

ORDINANCE NO. CS-509

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARLSBAD,
CALIFORNIA, AMENDING TITLE 10, CHAPTER 10.56 OF THE CARLSBAD
MUNICIPAL CODE – OPERATION OF REGULATED MOBILITY DEVICES

WHEREAS, California Vehicle Code Sections 231, 21100, 21206, and 21207.5 authorize cities to enact ordinances regulating the parking and operation of electric bicycles, as defined in California Vehicle Code Sections 231 and 312.5, on pedestrian facilities, bicycle facilities, and equestrian, hiking, and recreational trails; and

WHEREAS, for the purpose of ensuring the safety of pedestrians, including persons with disabilities and others using sidewalks, bike paths, pathways, trails, bike lanes, streets, roads, and highways, California Vehicle Code Section 21282 authorizes cities to enact ordinances regulating the time, place, and manner of the operation of electric personal assistive mobility devices as defined in California Vehicle Code Section 313; and

WHEREAS, California Vehicle Code Section 21225 authorizes cities to enact ordinances regulating the registration of motorized scooters and the parking and operation of motorized scooters on pedestrian facilities, bicycle facilities and city streets and highways, provided that such regulation is not in conflict with the California Vehicle Code; and

WHEREAS, California Vehicle Code Section 21214.7 authorizes local authorities within the County of San Diego to enact an ordinance prohibiting persons under 12 years of age from operating a class 1 or 2 electric bicycle; and

WHEREAS, the use of bicycles, electric bicycles, electric personal assistive mobility devices, electrically motorized boards, low-speed vehicles, motorized scooters, shared mobility devices, and any other similar vehicles, including electronic bicycles (defined in this ordinance as “regulated mobility devices”) has steadily increased in the City of Carlsbad, and the City Council finds that the operation, parking, and use of such devices present matters of public safety affecting users of regulated mobility devices, pedestrians, motorists, and other users of public rights-of-way and public spaces; and

WHEREAS, the City Council desires to provide clear, enforceable standards related to unsafe riding behavior, equipment requirements, and the responsibilities of parents and guardians to protect the public health, safety, and welfare of the community; and

WHEREAS, the City Council has determined that the provisions of this chapter, as amended, are necessary and appropriate exercises of the City’s police power and represent reasonable measures and enforcement tools to promote the safe use of regulated mobility devices within the City.

NOW, THEREFORE, the City Council of the City of Carlsbad, California, ordains as follows that:

1. That the above recitations are true and correct.
2. That this action to amend Carlsbad Municipal Code Chapter 10.56 is exempt from environmental review under California Environmental Quality Act, or CEQA, Guidelines Section 15061(b)(3) and 15378(b)(5) as it can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment.
3. That Carlsbad Municipal Code Chapter 10.56 is amended to read as follows:

Chapter 10.56

OPERATION OF REGULATED MOBILITY DEVICES

Sections:

- 10.56.010 Definitions.**
- 10.56.015 Reference to other codes.**
- 10.56.020 Operation of regulated mobility devices.**
- 10.56.030 Persons under 12 years of age – prohibited from operating electric bicycles.**
- 10.56.040 Removal, seizure, and release of electric bicycles operated by minors.**
- 10.56.045 Administrative charges and cost recovery.**
- 10.56.050 Violations and enforcement.**
- 10.56.055 Responsibility of parent.**
- 10.56.060 Exemptions.**
- 10.56.070 Severability.**

10.56.010 Definitions.

“Bicycle” has the same meaning as in California Vehicle Code Section 231.

“Bicycle facility” means any public or private improvement, infrastructure, or space designed, designated, or operated primarily for use by persons riding bicycles or other regulated mobility devices, whether separated from or shared with other modes of travel, including bicycle paths, bicycle lanes, bicycle routes, cycle tracks, and protected bikeways.

“Class 1 electric bicycle” or “low-speed pedal-assisted electric bicycle” has the same meaning as in California Vehicle Code Section 312.5(a)(1).

“Class 2 electric bicycle” or “low-speed throttle-assisted electric bicycle” has the same meaning as in California Vehicle Code Section 312.5(a)(2).

“Class 3 electric bicycle” or “speed pedal-assisted electric bicycle” has the same meaning as in California Vehicle Code Section 312.5(a)(3).

“Electric bicycle” has the same meaning as in California Vehicle Code Section 312.5.

“Electric personal assistive mobility device” has the same meaning as in California Vehicle Code Section 313.

“Electrically motorized boards” has the same meaning as in California Vehicle Code Section 313.5.

“Low speed vehicle” has the same meaning as in California Vehicle Code Section 385.5.

“Motorized scooter” has the same meaning as in California Vehicle Code Section 407.5.

“Operator” means a person who owns, operates, and/or controls a regulated mobility device.

“Pedestrian Facility” means any public or private improvement, infrastructure, or space designed, designated, or operated primarily for use by pedestrians, including persons using mobility aids such as wheelchairs, walkers, or strollers, including sidewalks, pedestrian ways, crosswalks.

“Public area” means any outdoor area that is open to members of the public for public use, whether owned or operated by the city or a private party.

“Regulated mobility device” means a bicycle, electric bicycle, electric personal assistive mobility device, electrically motorized board, low-speed vehicle, motorized scooter, shared mobility device, and any other similar vehicle.

“Rider” means a traveler riding in or on a regulated mobility device who is not operating it.

“Shared mobility device” has the same meaning as in California Civil Code Section 2505.

“Vehicle” has the same meaning as in California Vehicle Code Section 670.

10.56.015 Reference to other codes.

Whenever this chapter refers to any statute, regulation, code, standard, or guideline, the reference shall include all amendments and successor provisions to it, unless a contrary intent is expressly stated.

10.56.020 Operation of regulated mobility devices.

- A. Prohibition of Regulated Mobility Devices Where Posted. It is prohibited to operate or ride on any regulated mobility device in public areas where such prohibition is posted by signs or as otherwise set forth in this chapter. A list of public locations where regulated mobility devices are prohibited shall be on file in the City Clerk’s office. The list may be amended from time to time by the City Manager.
- B. No Operating or Riding on Sidewalks and Public Facilities. No person shall operate or ride a regulated mobility device upon any sidewalk, in any public drainage facility, culvert, ditch, channel, or any other public athletic/sports court, or gymnasium in the city.
- C. Duty to Operate with Due Care.
 1. The operator of a regulated mobility device shall not, while operating upon or within any bicycle facility or pedestrian facility:
 - a. Operate at a speed greater than is reasonable and prudent for existing conditions, taking into account weather, pedestrian and vehicular traffic, and the surface and width of the bicycle or pedestrian facility.
 - b. Perform acrobatics, tricks or stunts such as wheelies when pedestrians, other regulated mobility devices or moving vehicles are present.
 - c. Engage in racing, speed or stunt contests.

- d. Fail to yield to vehicles, other regulated mobility devices or pedestrians when required.
 - e. Fail to obey posted traffic or other regulatory signs.
 - f. Carry any package, bundle or item that prevents the operator from maintaining full control and forward visibility.
 - g. Ride without a properly fitted and fastened helmet, if under 18 years of age.
 - h. Ride a Class 3 electric bicycle without a properly fitted and fastened helmet, regardless of age.
 - i. Ride on a public street or bike facility against the flow of traffic.
 - j. Pass another pedestrian, vehicle, or regulated mobility device in an unsafe manner, including failing to provide a reasonable and prudent lateral distance, passing at an unsafe speed, or passing in a way that endangers or interferes with the safe movement of the person or device being overtaken.
 - k. Transport any other person upon the bar, handle bars, floorboard or other area of a regulated mobility device not designed for passenger riding or transport any other person on a regulated mobility device designed for a single rider.
 - l. Cling to or attach oneself or one's regulated mobility device with an operator or rider on board to any moving vehicle or motorized or non-motorized wheeled device.
2. The operator of a regulated mobility device shall exercise due care by taking all other necessary actions relating to operation of the regulated mobility device to safeguard the operator, passengers, and any other persons, vehicles, or devices in the immediate area.
 3. Persons operating or riding a regulated mobility device on a city trail must dismount the regulated mobility device where the trail width is less than five feet and a pedestrian or equine is within a distance of 50 feet from the regulated mobility device.

10.56.030 Persons under 12 years of age – prohibited from operating electric bicycles.

- A. No person under 12 years of age may operate or ride a Class 1 electric bicycle or Class 2 electric bicycle within the city.
- B. Enforcement of this section shall be pursuant to California Vehicle Code Section 21214.7, as follows:
 1. A violation of this section shall be an infraction punishable by a fine of \$25;
 2. If a citation is issued, a record of the action shall not be transmitted to the court and a fee shall not be imposed if the parent or legal guardian of the person who violated this section delivers proof to the police department within 120 days after the citation was issued that the violator has completed an electric bicycle safety and training program pursuant to California Streets and Highways Code Section 894; and
 3. If an unemancipated minor violates this section, a parent or legal guardian with control or custody of the minor shall be jointly and severally liable with the minor for the amount of the fine imposed.

10.56.040 Removal, seizure, and release of electric bicycles operated by minors.

- A. In addition to any fines or penalties authorized by this Chapter, a police officer may seize any electric bicycle operated by a minor when the officer has probable cause to believe that the minor committed any violation of this Chapter and that the violation created an immediate or substantial risk to public safety. Violations that create an immediate or substantial risk to public safety may include:
1. Reckless driving or exhibition of speed creating an immediate hazard to persons or property.
 2. Willful disregard for traffic control devices in active traffic, including but not limited to stop signs, traffic signals, or yield controls.
 3. Unsafe group riding that obstructs traffic or creates a foreseeable collision risk, including conduct that interferes with the safe movement of vehicles or pedestrians.
 4. Operating in posted areas that prohibit electric bicycle operation when pedestrians are present.

Seizure shall not be authorized for minor technical equipment violations, lawful conduct that does not present an objectively articulable safety risk, or mere presence in a group absent unsafe conduct.

- B. Written notice of seizure and instructions for release procedures shall be provided to the minor and to the parent or legal guardian of the minor.
- C. Conditions for release. An electric bicycle seized pursuant to this chapter shall be released after a minimum of 48 hours, if both of the following conditions are met:
1. The minor operator has completed, in person at the police station, a Police Department approved electric bicycle safety and training program.
 2. The minor's parent or legal guardian must be present at the time the electric bicycle is released.

No monetary payment or administrative penalty shall substitute for completion of these requirements.

10.56.045 Administrative charges and cost recovery.

The city may impose administrative charges not exceeding its actual administrative costs directly related to the removal, seizure, and storage of a regulated mobility device, as provided for in California Vehicle Code Section 22651.08. Administrative charges may include, but are not limited to, costs associated with towing coordination, documentation, processing, and recordkeeping.

10.56.050 Violations and enforcement.

In lieu of a fine or administrative citation as authorized by this code or chapter, and in lieu of filing charges in any court having jurisdiction over a violation, the Police Chief or designee may allow a violator of this chapter to complete a police department provided safety course for regulated mobility devices.

10.56.055 Responsibility of parent.

The parent of any child, and the guardian of any ward, shall not authorize or knowingly permit any minor child or ward to violate any of the provisions of this chapter.

10.56.060 Exemptions.

- A. Public Agency Personnel. Notwithstanding any other provision of this chapter, or any other section of this code, city and public agency personnel may operate regulated mobility devices or other vehicles at any place in the city in the performance of their official duties.
- B. Disability. This chapter is not intended to apply to or otherwise restrict regulated mobility devices used in a safe manner by physically disabled persons as defined under the Americans with Disabilities Act (42 U.S.C. Section 12101 et seq.).

10.56.070 Severability.

If any portion of this chapter, or its application to particular persons or circumstances, is held to be invalid or unconstitutional by a final decision of a court of competent jurisdiction, the decision will not affect the validity of the remaining portions of this chapter or the application of this chapter to persons or circumstances not similarly situated.

EFFECTIVE DATE: This ordinance shall be effective thirty days after its adoption; and the City Clerk shall certify the adoption of this ordinance and cause the full text of the ordinance or a summary of the ordinance prepared by the City Attorney to be published at least once in a newspaper of general circulation in the City of Carlsbad within fifteen days after its adoption.

INTRODUCED AND FIRST READ at a Regular Meeting of the Carlsbad City Council on the 10th day of February, 2026, and thereafter

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the __ day of _____, 2026, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED AS TO FORM AND LEGALITY:

CINDIE K. McMAHON, City Attorney

KEITH BLACKBURN, Mayor

SHERRY FREISINGER, City Clerk
(SEAL)

From: [James Panther](#)
To: [City Clerk](#); [Faviola Medina](#)
Subject: Tuesday, Feb. 24, 2026 — 5:00 p.m. (City Council Chamber, 1200 Carlsbad Village Drive Agenda Item # [] (Feb. 24, 2026) — Written Public Comment: Add Under-16 After-Dark Adult Supervision Rule for E-Bikes (w/ school, sports, work exemptions))
Date: Monday, February 16, 2026 5:11:02 PM

Ref: Feb. 24, 2026 City Council — Written Comment on “New e-bike rules” ordinance: Under-16 After-Dark Adult Supervision + targeted exemptions

Request for consideration: Adopt Feb. 24 e-bike ordinance with one essential guardrail: Under-16 after-dark adult supervision (plus school/sports/work exemptions)

Hello City Clerk Freisinger,

Please accept this email and the attached two-page Policy Brief as written public comment for the official record for the Carlsbad City Council meeting on Tuesday, Feb. 24, 2026 at 5:00 p.m., regarding adoption of the e-bike ordinance introduced on Feb. 10 (“New e-bike rules”).

Request (process): Please include this comment and the attached brief in the meeting record and provide it to the Mayor and City Council prior to the start of the meeting. Carlsbad’s meeting guidance notes emailed comments should be sent to clerk@carlsbadca.gov, and emails received by 2:00 p.m. are required to be provided to City Council before the meeting.

Decision request (what I’m asking Council to do on Feb. 24)

Carlsbad is scheduled to consider adopting the new e-bike ordinance at the Feb. 24 meeting.

I respectfully request Council adopt the ordinance and add one focused amendment:

Proposed amendment: Under-16 after-dark adult supervision rule (with targeted exemptions)

1) Core rule (hard line):

No person under 16 may operate an e-bike in any public place or public right-of-way in Carlsbad during nighttime hours.

2) Nighttime hours (objective definition):

“Nighttime hours” means 30 minutes after official sunset to 30 minutes before official sunrise.

3) Exceptions (protect legitimate youth mobility; prevent loopholes):

The rule does not apply when the minor is:

A. Accompanied by a parent/guardian/responsible adult (18+) who is physically present and actively supervising; or

B. Traveling directly, without detour or stop, to or from a school, religious, recreational, or civic function supervised by adults and sponsored by an organization taking responsibility for the minor (this includes registered school programs and organized sports); or

C. Traveling directly, without detour or stop, to or from the minor’s lawful employment or employment-related activities (including late shifts); or

D. Traveling directly, without detour or stop, to or from a medical appointment; or

E. Involved in an emergency; or

F. Emancipated; or

G. Engaged in expressive activities protected by the federal or state constitutions (as applicable).

Why this exception set works: It intentionally mirrors Carlsbad’s existing, court-tested exception framework for youth safety at night (adult supervision + direct travel to/from supervised functions, work, medical, emergency, emancipation, expressive activity).

Why this is the “can’t-ignore” safety gap

1) After dark is objectively higher risk — and Carlsbad’s own data confirms nighttime crash burden

Carlsbad’s official Office of Traffic Safety (OTS) ranking summary for 2023 reports 41 “Nighttime (9:00pm–2:59am)” fatal-and-injury collisions and 597 DUI arrests in Carlsbad.

This is not abstract. Nighttime crash risk and impaired driving exist here, measurably.

2) Impaired driving is dramatically more common at night — and it endangers children who are outside the vehicle

NHTSA’s 2023 alcohol-impaired driving fact sheet reports the rate of alcohol impairment among drivers involved in fatal crashes is three times higher at night than during the day (30% vs. 10%).

When a 13–15-year-old is on an e-bike after dark, they are not only managing their own judgment and visibility — they are exposed to a known spike in impaired drivers. Adult supervision is a practical, prevention-first redundancy.

3) Cyclist fatalities disproportionately occur in dark conditions

NHTSA’s Traffic Safety Facts for 2023 reports more pedalcyclist fatalities occurred in the dark (53%) than in daylight (42%) (with the remainder at dawn/dusk).

If Council is prioritizing where a targeted safeguard prevents the most severe outcomes, “after dark” is the correct risk condition to regulate.

4) Under-16 brains are still developing decision-making — especially in peer settings, at speed, and under pressure

NIMH explains the brain finishes developing in the mid-to-late 20s and the prefrontal cortex (planning, prioritizing, decision-making) is one of the last regions to mature.

The American Academy of Pediatrics notes the prefrontal cortex may not appear fully mature until about age 24.

This is precisely why policymakers use “graduated privileges” in higher-risk contexts: the goal is not to punish youth — it is to prevent predictable harm while skills and judgment develop.

5) The City is already in implementation mode — this amendment fits cleanly into the rollout you’ve already announced

Carlsbad’s own timeline states:

- Feb. 24: Council scheduled to consider adoption
- Feb. 25: 30-day public information campaign could begin
- March 26: new laws could take effect, starting with a 60-day warning period
- May 25: warning period ends

This is exactly the time to close the highest-risk gap while the City is already communicating new rules to families.

Anticipated objections — and the policy answer

Objection 1: “This limits teen transportation.”

Answer: That is why the amendment explicitly permits direct travel to/from school programs, organized sports, and employment, plus medical and emergency needs — while restricting only unstructured nighttime riding without an adult. This is the same balanced structure Carlsbad already uses in its youth nighttime framework.

Objection 2: “We don’t have perfect e-bike night-injury data.”

Answer: Waiting for perfect datasets is not a safety strategy. We already have (a) local nighttime crash burden and DUI enforcement indicators, (b) national evidence of dark-condition cyclist fatalities, and (c) the known spike in impaired drivers at night.

Adopt the rule as a 12-month pilot with reporting (warnings/citations, collisions involving minors after dark, park calls for service) and revisit with measured results.

Objection 3: “Enforcement will be difficult or inequitable.”

Answer: Use the City’s existing enforcement posture: education first, warnings, and proportional tools focused on behavior and repeat violations. Carlsbad’s adopted approach already contemplates education campaigns, warning periods, and enforcement tools for reckless riding by minors.

Close

This amendment is narrow, objective, and aligned with Carlsbad’s existing policy logic: youth vulnerability at night + parental responsibility + direct travel exceptions for legitimate needs.

It targets the highest-risk condition (after dark), when impaired driving is demonstrably more common and cyclist fatalities cluster in dark conditions.

Thank you for including this written comment and the attached two-page brief in the Feb. 24 record and distributing it to the City Council.

Respectfully,

James Panther

Carlsbad resident — Sweetclover Lane

310-980-8000

Attachment: “Policy Brief — Under-16 After-Dark Adult Supervision Rule for E-Bikes (Feb. 24, 2026)”

ATTACHMENT TEXT: 2-Page Policy Brief (paste into a PDF/Word doc)

POLICY BRIEF (2 pages)

To: Carlsbad Mayor & City Council

Via: City Clerk Sherry Freisinger (clerk@carlsbadca.gov)

Date: Feb. 24, 2026 (Adoption hearing for “New e-bike rules” ordinance)

From: James Panther, Carlsbad resident

Subject: Add one targeted guardrail: Under-16 after-dark adult supervision for e-bikes (with school/sports/work exemptions)

Page 1 — Problem and Evidence

Problem (what gap remains)

Carlsbad is scheduled to consider adopting stricter e-bike laws on Feb. 24, 2026 at 5:00 p.m.

The ordinance package addresses age 12 minimums, unsafe behavior definitions, parent/guardian responsibilities, park restrictions, and tools for reckless riding.

A key preventable gap remains: minors operating faster devices after dark without supervision, when visibility and impaired driving risks spike.

Carlsbad-specific indicators of nighttime risk and impaired driving

OTS’s official Carlsbad 2023 summary reports:

- 41 nighttime (9:00pm–2:59am) fatal-and-injury collisions
- 597 DUI arrests

National evidence: “dark” conditions drive cyclist fatalities

NHTSA 2023 data shows: 53% of pedalcyclist fatalities occurred in the dark vs. 42% in daylight.

National evidence: impaired driving is far more common at night

NHTSA 2023 alcohol-impaired driving data shows alcohol impairment among drivers in fatal crashes is three times higher at night than day (30% vs. 10%).

Developmental reality: under-16 decision-making is still maturing

NIMH: brain maturation continues into the mid-to-late 20s; the prefrontal cortex is among the last regions to mature and is responsible for planning and decision-making.

AAP: the prefrontal cortex may not appear fully mature until about age 24.

Policy meaning: after-dark operation of faster devices by minors should require an adult safety layer — especially given the documented nighttime spike in impaired drivers.

Proposed Ordinance Language and Enforcement

Proposed ordinance language (clean, enforceable)

Section X — Nighttime operation; minors under 16; adult supervision required

A. Definitions

- 1. “Nighttime hours” = 30 minutes after sunset to 30 minutes before sunrise.
- 2. “Responsible adult” = 18+ authorized by parent/guardian (use existing definition).
- 3. “Without detour or stop” = reasonably direct travel between endpoints.

B. Core rule

No person under 16 shall operate an e-bike in any public place or public right-of-way in Carlsbad during nighttime hours.

C. Exceptions (modeled on Carlsbad’s existing youth nighttime framework)

The rule does not apply when the minor is:

- 1. Accompanied by a parent/guardian/responsible adult; or
- 2. Traveling directly to/from a school, religious, recreational, or civic function supervised by adults and sponsored by an organization taking responsibility for the minor (includes registered school programs and organized sports); or
- 3. Traveling directly to/from the minor’s lawful employment or employment-related activities; or
- 4. Traveling directly to/from a medical appointment; or
- 5. Involved in an emergency; or
- 6. Emancipated; or

7. Engaged in protected expressive activities.

Enforcement options (aligned with Carlsbad's announced rollout)

Carlsbad's ordinance rollout plan already anticipates an education campaign and warning period after adoption.

Recommended enforcement ladder:

1. Education-first during rollout (align with Feb. 25 campaign / March 26 effective date / warning period).
2. Warnings + parent notification for initial contacts; document exceptions (school/sports/work direct travel).
3. Escalation for repeat violations or reckless behavior (consistent with broader city tools for unsafe riding).
4. 12-month pilot + reporting: require staff to return with data on compliance, collisions involving minors after dark, and enforcement outcomes.

Why Council can confidently adopt this

- Narrow: only applies to under-16, only after dark, with practical exceptions.
- Objective: sunset/sunrise definition avoids arbitrary enforcement.
- Policy-consistent: mirrors Carlsbad's existing youth nighttime exception structure and parental responsibility logic.
- Evidence-based: addresses concentrated risks (dark-condition cyclist fatalities; nighttime spike in impaired driving; local nighttime crash and DUI indicators).

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

CHAPTER 10.68
BICYCLES

Note: Prior code history: Prior code §§ 4-1, 4-10, 4-22, 4-24, 4-25, 11-58, 11-69 and Ord. 775.

§ 10.68.010. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Bicycle" is as defined in California Vehicle Code Section 231.

"Electric bicycle" is a bicycle unless otherwise defined in the California Vehicle Code. This chapter shall apply to all scooters as well as electric scooter type devices.

"Police chief" means the police chief of the city.

"Police department" means the police department of the city.
(Ord. O2021-05 § 1; Ord. O2023-20 § 1; Ord. O2026-02, 3/3/2026)

§ 10.68.020. Serial or model number removal prohibited.

It is unlawful for any person to willfully or maliciously remove, destroy, mutilate or alter the manufacturer's name-plate on any bicycle, or the serial or model number of any bicycle frame. It is also unlawful for any person to remove, destroy, mutilate or alter any license plate, seal, or registration card or receipt, during the time in which such license plate, seal or registration card or receipt is operative; provided, however, that nothing in this chapter shall prohibit the police department from stamping numbers on the frames of bicycles on which no serial numbers can be found or on which the number is illegible or insufficient for identification purposes.

(Ord. O2021-05 § 1)

§ 10.68.030. Prohibited on sidewalks.

- A. No person shall ride a bicycle upon a sidewalk within a business district.
- B. The police chief is authorized to erect signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person and when such signs are in place no person shall disobey the same.
- C. No person twelve or more years of age shall ride a bicycle upon any sidewalk in any district.
- D. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.

(Ord. O2021-05 § 1)

§ 10.68.040. Parking restrictions.

No person shall park any bicycle against any windows or parking signs or in the main traveled portion of the sidewalk, nor in such manner to constitute a hazard to pedestrians, traffic or property. If there are no bicycle racks or other facilities used to park bicycles in the vicinity, bicycles may be parked on the sidewalk in an upright position parallel to the curb in such a manner as to afford the least obstruction to pedestrian traffic.

(Ord. O2021-05 § 1)

§ 10.68.050. Reckless riding or operating.

It is unlawful to ride or operate a bicycle with a willful or wanton disregard for the safety of persons or property. Reckless and unlawful operating includes, but is not limited to, swerving or riding into oncoming traffic or performing stunts or tricks in the roadway.

(Ord. O2023-20 § 1)

§ 10.68.060. Organized, planned, or street takeover.

- A. It is unlawful for any person to participate in an organized, planned, or spontaneous street takeover event using a bicycle in a manner that demonstrates willful or wanton disregard for the safety of persons or property. This includes, but is not limited to, operating or riding a bicycle in violation of any applicable provision of this code or the California Vehicle Code.
- B. A violation of this section may be charged as a misdemeanor, subject to a fine up to \$1,000.
- C. The organizer or promoter of an event that violates this section may be charged with a misdemeanor.

(Ord. O2026-02, 3/3/2026)

§ 10.68.070. Violation—Penalty.

- A. Any violation of this chapter, unless stated otherwise, is an infraction.
- B. In addition to any other penalties provided by this chapter, the chief of police or his/her designee is hereby authorized to require any minor less than 16 years of age who operates a bicycle in violation of any of the provisions of this chapter, or of the California Vehicle Code, to attend a bicycle operator's school to be conducted under the supervision of the chief of police or his/her designee. Such school shall be for the purpose of educating the violator regarding proper operation of a bicycle and the provisions of law applicable to bicycles.
- C. Any violation of this chapter can result in the bicycle being impounded by the police department for 30 days. In the event the owner of an impounded bicycle does not pay for its release as specified below within 60 days, the bicycle will be considered unclaimed and may be disposed.
- D. Any bicycle impounded by the police department within a 365-day period shall be subject to release and storage fees as follows:

1. First impound - \$200.
2. Second impound and any thereafter - \$400.

In the event a bicycle is impounded under to this chapter, the owner shall be entitled to an administrative hearing, pursuant to the procedures set forth in Sections 1.10.440 through 1.10.510 of this code.

(Ord. O2021-05 § 1; Ord. O2023-20 § 1; Ord. O2026-02, 3/3/2026)



**CITY OF OAKDALE
CITY COUNCIL STAFF REPORT**

Date: Monday, June 1, 2026

To: Mayor Bairos and Members of the City Council

From: Jason Grogan, Chief of Police

Reviewed by: Jerry Ramar, City Manager

Subject: Introduction and Waive the First Reading of an Ordinance Amending Chapter 19 Offenses – Miscellaneous, Article IV Coasting Devices of the Oakdale Municipal Code Adding Section 19.67 Related to Unsafe Operation of Bicycles and Motorized Devices

BACKGROUND

The City of Oakdale has experienced an increase in complaints and safety concerns regarding the operation of bicycles, electric bicycles (E-bikes), and other motorized devices on public parks, trails, sidewalks, and streets. These concerns include excessive speed, failure to yield to pedestrians, unsafe riding behaviors, and damage to City property.

Currently, the Oakdale Municipal Code does not specifically and comprehensively address the unsafe operation of bicycles and motorized devices, particularly given the growing use of E-bikes and similar devices. Recent incidents and community feedback have highlighted the need for clearer regulations and enforcement tools to address unsafe conduct and damage to City property.

The proposed Municipal Code Section 19.67 establishes definitions, identifies prohibited conduct, and provides enforcement authority, including seizure and administrative impound of devices used in a manner that endangers public safety.

DISCUSSION

The proposed ordinance is intended to address unsafe behavior rather than prohibit lawful use of bicycles and e-bikes. The ordinance focuses on regulating conduct that demonstrates willful or wanton disregard for the safety of persons or property.

Key provisions of the ordinance include:

- Defining bicycles, E-bikes, and motorized devices consistent with the California Vehicle Code
- Prohibiting unsafe operation, including excessive speed, failure to yield, stunt riding in a public park or trail, sidewalk, or street
- Establishing authority for law enforcement to seize and impound devices used in violation of the ordinance
- Providing for administrative due process, including post-seizure hearings
- Allowing recovery of administrative and storage costs

The ordinance is modeled on similar policies adopted by neighboring jurisdictions and aligns with current public safety concerns regarding E-bike use.



CITY OF OAKDALE
City Council Staff Report (Continued)

SUBJECT: Amending Chapter 19 of the Oakdale Municipal Code
MEETING DATE: June 1, 2026

Pros:

- Enhances public safety in parks, trails, and roadways
- Provides clear enforcement authority for officers
- Addresses emerging issues related to E-bike usage
- Protects City property from damage
- Includes due process protections

Cons:

- Requires staff time for enforcement and administrative hearings
- May require public education and outreach for compliance

This ordinance is consistent with the Oakdale Police Department's goal of maintaining safe public spaces and protecting community members.

FISCAL IMPACT

There is no immediate fiscal impact associated with the adoption of this ordinance. Costs associated with enforcement and administrative hearings are expected to be minimal and may be offset by the recovery of impound and administrative fees, as established by City Council resolution.

RECOMMENDATION

Staff recommends the City Council waive the first reading of the Ordinance amending Chapter 19 Offenses – Miscellaneous, Article IV Coasting Devices of the Oakdale Municipal Code, adding Section 19.67 relating to unsafe operation of bicycles and motorized devices.

ATTACHMENTS

Attachment A: Draft Ordinance Municipal Code Section 19.67



**IN THE CITY COUNCIL
OF THE CITY OF OAKDALE
STATE OF CALIFORNIA
ORDINANCE XXXX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKDALE, AMENDING THE OAKDALE MUNICIPAL CODE CHAPTER 19 OFFENSES – MISCELLANEOUS, ARTICLE IV COASTING DEVICES, ADDING SECTION 19.67 RELATING TO UNSAFE OPERATION OF BICYCLES AND MOTORIZED DEVICES

WHEREAS, the City of Oakdale has experienced an increase in unsafe operation of bicycles, electric bicycles, and motorized devices within public spaces; and,

WHEREAS, such unsafe operation poses a risk to public safety and may result in injury to persons and damage to City property; and,

WHEREAS, the City Council finds it necessary to establish regulations addressing unsafe operation of bicycles and motorized devices in public parks, trails, sidewalks, and streets; and,

WHEREAS, the proposed Municipal Code Section 19.67 provides clear definitions, establishes prohibited conduct, and authorizes enforcement measures to protect public safety.

THE CITY COUNCIL OF THE CITY OF OAKDALE, CALIFORNIA DOES ORDAIN AS FOLLOWS:

SECTION 1: The City of Oakdale Municipal Code Chapter 19 Offenses – Miscellaneous, Article IV Coasting Devices, adding Section 19.67, is hereby amended, and from and after the effective date of the Ordinance, shall include the code text amendments related to the unsafe operation of bicycles and motorized devices as contained in the following exhibit:

Exhibit A: Proposed Amendments for Section 19.67

19-67 - Unsafe Operation of Bicycles and Motorized Devices in Public Parks and Trails, Sidewalks, and Streets

A. Purpose

The purpose of this section is to protect public safety, prevent damage to City property, and ensure the safe use of public parks and trails, sidewalks, and streets by regulating the unsafe and reckless operation of bicycles and motorized devices.

B. Definitions

1. **“Bicycle”** shall have the same meaning as defined in California Vehicle Code §231.
2. **“Electric Bicycle (E-Bike)”** shall have the same meaning as defined in California Vehicle Code §312.5, including Class 1, Class 2, and Class 3 E-bikes.



**IN THE CITY COUNCIL
OF THE CITY OF OAKDALE
STATE OF CALIFORNIA
ORDINANCE XXXX**

3. **“Motorized Device”** means any device powered by a motor, including but not limited to electric bicycles, motorized scooters, minibikes, and similar devices.
4. **“Public Park or Trail”** means any park, open space, recreational area, pathway, or trail owned, operated, or maintained by the City of Oakdale.
5. **“Street”** is intended to include avenue, court, way, drive, or other principal public means of access to buildings, enclosures, or alleys.
6. **“Motorized Device”** does not include a mobility device used by a person with a disability, a city-authorized maintenance or service vehicle, or any device expressly excluded by state law.

C. Prohibited Conduct

1. No person shall operate any bicycle, E-bike, or motorized device in a public park or on a trail, sidewalk, or street in a manner that demonstrates willful or wanton disregard for the safety of persons or property.
2. No person shall operate any bicycle, E-bike, or motorized device off designated paths, trails, or paved areas, including on grass, landscaping, or sensitive natural areas.
3. Unsafe operation includes, but is not limited to: excessive speed for conditions, failing to yield to pedestrians, operating in a manner that creates a collision hazard, any unsafe operation in the California Vehicle Code, performing stunts, tricks, or exhibition riding, operating off designated paths causing damage to landscaping or trails, and towing persons or objects in an unsafe manner
4. No person shall operate a motorized device in any area of a park.

D. Authority to Seize and Impound

1. Any bicycle or motorized device used in violation of this section may be seized and removed by a peace officer.
2. A bicycle or motorized device may be impounded for a period not to exceed thirty (30) days when:
 - The violation involves reckless or unsafe operation as described in subsection (C); or
 - The conduct creates a risk to public safety; or
 - The operator is a repeat violator (two or more violations in a 12-month period); or



**IN THE CITY COUNCIL
OF THE CITY OF OAKDALE
STATE OF CALIFORNIA
ORDINANCE XXXX**

- The violation results in damage or is likely to cause damage to public or private property.
3. Impoundment under this section is an administrative action intended to protect public safety and deter continued violations.

E. Release and Administrative Review

1. The owner of a seized bicycle or motorized device shall be entitled to a post-seizure administrative hearing to contest the validity of the impound.
2. The City shall establish procedures for requesting and conducting such hearings consistent with due process requirements.
3. The bicycle or device shall be released prior to the expiration of the impound period upon a showing of good cause, as determined by the hearing officer.
4. If the device is classified as a motorcycle under the California Vehicle Code, the Oakdale Police Department shall provide notice within forty-eight (48) hours of impound, excluding weekends and holidays, that the owner is entitled to a post-storage hearing pursuant to California Vehicle Code § 22852.
5. Owners must request a hearing within 10 days of a device being stored or impounded. Hearing fees will mirror the current City of Oakdale Fee Schedule.

F. Fees

The owner shall be responsible for all reasonable costs associated with the impound, including administrative, storage, and processing fees, as established by the City Council's resolution.

G. Exceptions

This section shall not apply to:

- Authorized City personnel performing official duties
- Emergency responders
- Individuals operating devices as part of a permitted event approved by the City

H. Enforcement

This section may be enforced by any peace officer or authorized code enforcement officer.



**IN THE CITY COUNCIL
OF THE CITY OF OAKDALE
STATE OF CALIFORNIA
ORDINANCE XXXX**

SECTION 2. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The City Council hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, clauses, or phrases be declared unconstitutional or invalid.

SECTION 3. The City Clerk shall publish notice of this Ordinance as may be required by law.

The foregoing ordinance was introduced at a public hearing held the 1st day of June, 2026, given a second reading on the 15th day of June, 2026, and upon motion by Councilmember _____ seconded by Councilmember _____ moved for the adoption of said ordinance by the following vote:

AYES:	COUNCIL MEMBERS:	()
NOES:	COUNCIL MEMBERS:	()
ABSTAINED:	COUNCIL MEMBERS:	()
ABSENT:	COUNCIL MEMBERS:	()

SIGNED:

Cherilyn Bairos, Mayor

ATTEST:

Patrick Mondragon, City Clerk