

Memorandum

To: Central Iowa Bicycle and Pedestrian Roundtable **Date:** May 31, 2022

From: Ordinance Subcommittee:

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RE: Best Practice Regulations for Bicycles and Personal Transportation Devices –
DRAFT #5

Purpose

This memo presents a draft ordinance for the regulation of bicycles, electric bicycles, electric scooters, and other personal transportation devices for operation on roadways, streets, sidewalks, and trails. The intent of this memo and draft ordinance is for discussion at the Central Iowa Bicycle and Pedestrian Roundtable.

This draft has been crafted and revised during special Ordinance Subcommittee meetings held on February 4, 2022 and February 23, 2022 with members of the Roundtable and also at every monthly Roundtable meeting held since January 2022. The City of Des Moines Engineering Department reviewed a revised version and those recommendations have also been addressed. Notes in red are included for commentary, not as proposed model ordinance language. Further revisions are anticipated upon review by law enforcement and legal counsel. The final draft will go before the Roundtable for recommendation to the MPO's Technical, Executive, and Policy Committees as a model ordinance for the Des Moines metro area.

Please note hyperlinks have been placed in this memo to various resources.

Goals

The goals of this model ordinance are to:

1. Match State Code where applicable, with modifications to accommodate other personal transportation devices
2. Comply with the U.S. Department of Justice's 2010 ruling on Other Power-Driven Mobility Devices [U.S. Department of Justice summary sheet](#)
3. Create regulations that make it safer for people riding bicycles, scooters, and personal transportation devices while also improving safety for pedestrians that may share space with these devices
4. Establish local regulations for issues which State Code does not address
5. Eliminate regulations that are not enforceable or may be too subjective for equitable enforcement

Combined or Separate Ordinances

One item of discussion at the February 4th meeting was whether to include additional micromobility devices in the model ordinance (as this draft does). An alternative option would be to create a separate ordinance to address non-bicycle **micromobility** devices. Arguments in favor of a single ordinance include:

- 1) On April 20, 2021 the Iowa legislature passed new code language related to Low-Speed Electric Bicycles. This requires changes to the definition of bicycle (*Code of Iowa*, [Sec. 321.1](#)[40.c.]) and the addition of low-speed electric bicycle (*Code of Iowa*, [Sec.321.1](#)[36A.]). This change includes all three classes of e-bikes within the definition of “bicycle.” Considering that e-bikes must be regulated in the same manner as human-powered bicycles per State Code, it is prudent that local ordinances also address other types of e-devices that are similar to e-bikes in size, weight, and speed (generally not over 20 mph).
- 2) Creating two separate ordinances will create redundancy in the code. Future changes will need to be modified in two locations.

Arguments in favor of two separate ordinances include:

- 1) Passing a micromobility ordinance may be politically difficult because the concept is new and there is not a strong precedent for regulations from other jurisdictions. This could delay the passing of the ordinance which would stall progress toward improved regulations for biking.
- 2) The state may consider regulations affecting electric micromobility, including restrictions which we would not want to apply to bicycles. If we group bicycle and other micromobility devices into one ordinance, the state-level regulations may be constructed to also apply to bicycles.

The group agreed to create two separate ordinances and attempt to move them forward simultaneously. Some jurisdictions may choose to use a combined version.

This model ordinance introduces a definition for micromobility devices and regulates them similarly to bicycles. The proposed definition for micromobility device is, “mobility device under one hundred fifty pounds, which may be equipped with an electric motor for assistance or sole propulsion, designed for conveying the operator, with speeds of less than twenty miles per hour.” Two commonly witnessed devices in the Des Moines metro area over the last few years include electric scooters and One-Wheels. Similar non-motorized devices that do not meet the definition of a bicycle, such as elliptical bikes and stand-up bikes, would also fall under the micromobility definition. At the discussion on February 4th, the Roundtable members generally agreed to this definition for the purpose of regulating these types of devices on roadways, streets, sidewalks, and trails.

However, if we move forward with two separate ordinances, we need to exclude bicycles from the provisions of the micromobility ordinance. Since bicycles are part of micromobility, we need to define a different term to refer to all non-bicycle micromobility devices. We have chosen to use “Personal Transportation Device” to mean “a mobility device under one hundred fifty pounds, which may be equipped with an electric motor for assistance or sole propulsion, designed for conveying the operator, with speeds of less than twenty miles per hour, but excluding a bicycle or low-speed electric bicycle.”

References and Research

The powers of local authorities to create local ordinances and regulations is found in *Code of Iowa*, [321.236](#); regulations regarding bicycles are specifically addressed under 321.236[10]), which allows for “Regulating the operation of bicycles and requiring the registration and licensing of the same, including the requirement of a registration fee. However, the regulations shall not conflict with the provisions of section [321.234](#).” Further, Section [321.235](#) provides that provisions of the state code shall be uniform within all political subdivisions and municipalities and no local authority shall enact any rule in conflict with this chapter unless expressly authorized. Local authorities may adopt additional regulations which are not in conflict with the chapter.

This model ordinances in intended to comply with state regulations and references various sections of the *Code of Iowa*, [Chapter 321](#). Sections of the *Code of Iowa* that address bicycles and electric personal assistive mobility devices include:

- 321.178 Driver education — restricted license — reciprocity. [321.178.pdf \(iowa.gov\)](#)
- 321.231 Authorized emergency vehicles and police bicycles [321.231.pdf \(iowa.gov\)](#)
- 321.234 Bicycles, animals, or animal drawn vehicles [321.234.pdf \(iowa.gov\)](#)
- 321.235A A electric personal assistive mobility devices [321.235A.pdf \(iowa.gov\)](#)
- 321.235B Low-speed electric bicycles – labels – operation [321.235B.pdf \(iowa.gov\)](#)
- 321.236 Powers of local authorities. [321.236.pdf \(iowa.gov\)](#)
- 321.281 Actions against bicycles [321.281.pdf \(iowa.gov\)](#)
- 321.358 Stopping, standing or parking [321.358.pdf \(iowa.gov\)](#)
- 321.366 Acts prohibited on fully controlled-access facilities [321.366.pdf \(iowa.gov\)](#)
- 321.397 Lamps on bicycles [321.397.pdf \(iowa.gov\)](#)
- 321.434 Bicycle sirens or whistles [321.434.pdf \(iowa.gov\)](#)

The Ordinance Subcommittee has reviewed model ordinances relating to these issues from the Iowa Bicycle Coalition, the Des Moines Street Collective, People for Bikes, and Bird Scooters. The Subcommittee has also referred to the City of Cedar Rapids ordinance currently in place regulating electric scooters. Publications from the American League of Bicyclists and Mineta Transportation Institute were also consulted.

The model ordinance includes the state’s fines for violations as per *Code of Iowa*, [805.8A](#) in the draft for reference to facilitate a discussion of fines and potential alternatives. The initial draft of this ordinance included the option, at the discretion of the bicyclist or rider of the micromobility device, of having their bicycle or device impounded for up to five days rather than paying a fine. At the meeting on February 4th, Roundtable members were concerned about possible fees to retrieve the bicycle or device, logistics for impoundment, and legality of seizing private property. This provision was removed from subsequent drafts. The Ordinance Subcommittee encourages localities to consider other alternatives to fines for minor offenses, such as community service activities.

Iowa Bicycle Coalition Recommendations

As the state’s leader in bicycle-related legislation and policy, the Iowa Bicycle Coalition’s recommendations should be strongly considered. [Model bike ordinance recommendations from the Iowa Bicycle Coalition](#) include:

1. Change lanes to pass bikes – This provision is included in this model ordinance CH#.05[2]. The Iowa Bicycle Coalition provided additional information on this issue. In 2012, the Iowa Attorney General’s office wrote a [letter](#) stating their interpretation of State Code such that bicyclists should be passed in the same fashion as motor vehicles. To make this clear, the Iowa Bicycle Coalition has pursued a change in State Code language addressing this issue, which is included in this model code. [The ordinance change will make it easier for peace officers to enforce safe-passing laws and will more clearly communicate proper behavior to road users.](#) Change lanes to pass bikes is also included in the [Iowa Driver’s Manual](#) Section 3 “Safe Driving Tips” pp. 31 and 36. Please refer to the Iowa Bicycle Coalition’s website for a detailed analysis of this issue, including a link to the Attorney General’s letter: <https://iowabicyclecoalition.org/iowas-safe-passing-laws/>.
2. Lateral Passing Distance – This provision is included in this model ordinance under CH#.05[3]. In the past, some communities have considered removing the Change Lanes to Pass language and expanding the lateral passing distance/three-foot passing rule (which applies to bicycles and others in bike lanes or on paved shoulders) to also apply to bicycles and other micromobility devices in the travel lane of roadways. The Iowa Bicycle Coalition advised that due to the Attorney General’s interpretation described above, that a three-foot passing rule for bicycles in travel lanes may be in conflict with the current interpretation, and actually reduce the level of protection for bicyclists that is currently in place. Further, the Cato Institute did a study on three-foot passing laws which suggests that three feet may actually reduce the lateral passing distance in practice for vehicles and bicycles. <https://www.cato.org/research-briefs-economic-policy/give-me-3-do-minimum-distance-passing-laws-reduce-bicyclist>
3. Right arm right turn signal – This provision has been included in this model ordinance with permissive language. Riders may need to keep their hand on the handlebars to maintain control of the bicycle or to brake; therefore, they cannot be required to use hand signals for turning or slowing. It’s important to indicate that using the right arm is a valid way to signal a right turn. Often the right side of the bicyclist is on the same side that a right turning motorist may see before cutting off a right turning bicyclist. [National Highway Traffic Safety Administration](#) and [League of American Bicyclists](#) teach the right hand for a right turn signal as a standard. The right arm is more intuitive for bicyclists turning right and children learn the right arm signal more easily than the left signal. Bicyclists can start riding at very young ages and use of proper hand signals could prevent crashes.

4. Door zone protection – This clearly assigns the responsibility to motorists to check for oncoming traffic, including people biking or using other personal transportation devices, before opening their door into a vehicular travel way or bike lane. This provision is included in this model ordinance under CH#.05[4].
5. Far to the right exemptions – This addresses instances in which a bicyclist or person using a personal transportation device does not have to travel as far right as practicable or on the right half of the roadway, as specified in the Iowa Code. This provision specifies when riding to the right is not practicable. This provision is included in this model ordinance under CH#.08[5]. The list of exemptions has been simplified from the model ordinance provided by the Iowa Bicycle Coalition.
6. Dead red-light allowance – “Dead Red” regulations allow people riding bicycles and other personal transportation devices to proceed through a signalized intersection if they believe the signal to be inoperable. This provision is included in this model ordinance under CH#.04[5]. Per the [League of American Bicyclists](#) research in July 2021, 11 states allow this: Arizona, Illinois, Kansas, Minnesota, Missouri, Nevada, Ohio, Oregon, Tennessee, Washington, and Wisconsin. Illinois, Indiana and South Carolina permit this after at least 120 seconds; Nevada and Virginia permit this after two complete cycles of the lights or lighted arrows; Oregon permits this after one complete full cycle; Utah permits this after at least 90 seconds; Wisconsin permits this after at least 45 seconds.
7. Fixed brake definition – Some local ordinances have required brakes or required users to brake in order to stop. This issue relates to direct drive bikes (fixies), which often do not have brakes at all, but the bike does not have a freewheel allowing it to coast. This model ordinance addresses this issue by requiring users to maintain control of speed and stopping without mention of brakes. CH#.07[3]
8. Light fix-it ticket – This addresses the option for a person caught without a light or reflector to provide a light within a 72-hour period rather than be fined. This provision is included in this model ordinance under CH#.12[3].
9. Yield to bikes in crosswalks – State Code currently only requires motorists yield to pedestrians in crosswalks or at multi-use trail crossings per *Code of Iowa* [321.327](#) and [321.328](#). This model ordinance also requires motorists to yield to cyclists or persons using other personal transportation devices in crosswalks under CH#.05[5].
10. Improved bicycle lane operations – This issue relates to the operation of bicyclists in bike lanes and motor vehicles encroaching into bike lanes. This draft model ordinance proposes different language than the Iowa Bicycle Coalition’s model language to address the same issues. This language is included in CH#.05[1] and CH#.08[8].
11. E-bike definition – The Iowa Bicycle Coalition’s model definition for a bicycle includes up to four wheels. The State’s definition of bicycles and low-speed bicycles states that bicycles have “two or three wheels.” This model ordinance modifies the State’s definition by stating that bicycles may have “up to four wheels.” The State’s definition excludes unicycles and bicycles with four wheels sometimes referred to as “quads.” It’s also not clear if the wheels on a bicycle trailer would count as part of the bicycle’s total number of

Items Not Addressed

Additional items that have been previously discussed at the Central Iowa Bicycle and Pedestrian Roundtable, but currently are not recommended for the model ordinance include Stop as Yield (aka Idaho Stop) and Red Signal as Stop. [This is a common practice that allows bicyclists to spend less time in intersections where most crashes involving bicycles and automobiles occur. The Iowa Bicycle and Pedestrian Long Range Plan notes that over 60 percent of all bicycle-related crashes occurred at intersections and driveways, as did more than 55 percent of combined fatalities and major injuries.](#) This language has been omitted from the model ordinance but is copied here to ensure common understanding of how it would be written if it were included or reconsidered at a future time. The [League of American Bicyclists](#) research from July 2021 indicates that eight states allow Stop as Yield (Arkansas, Delaware, Idaho, North Dakota, Oklahoma, Oregon, Utah, Washington) and eight states allow use of a signal as a stop sign (Arkansas, Idaho, Indiana, Oklahoma, South Carolina, Utah, Virginia, Wisconsin). As of April 2022, Colorado has also adopted state legislation to allow both provisions.

1. Stop Sign as Yield. A person operating a bicycle or personal transportation device on a roadway or street approaching a stop sign shall slow down and, if required for safety, stop before entering the intersection. After slowing to a reasonable speed or stopping, the person shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time the person is moving across or within the intersection or junction of roadways. After slowing to a reasonable speed and yielding the right-of-way if required, the person may cautiously make a turn or proceed through the intersection without stopping.
2. Red Signal as Stop Sign. A person operating a bicycle or personal transportation device on a roadway approaching a steady red traffic control signal in which no bicycle or device detection is functioning shall stop before entering the intersection and shall yield to all other traffic. Once the person has stopped and yielded, they may proceed through the steady red signal with caution. After slowing to a reasonable speed and yielding the right-of-way if required, a person may cautiously make a right-hand turn. A left-hand turn onto a one-way roadway may be made on a red signal after stopping and yielding to other traffic.

Pedicabs are not addressed in this model ordinance. These types of devices are often operated as a business with passengers. Depending upon their design, some may fall under the definition of a bicycle. However, larger ones with multiple passengers likely would not fall under any definition contained herein.

Bike share or scooter share programs are not addressed in this ordinance. Local jurisdictions may wish to regulate the number of programs allowed to be in operation at one time, the location of operation, or specific items related to management of the program. The National Association of City Transportation Officials has published [Guidelines for Regulating Shared Micromobility](#).

Autonomous delivery vehicles are not addressed in this ordinance. These are covered in *Code of Iowa Chapter 321O* and referred to as “personal delivery device.” This chapter allows for local jurisdictions to develop regulations if they are not inconsistent with this chapter.

Finally, this draft model ordinance only addresses changes to bicycle ordinances. There may be additional sections of city codes, such as those related to motor vehicle operations, parking, or trails, that will need to be modified to for consistency with the changes in this ordinance.

DRAFT #5 MODEL ORDINANCE FOR BICYCLE AND PERSONAL TRANSPORTATION DEVICE REGULATIONS

| | |
|-----------------------------------------------------------|----------------------------------------|
| CH#.01 Purpose | CH#.08 Place of Riding |
| CH#.02 Definitions | CH#.09 Emerging from Alley or Driveway |
| CH#.03 Scope of Regulations | CH#.10 Towing |
| CH#.04 Traffic Code Applies | CH#.11 Parking |
| CH#.05 Motor Vehicle Operations | CH#.12 Equipment Requirements |
| CH#.06 Actions Against Bicycles and Micromobility Devices | |
| CH#.07 Responsible Riding | |

CH#.01 PURPOSE

The purpose of this Chapter is to set forth regulations for operating bicycles, electric scooters and personal transportation devices on the city’s roadways, streets, sidewalks, and multi-use trails as enabled by *Code of Iowa*, Section 321.235 and 321.236[10].

CH#.02 DEFINITIONS

1. “Bicycle” means either of the following: (1) A device having up to four wheels and having at least one saddle or seat for the use of a rider which is propelled by human power. (2) A low-speed electric bicycle.
(*Code of Iowa*, Sec. 321.1[40.c.]
2. “Bicycle facility” means any type of accommodation designed primarily for the use of people riding bicycles as per current engineering design standards.
3. **“Bicycle lane” means a portion of a street designed for exclusive or preferential use by persons using bicycles, electric scooters or personal transportation devices. Bicycle lanes are to be distinguished from the portion of the street used for motor vehicle traffic by physical barrier, striping, marking, or other similar device.**
4. “Electric scooter” means a device weighing less than one hundred pounds that is equipped with two or three wheels, handlebars, and an electric motor, and which is solely powered by the rider or by an electric motor capable of propelling the device without additional propulsion supplied by the rider, at a maximum speed on a paved level surface of no more than twenty miles per hour, or both.

5. “Low-speed electric bicycle” means a device having a saddle or seat for the use of a rider, up to four wheels, equipped with fully operable pedals, and an electric motor of less than seven hundred fifty watts that meets the requirements of one of the following classes:
 - a. “Class 1 low-speed electric bicycle” means a low-speed electric bicycle equipped with a motor that may be used to provide assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour or more.
 - b. “Class 2 low-speed electric bicycle” means a low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle reaches a speed of twenty miles per hour or more.
 - c. “Class 3 low-speed electric bicycle” means a low-speed electric bicycle equipped with a motor that may be used to provide assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour or more.
(*Code of Iowa*, Sec. 321.1[36A.]
6. “Multi-use trail” means a way or place for the shared use and travel of bicycles, pedestrians, and other authorized devices, which is designated is and controlled by the local jurisdiction. No multi-use trail shall be considered as a street or highway.
7. “Other Power-Driven Mobility Device (OPDMD)” means any mobility device powered by batteries, fuel, or other engines that is used by individuals with mobility disabilities for the purpose of locomotion, including golf carts, electronic personal assistance mobility devices, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair.
8. “Personal Transportation Device” means a mobility device under one hundred fifty pounds, which may be equipped with an electric motor for assistance or sole propulsion, designed for conveying the operator, with speeds of less than twenty miles per hour, but excluding a bicycle or low-speed electric bicycle.
9. “Street” means the entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic.
10. “Roadway” means that portion of a highway improved, designed, or ordinarily used for vehicular travel.

CH#.03 SCOPE OF REGULATIONS.

These regulations shall apply whenever a bicycle, electric scooter, or personal transportation device is operated upon any public street, roadway, park road, any multi-use trail, sidewalk, or in any bicycle lane or other bicycle facility, subject to those exceptions and regulations stated herein.

CH#.04 TRAFFIC CODE APPLIES.

1. Every person, including a peace officer, riding a bicycle, electric scooter, or personal transportation device upon a roadway or in a bicycle lane shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of the State declaring rules of the road applicable to vehicles or by the Traffic Code of the City applicable to the driver of a vehicle, except as to those provisions that by their nature can have no application or those for which specific exceptions have been set forth regarding police bicycles. This does not apply to the use of a bicycle in a parade authorized by proper permit from local authorities.
(*Code of Iowa*, Sec. 321.234[2, 5])
2. Bicycles, electric scooters, or personal transportation devices are not subject to registration, licensure, titling, inspection, and proof of financial liability coverage provisions of *Code of Iowa*, Chapter 321.
3. Riders of bicycles, electric scooters, or personal transportation devices are not required to have possession of a driver's license or permit.
4. Whenever such person dismounts from a bicycle, electric scooter, or personal transportation device, the person shall be subject to all regulations applicable to pedestrians.
5. A peace officer riding a police bicycle in the line of duty may do any of the following:
 - a. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
 - b. Exceed the maximum speed limits as long as the rider does not endanger life or property.(*Code of Iowa*, Sec. 321.231)
6. If a person riding a bicycle, electric scooter, or personal transportation device has stopped pursuant to the directions of a traffic control device and has a reasonable belief that the traffic control device or signal is inoperative, the person may disregard or disobey the instructions of the traffic-control device or signal and proceed through the intersection, provided that: (1)

There is no other vehicle approaching or entering the same intersection from a different roadway, or from the same roadway approaching or entering the intersection from the opposite direction; (2) The person proceeds exercising due care through the intersection with consideration for all other applicable rules of the road; and (3) one complete cycle of the traffic-control device or signal, or 90 seconds, has passed.

CH#.05 MOTOR VEHICLE OPERATIONS

1. **Bicycle lane right-of-way.** Operators of all motor vehicles shall yield the right-of-way to bicycles, electric scooters, and personal transportation devices in a designated bicycle lane and shall not operate a motor vehicle within a bicycle lane, unless provisions of law establish other requirements and regulations at intersections and other places affecting such bicycle lanes, then such other provision of law shall control. No person shall drive a motor vehicle in a bicycle lane established on a roadway or street except as follows:
 - (1) To park where parking is permitted.
 - (2) To enter or leave the roadway or street.
 - (3) To prepare for a turn within a distance of 200 feet from the intersection.
2. **Change Lane to Pass.** The driver of a motor vehicle overtaking a person riding a bicycle, electric scooter, or personal transportation device, proceeding in the same direction in the same lane on a roadway or street shall pass to the left of the rider of the device in an adjacent travel lane or on the opposite side of the roadway or street and shall not again drive to the right side of the roadway or street until safely clear of the overtaken rider and device.
3. **Lateral Passing Distance.** The driver of a motor vehicle overtaking a bicycle, electric scooter, or personal transportation device that is traveling on a paved shoulder or in a bicycle lane, shall give at least three feet of lateral passing distance between the outside of the vehicle and the rider and device.
4. **Opening Doors.** No person shall open any door of a motor vehicle located on a roadway or street without first taking precaution to ensure that this action does not interfere with the movement of traffic or endanger any other person or vehicle. In addition, no person shall leave open any door of a motor vehicle located on a roadway for a period of time longer than necessary to load or unload passengers or cargo.

Yield to persons in crosswalks. The driver of a motor vehicle shall yield right-of-way, slowing down or stopping if need be to so yield, to a pedestrian or person riding a bicycle, electric scooter, or personal transportation device within any marked crosswalk or unmarked crosswalk at an intersection or any multi-use trail crossing a roadway, street, or driveway. (*Code of Iowa, Sec. 321.327*)

5. **Parking.** Drivers of motor vehicles shall not park in bicycle lanes or other bicycle facilities or multi-use trails.

CH#.06 ACTIONS AGAINST BICYCLES AND PERSONAL TRANSPORTATION DEVICES.

1. A person operating a motor vehicle shall not steer the motor vehicle unreasonably close to or toward a person riding a bicycle, an electric scooter, or personal transportation device on a roadway or street, including the adjacent shoulder.
2. A person shall not knowingly project any object or substance at or against a person riding a bicycle, an electric scooter, or personal transportation device on a roadway or street, adjacent shoulder, sidewalk, multi-use trail, or any other location.

(*Code of Iowa*, Sec. 321.281)

Note: The fine for a violation of 321.281 is \$325 per [805.8A](#).

CH#.07 RESPONSIBLE RIDING

1. Double Riding Restricted. A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto. No bicycle, electric scooter, or personal transportation device shall be used to carry more persons at one time than the number for which it is designed and equipped. This does not apply to the use of a bicycle, electric scooter, or personal transportation device in a parade authorized by proper permit from local authorities.

(*Code of Iowa*, Sec. 321.234[3, 4, 5])

Note: The fine for a violation of 321.234 Subsections 3 and 4 is \$35 per [805.8A](#).

2. Speed. A person shall not operate a bicycle, electric scooter, personal transportation device, or OPDMD at a speed greater than is careful and prudent at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the surroundings and environment, such as inclement weather, infrastructure conditions, and grade . A person shall not operate a class 3 low-speed electric bicycle on a bicycle lane or multi-use trail in excess of the posted or applicable speed limit, or if there is no posted or applicable speed limit, twenty miles per hour. (*Code of Iowa*, Sec. 321.235B[9.b.])
Note: The fine for a violation of 321.235B is \$25 per [805.8A](#).
3. Control of bicycle, electric scooter, personal transportation device, or OPDMD. The operator shall keep the device under directional, speed, and stopping control at all times.
4. Improper riding. No person shall operate a bicycle, electric scooter, personal transportation device, or OPDMD in an irregular or reckless manner so as to disregard the safety of the operator, others, or property.

5. Right of way. Riders of electric scooters, low speed electric bicycles, and other electric micromobility devices shall yield right of way to pedestrians, human-powered bicycles, and other human-powered conveyances. Riders of bicycles and other human-powered devices shall yield right of way to pedestrians.
6. Emerging from an Alley or Driveway. The operator of a bicycle, electric scooter, or personal transportation device emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.
(*Code of Iowa*, Sec. 321.353)
7. A person under the age of sixteen shall not operate a class 3 low-speed electric bicycle. A person under the age of sixteen may ride as a passenger on a class 3 low-speed electric bicycle. (*Code of Iowa*, Sec. 321.235B[6])
Note: The fine for a violation of 321.235B is \$25 per [805.8A](#).
8. Hand Signals. Riders of bicycles, electric scooters, or personal transportation devices may, but shall not be required to, signal their turning movements and stopping with their hands and arms as follows:
 - a. Left Turn – left hand and arm extended horizontally to the left
 - b. Right turn – left hand and arm extended upward to the left or right hand and arm extended horizontally to the right
 - c. Stopping or slowing – left hand and arm extended downward.
9. Following Emergency Vehicles. No person riding a bicycle, electric scooter, or personal transportation device shall follow closer than 500 feet of an emergency vehicle as defined by Iowa Code section 321.1 which has emergency lights and/or siren activated, and shall not stop, park, or leave a bicycle within 500 feet of an emergency vehicle stopped in response to an emergency.
10. Towing. It is unlawful for any person riding upon any bicycle, electric scooter, or personal transportation device to attach the device or themselves to any moving motor vehicle by tow rope, hand grip or otherwise.

CH#.08 PLACE OF RIDING

1. Paved Multi-use Trails. Bicycles, electric scooters, personal transportation devices, and OPDMD may be operated on paved multi-use trails, subject to the limitations of this Chapter.
2. Unpaved Trails. Bicycles, electric scooters, personal transportation devices, and OPDMD may be operated on unpaved trails, provided that they do not risk damage to the trail, surrounding environment, or pose a risk to the safety of other trail users.

Note: This would allow all devices to use unpaved trails. Local jurisdictions may wish to modify this provision to better fit their particular circumstances.

3. Public Sidewalks.

- a. Bicycles, electric scooters and personal transportation devices, may be operated upon the public sidewalks in a careful and prudent manner except where signs or pavement markings explicitly prohibit riding on the sidewalk or in specified dismount zones.

Careful and prudent manner shall be consistent with CH#07 Responsible Riding.

Note: This would allow riding all devices on downtown sidewalks. Local jurisdictions may wish to modify this provision to better fit their particular circumstances.

- b. OPDMD may be operated by persons with mobility disabilities on all sidewalks provided that they do not risk damage to the sidewalks, surrounding environment, or pose a risk to the safety of other sidewalk users.

4. Roadways and Streets. When riding on the roadway or street, riders of bicycles, electric scooters and personal transportation devices shall ride in the same location and manner as motorized vehicles unless:

- a. a dedicated bicycle facility, a sidewalk, or multi-use trail is provided along the same corridor, in which case riders may choose to ride in the aforementioned location.
- b. traveling straight through an intersection, a rider may choose to travel straight in a dedicated right turn lane.

This section does not apply to the use of a bicycle, electric scooter or personal transportation device in a parade or special event authorized by the city.

CH#.9 PARKING.

1. Parking locations for bicycles, electric scooters, or personal transportation devices shall retain access to :

- a. an ADA-compliant pedestrian pathway
- b. a fire hydrant
- c. a US Postal Service mailbox
- d. a crosswalk or curb ramp
- e. loading zones
- f. transit zones, including bus stops, shelters, or other passenger waiting areas
- g. accessible parking spaces
- h. street furniture or amenities that require pedestrian access
- i. entryways
- j. driveways.

CH#.10 EQUIPMENT REQUIREMENTS.

Every person riding a bicycle, electric scooter, or personal transportation device shall be responsible for providing and using equipment as provided herein:

1. Every device when in use between sunset to sunrise and when weather conditions provide insufficient lighting to render clearly discernable persons and vehicles on the road at a distance of 300 feet ahead, shall be equipped with a lamp on the front emitting a white light visible from a distance of at least 300 feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of 300 feet to the rear, except that a red reflector on the rear, may be used in lieu of a rear light. The lamps or reflector may be attached to the rider of the device rather than the device itself provided the visibility requirements are met. A peace officer riding a police bicycle is not required to use either front or rear lamps if duty so requires.

(Code of Iowa, Sec. 321.384 and Sec. 321.397)

Note: The fine for a violation of 321.384 is \$45 and the fine for a violation of 321.397 is \$35 per [805.8A](#).

2. Equivalent equipment such as headlamps and red light attachments to the head, back, arm, or leg may be used in lieu of a lamp on the front and a red light on the rear of the device.
3. A citation issued for failure to have a front or rear lamp or red reflector on a bicycle, electric scooter, or personal transportation device or on a rider of any of these devices as required shall first provide for a seventy-two hour period within which the person charged with the violation shall replace or repair the lamp. If the person complies with the directive to replace or repair the headlamp or rear lamp within the allotted time period, the citation shall be expunged. If the person fails to comply within the allotted time period, the citation shall be processed in the same manner as other citations.
4. A device shall not be equipped with and a person shall not use upon such device any siren or whistle. This shall not apply to bicycles ridden by peace officer in the line of duty.

(Code of Iowa, Sec 321.434)

Note: The fine for a violation of 321.434 is \$35 per [805.8A](#).