

ORDINANCE NO 5-1

AN ORDINANCE ESTABLISHING CHAPTER 78 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF TERRACE PARK, OHIO, REGULATING THE OPERATION, REGISTRATION, AND USE OF ELECTRIC BICYCLES WITHIN THE VILLAGE

WHEREAS, electric bicycles have become an increasingly popular mode of transportation within the Village; and

WHEREAS, Ohio Revised Code Section 4511.522 establishes a three-class system for electric bicycles and authorizes local regulation; and

WHEREAS, Ohio Revised Code Section 4511.07(A)(8) and (A)(9) authorize local authorities to regulate the operation of bicycles and to require registration and licensing of bicycles; and

WHEREAS, the Village Council finds that a registration system will assist in confirming the classification of electric bicycles operated within the Village and promote public safety; and

WHEREAS, the Village Council finds that establishing parental responsibility for minor operators will enhance accountability and promote the safe operation of electric bicycles by young riders.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Terrace Park, State of Ohio, 6 members elected thereto concurring:

SECTION 1. DEFINITIONS

As used in this Chapter:

(A) "Electric Bicycle" means a bicycle equipped with fully operable pedals and an electric motor of not more than seven hundred fifty watts that meets the definition of a Class 1, Class 2, or Class 3 electric bicycle as defined in Ohio Revised Code Section 4511.01.

(B) "Class 1 Electric Bicycle" means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of twenty miles per hour.

(C) "Class 2 Electric Bicycle" means an electric bicycle equipped with a motor that may be used exclusively to propel the bicycle, that is not capable of providing assistance when the bicycle reaches the speed of twenty miles per hour, and that ceases to provide assistance when the rider applies the brakes or releases or activates a switch or similar mechanism.

(D) "Class 3 Electric Bicycle" means an electric bicycle equipped with a motor that provides assistance, both by throttle and when the rider is pedaling, ceases to provide

assistance when the bicycle reaches the speed of twenty-eight miles per hour, and is equipped with a speedometer.

(E) "Minor" means any person under the age of eighteen years.

(F) "Parent" means a natural or adoptive parent, legal guardian, or any other adult person having legal custody or control of a minor.

(G) "Village Administrator" means the Village Administrator or the Administrator's designee.

SECTION 2. REGISTRATION REQUIRED

(A) Registration Required. No person who is a resident of the Village shall operate an electric bicycle on any public street, highway, path, or sidewalk within the Village unless such electric bicycle has been registered with the Village in accordance with this Section.

(B) Application. Application for registration shall be made to the Village Administrator on forms prescribed by the Village and shall include:

- (1) The name, address, and telephone number of the owner;
- (2) A description of the electric bicycle, including make, model, serial number (if any), and color;
- (3) The class designation (Class 1, Class 2, or Class 3) as shown on the manufacturer's label required by Ohio Revised Code Section 4511.522(A);
- (4) The top assisted speed and motor wattage as shown on the manufacturer's label;
- (5) If the owner is a minor, the name, address, and signature of the parent;
- (6) Such other information as the Village Administrator may reasonably require.

(C) Inspection. The Village Administrator or a law enforcement officer may require the applicant to present the electric bicycle for inspection to verify the manufacturer's label and class designation.

(D) Registration Certificate and Decal. Upon approval of the application, the Village Administrator shall issue a registration certificate and a decal displaying a unique registration number. The decal shall be affixed to the electric bicycle in a conspicuous location as directed by the Village Administrator.

(E) Duration. Registration shall be valid for a period of three (3) years from the date of issuance.

(F) Transfer. Registration is not transferable. Upon sale or transfer of a registered electric bicycle, the new owner who is a Village resident shall register the electric bicycle in accordance with this Section within thirty (30) days of acquisition.

(G) Modification. It shall be unlawful to modify an electric bicycle in a manner that changes its class designation, top assisted speed, or motor wattage.

SECTION 3. OPERATION OF ELECTRIC BICYCLES

(A) Compliance with State Law and Local Ordinances. All persons operating electric bicycles within the Village shall comply with Ohio Revised Code Section 4511.522, "rules of the road" and all other applicable provisions of state law, and all applicable local ordinances.

(B) Class 3 Age Restriction. In accordance with Ohio Revised Code Section 4511.522(D), no person under sixteen years of age shall operate a Class 3 electric bicycle within the Village.

(C) Class 1, 2, and 3 Helmet Requirement. In accordance with Ohio Revised Code Section 4511.522(D) and the Terrace Park Codified Ordinances, no person shall operate or be a passenger on a Class 1, 2, or 3 electric bicycle within the Village unless wearing a protective helmet that meets the standards established by the Consumer Product Safety Commission or the American Society for Testing and Materials.

(D) Sidewalk Operation. No person shall operate an electric bicycle with the motor engaged on any sidewalk within the Village. Electric bicycles may be operated on sidewalks only when used as a regular bicycle with the motor not engaged.

(E) Village Paths. Class 1 and Class 2 electric bicycles may be operated on Village-owned or Village-controlled bicycle paths and shared-use paths. Class 3 electric bicycles are prohibited on such paths unless the path is adjacent to a highway.

(F) Equipment. All electric bicycles operated within the Village shall be equipped with the lighting and reflector equipment required by Ohio Revised Code Section 4511.56 when operated during the period from sunset to sunrise.

SECTION 4. PARENTAL RESPONSIBILITY

(A) Registration Responsibility. The parent of any minor who owns or regularly operates an electric bicycle within the Village shall ensure that such electric bicycle is registered in accordance with Section 2 of this Chapter. The parent shall sign the registration application for any electric bicycle registered on behalf of a minor.

(B) Supervision and Instruction. The parent of any minor who operates an electric bicycle within the Village shall:

- (1) Ensure that the minor understands and complies with all applicable traffic laws and the provisions of this Chapter;
- (2) Ensure that the minor operates an electric bicycle of a class appropriate to the minor's age under state law;
- (3) Ensure that the minor wears a helmet when operating all classes of electric bicycle as required by state law and any local ordinance;
- (4) Ensure that the electric bicycle is properly equipped and maintained.

(C) Prohibited Permissions. No parent shall knowingly permit a minor under the age of sixteen to operate a Class 3 electric bicycle in violation of Ohio Revised Code Section 4511.522(D)(1).

(D) Liability. Any parent who violates the provisions of this Section may be held jointly and severally liable for any damages or injuries caused by the minor's operation of an

electric bicycle in violation of this Chapter or state law, in addition to any penalties imposed under Section 6 of this Chapter.

SECTION 5. UNLAWFUL ACTS

It shall be unlawful for any person to:

- (A) Operate an unregistered electric bicycle in violation of Section 2 of this Chapter;
- (B) Operate an electric bicycle in violation of the provisions of Section 3 of this Chapter;
- (C) Make a false statement on an application for registration;
- (D) Remove, alter, or deface a registration decal;
- (E) Remove, alter, or falsify the manufacturer's class designation label required by Ohio Revised Code Section 4511.522(A);
- (F) Violate any provision of this Chapter.

SECTION 6. PENALTIES

(A) Except as otherwise provided herein, as provided in Ohio Revised Code Section 4511.522(D), any person who violates any provision of this Chapter shall be guilty of a minor misdemeanor.

(B) A second violation of this Chapter within twelve months of a prior violation shall be a misdemeanor of the fourth degree, and the electric bicycle shall be subject to impoundment.

(C) A third or subsequent violation of this Chapter within twelve months of two or more prior violations shall be a misdemeanor of the third degree and result in impoundment of the electric bicycle.

(D) The penalties provided herein are in addition to any civil liability that may be imposed.

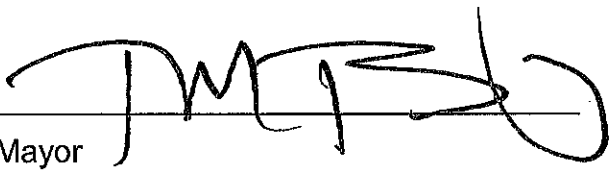
SECTION 7. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 8. EFFECTIVE DATE

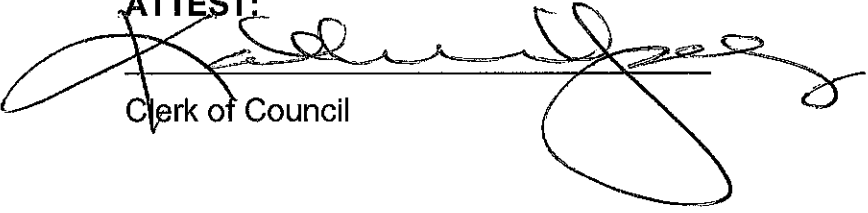
This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: May 12, 2026



Mayor

ATTEST:



Clerk of Council