

ORDINANCE NO. B-591

**AN ORDINANCE BY THE GOVERNING BODY OF THE CITY OF VICTORIA,
KANSAS AMENDING CHAPTER XIV. TRAFFIC, ELECTRIC-ASSISTED
BICYCLES AND SCOOTERS**

WHEREAS, pursuant to Art. 12, Section 5 of the Kansas Constitution, the City of Victoria is granted Home Rule Authority to pass ordinances not in conflict with the Constitution and laws of the State of Kansas or the laws of the United States; and

WHEREAS, the City Council finds that this ordinance is not inconsistent with the provisions of the Constitution and laws of the United States and the State of Kansas;

WHEREAS, currently the operation of electric-assisted scooters and bicycles on city streets are permitted under Chapter XIV of the Victoria City Code through adoption of the incorporation of Standard Traffic Ordinance for Kansas cities addition of 2024, such incorporation being authorized by K.S.A. 12-3,009 through 12-3,012, inclusive, as amended.

WHEREAS, the City may adopt an ordinance further restricting and governing the operation of electric-assisted bicycles and scooters on streets, highways, roadways, sidewalks, sidewalk areas, bicycles or multi-use paths or trail or trail networks.

WHEREAS, the City seeks to promote shared mobility in the short and long-term to promote greater connectivity, access and quality of life and recognizes shared mobility is essential to improve air quality, reduce motor vehicle traffic and promote accessible systems of transportation; and

WHEREAS, the City Council finds it is in the public's interest to establish policies and procedures for the operation of electric-assisted bicycles to improve mobility options while protecting the health, safety and general welfare of individuals and the community at large.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VICTORIA, KANSAS:

SECTION ONE: Chapter XIV is amended as follows:

14-101. Electric-Assisted Scooter and Electric-Assisted bicycle Operation.

(a) Except as set forth below, the operation of electric-assisted scooters and/or electric-assisted bicycles shall be permitted upon a street, highway or roadway and on designated bicycle and multi-use paths and in designated areas.

(b) It shall be unlawful for any person to operate any electric-assisted scooter or electric-assisted bicycle on the sidewalk.

(c) It shall be unlawful for any person to operate an electric-assisted scooter or electric-assisted bicycle on a street with a posted speed limit of forty (40) miles per hour or higher unless there is a bike lane on such roadway.

(d) It shall be unlawful for any person to engage in any activity that interferes with the safe operation of the electric-assisted scooter or electric-

assisted bicycle.

(e) It shall be unlawful for any person to operate an electric-assisted scooter or electric-assisted bicycle in such a manner as to indicate a careless or heedless disregard for the rights or safety of others or in such manner as to endanger or be likely to endanger any person or property.

(f) Every person riding an electric-assisted scooter or electric-assisted bicycle upon a street, highway or roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Title except as to special ordinances so designated and except to those provisions of this code which by their nature can have no application.

(g) Every person operating an electric-assisted scooter or electric-assisted bicycle upon a street, highway or roadway at less than the normal speed of traffic shall ride as near to the right side of the street, highway or roadway as practicable except when:

- (1) Preparing to make a left turn at an intersection or into a private drive or roadway;
- (2) Reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving vehicles, bicycle, pedestrians, animals, surface hazards, or narrow width lanes that make it unsafe to continue along the right-hand edge of the street, highway or roadway. For the purposes of this section, "Narrow width lane" means a lane that is too narrow for a bicycle or stand-up electric-assisted scooter and a vehicle to travel safely side-by-side within the lane.

(h) Any person operating an electric-assisted scooter or electric-assisted bicycle upon a street, a one-way street, highway, or roadway with two or more marked traffic lanes shall ride as near to the right side of the roadway as practicable.

(i) Persons riding electric-assisted scooters, or electric-assisted bicycle upon a street, highway, or roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycle or electric-assisted scooters.

(j) No electric-assisted scooter or electric-assisted bicycle shall be used to carry more persons at one time than the number for which it is designed or equipped.

(k) It shall be unlawful for any person while riding an electric-assisted scooter or electric-assisted bicycle on the streets, highways, bicycle or multi-use paths of the City, to hitch or otherwise attach him or herself onto other moving vehicles.

(l) A person operating an electric-assisted scooter or electric-assisted bicycle across a street, highway or a roadway or along a crosswalk shall yield the right of way to any pedestrian and shall give the audible signal before overtaking and passing such pedestrian.

(m) Any person operating an electric-assisted scooter or electric-assisted bicycle across a roadway or along a crosswalk shall have all the rights and duties applicable to a pedestrian under the same circumstances.

(n) It shall be unlawful for any person to operate an electric-assisted scooter or electric-assisted bicycle upon the roadway, street, highway or bicycle or multi-use path between the hours of dusk or 9:00 P.M., whichever is earlier, and sunrise.

(o) It shall be unlawful for any person to operate an electric-assisted

scooter or electric-assisted bicycle at a speed in excess of twenty (20) miles per hour.

(p) It shall be unlawful for any person under the age of eighteen (18) years of age to operate an electric-assisted scooter or electric-assisted bicycle without wearing a helmet.

14-102 Operation of Electric-Assisted Scooters or Electric-Assisted Bicycles While Under the Influence of Drugs and/or Alcohol.

(a) No person shall ride or attempt to ride an electric-assisted scooter or electric-assisted bicycle on any sidewalk, street, roadway, highway or public path set aside for the exclusive use of pedestrian and bicycle traffic, including all public parks and playgrounds or other property under the ownership, jurisdiction or control of the City, or any other agency or public entity created to provide a public service, while under the influence of an alcoholic beverage or any drug, or under the combined influence of an alcoholic beverage or any drug, or under the combined influence of an alcoholic beverage and any drug to a degree which renders such person a hazard.

(b) Any person arrested for a violation of this section may request to have a chemical test made of the person's blood, breath or urine for the purpose of determining the alcoholic or drug content of that person's blood and, if so requested, the arresting officer shall have discretion as to the appropriate test to be performed.

(c) Any person who, within the corporate limits of the City, violates any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed \$500, or by six months imprisonment, or by both such fine and imprisonment.

14-103. Prohibited Parking of Electric-Assisted Scooters or Electric-Assisted Bicycles.

(a) It is unlawful for any person to park or leave an electric-assisted scooter or electric-assisted bicycle on public property where such electric-assisted scooter or electric-assisted bicycle blocks pedestrian's travel or presents a traffic hazard.

(b) It is unlawful for any person to park or leave an electric-assisted scooter or electric-assisted bicycle in the area adjacent to or within the following areas:

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 zones;
4. Curb ramps;
5. Driveways and driveway approaches;
6. Motor vehicle parking spaces;
7. Motor vehicle driving lanes or bicycle lanes; and
8. Entrances to private property or driveways.

(c) It is unlawful for any person to park or leave an electric-assisted scooter or electric-assisted bicycle in any manner or to impede or interfere with the access to or from any building.

14-104. Impoundment of Electric-Assisted Scooters or Electric-Assisted Bicycles.

Motorized scooters or motorized bicycle may be impounded or taken to any other place of safety by the police department or another authorized City representative when:

- (A) The electric-assisted scooter or electric-assisted bicycle is reported or determined to be stolen and is recovered; or
- (B) The electric-assisted scooter or electric-assisted bicycle is abandoned; or
- (C) The electric-assisted scooter or electric-assisted bicycle is left on public property where that scooter or bicycle blocks pedestrians travel or presents a traffic hazard.

An impounded electric-assisted scooter or electric-assisted bicycle shall not be released by the City until all necessary impound fees have been paid and the rightful owner is found and shows proof of ownership.

14-105 Severability.

The provisions of this ordinance are severable and should any such provision be declared unconstitutional or unenforceable, such declaration shall not affect any of the remaining provisions.

14-106 Pocket Bikes and Non-Electric, Motorized Scooters Prohibited.

The operation of pocket bikes, and non-electric, motorized scooters on the streets, roads, alleys or public property within the corporate limits of the City of Victoria is prohibited, unless specifically authorized for a City sponsored event or City permitted special event.

14-107 Penalty.

Unless specifically provided for herein, a violation of this section shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Article XIV of the Standard Traffic Ordinance as currently adopted by the City, and amendments thereto, or such other similar provision as the City may then have in effect.

14-108 Confiscation.

Unless specifically provided for herein, upon two violations within one (1) year of this ordinance, the electric-assisted scooter or electric-assisted bicycle may be confiscated by the Police Department or another authorized City representative. The owner of such electric-assisted scooter or electric-assisted bicycle may request a hearing before the Judge of the Municipal Court for a hearing to determine if such confiscation should be upheld. If no such hearing is requested within thirty (30) days of the confiscation of the electric-assisted scooter or electric-assisted bicycle, the City may sell or otherwise dispose of the electric-assisted scooter or electric-assisted bicycle.

EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its publication in the official City newspaper.

PASSED AND APPROVED by the Governing Body of the City of Victoria, Kansas,
this 22 day of September, 2025.



John Schulte
John Schulte, Mayor