownership or right to possession. A ten dollar (\$10.00) impoundment fee shall be paid prior to release.

(d) Whenever any bicycle, skateboard, scooter or other motorized vehicle impounded by a police officer remains in the possession of the City and unclaimed by any person having the right to possession for a period of sixty days, the bicycle, skateboard, scooter, or other motorized vehicle shall be sold at public auction to the highest bidder.

6.2.2: Registration of motorized scooter.

Standard:

(a) Application for registration of a motorized scooter shall be made to the Director of Public Safety upon forms provided by him, which shall contain the name and address of the applicant, the name, color or other identifying mark of the motorized scooter, and other information as the Director shall deem pertinent. Each application shall be accompanied by a fee of five dollars (\$5.00).

(b) The Director of Public Safety, upon receipt of the application accompanied by the required fees, shall register such motorized scooter. The fee shall register such motorized scooter permanently. A record of all registrations shall be kept by the Director and duplicates thereof, setting forth all the information contained in the originals, shall be furnished to the Chief of

Police. At the time of registration, the Director shall furnish to the applicant a tag or sticker of form and design approved by him and serially numbered. In addition, each applicant shall be furnished a registration card reciting that the motorized scooter has been registered in the name of the owner thereof.

(c) This provision for registration with the City shall be in effect until such time as the State of Ohio requires registration of motorized scooters.

Appendix C: User Guide for Web-Based Map Application.

Description

To facilitate the visualization of cities with micromobility ordinances and also to provide accessibility to the ordinances, a web-based map application was developed. The map interface consists of two distinct layers, meticulously depicting the geographical entities of interest. The background layer presents a comprehensive depiction of the counties within the state of Ohio. Meanwhile, the front layer intricately showcases the cities with micromobility policies, allowing users to discern their spatial distribution with ease. By employing state-of-the-art technologies and adhering to a user-centered design approach, the application ensures a seamless and informative experience for researchers, policymakers, and stakeholders seeking to comprehend and analyze the spatial distribution of micromobility policies across Ohio's cities. This application is designed to run on various internet browsers, enabling seamless access to its resources.

To ensure efficient rendering and reduce computational overhead, these intricate geographical shapes were seamlessly transformed into simplified GeoJSON format, thereby optimizing the application's performance and responsiveness. Leveraging the capabilities of the open-source JavaScript framework Leaflet and integrating it with the widely adopted Bootstrap frontend framework, this map application offers a streamlined and user-friendly interface.

Navigating the map has been intentionally designed to be intuitive and straightforward. Users can explore cities by simply clicking on specific locations of interest, which automatically zooms to the selected city. Additionally, an alphabetically sorted dropdown menu enables users to conveniently browse through cities based on their names. This feature facilitates rapid access to specific cities of interest, enhancing the overall user experience.

Starting Up and Use

To utilize the map application, users are advised to extract the provided zip file to a designated directory on their computer. Subsequently, by clicking on the index.html file, the map interface will be launched in the default web browser. In the event that the map does not display in the browser, users are encouraged to verify their browser settings and ensure that JavaScript is enabled. Upon accessing the map window, a visually informative representation is presented, with the counties prominently depicted in gray hues serving as the background, while cities are distinctly displayed with vibrant colors layered on top. To inspect a specific city, users may seamlessly click on the desired location, prompting the map to dynamically zoom in, centering on the selected city. The name of the city will be visibly inscribed on the corresponding polygon, and an informative pop-up window will materialize, providing a hyperlink to access the policies associated with the selected city (see Figure C.1- Area 3).

Should a user choose to explore the policies in further detail, they can simply click on the hyperlink, prompting the browser to open a new window, wherein a PDF file encompassing the city's policy will be rendered. This streamlined process empowers users to effortlessly delve into the specifics of the city's micromobility policy. Moreover, an additional method of accessing a city's information is provided through a dropdown menu situated at the top right corner of the map (see Figure C.1- Area 1). By selecting the city's name from the dropdown, a user can readily explore the relevant data without the need to interact with the map interface directly.

For enhanced navigational convenience, a dedicated "home" icon is integrated (see Figure C.1- Area 2), affording a user the ability to swiftly revert to the default view of the map, providing an encompassing perspective of the entire region. Users are also granted the freedom to execute precise map manipulations. By utilizing standard mouse controls, they can effortlessly zoom in or out, as well as pan the map to observe specific areas of interest.

Ordinances/Practices on Micro-Mobility Systems Within Ohio

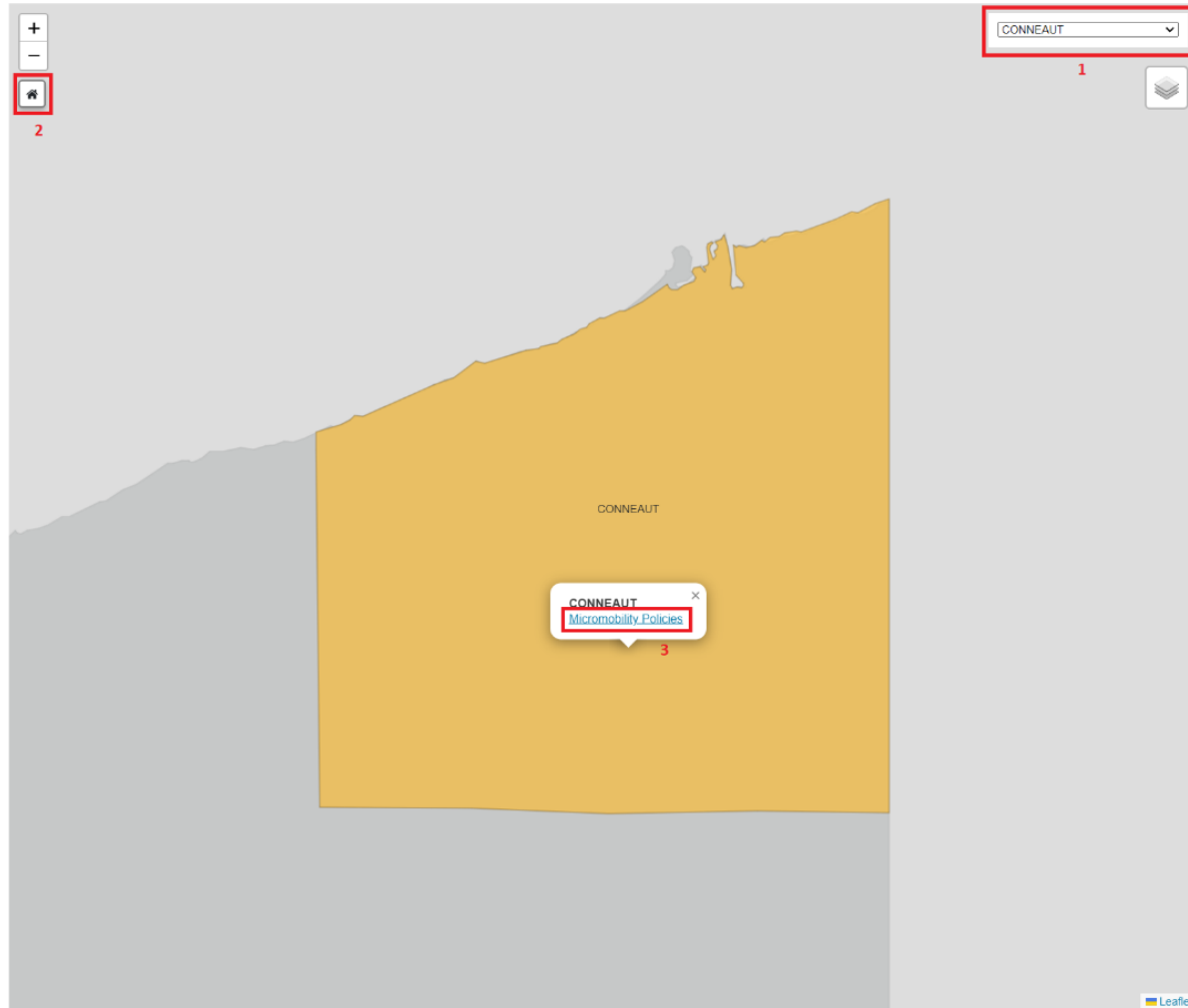


Figure C.1: Screenshot of zoomed in map window;
1) Dropdown menu; 2) Home/default zoom button; 3) Link to policy document

This map application offers a comprehensive and user-friendly platform for exploring Ohio cities with micromobility policies. With straightforward interactivity, accessibility to detailed city information through polygon-clicking and dropdown selection, and intuitive map controls, a user can efficiently glean insights from the spatial representation of micromobility policies across Ohio's cities.



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