ORDINANCE NO. 774

AN ORDINANCE AMENDING CHAPTER 77 OF THE CODE OF ORDINANCES REGULATING PERSONAL ELECTRIC VEHICLES CLASSIFIED AS MOTORIZED SCOOTERS, ELECTRIC BICYCLES, AND OTHER PERSONAL TRANSPORT VEHICLES

BE IT ORDAINED by the City Council of the City of Sergeant Bluff, Iowa:

SECTION 1. CHAPTER MODIFIED. Chapter 77 of the Code of Ordinances of the City of Sergeant Bluff, Iowa is repealed and the following is adopted in lieu thereof:

CHAPTER 77

MOTORIZED SCOOTERS, ELECTRIC BICYCLES, AND OTHER PERSONAL TRANSPORT VEHICLES

77.01 Purpose

77.02 Definitions

77.03 Applicability and Compliance with State Law

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77.01 PURPOSE.

The purpose of this chapter is to regulate the operation of motorized scooters, electric bicycles, and other personal transport vehicles, collectively referred to as Personal Electric Vehicles (PEVs), within the City in order to protect pedestrians, riders, motorists, and property; promote public safety; reduce hazardous and reckless operation; and provide clear, objective, and enforceable standards governing the use of such devices on public property. This chapter is intended to supplement applicable provisions of Iowa law and to regulate the location, manner, and safety of operation of such devices within the City.

77.02 DEFINITIONS.

For purposes of this chapter, unless the context clearly indicates otherwise, the following definitions apply:

1. "Personal Electric Vehicle" or "PEV" means the collective term for all motorized scooters, electric bicycles, miscellaneous mobility devices, and other personal transport vehicles.

2. “Personal Transport Vehicle” or “PTV” means a device designed to transport a single rider, and is powered by human propulsion generating electrical power, electric power, or a combination thereof.

3. “Electric Scooter” or “E-Scooter” means a personal transport vehicle with two or three wheels, handlebars, and an electric motor, designed to be stood upon or equipped with a seat or saddle, and intended to transport a single rider.

A. Class 1: Low-Speed E-Scooter
   (1) Motor Power: Less than 750 watts.
   (2) Description: Class 1 e-scooters are the most basic e-scooters, generally for city commutes and short-distance travel. These scooters usually operate by a simple throttle system. Operation doesn’t require much skill.

B. Class 2: Mid-Range E-Scooter
   (1) Motor Power: Between 750 watts and 1,000 watts.
   (2) Description: Class 2 e-scooters have more power and speed for use on slightly longer commutes and more versatile terrain. These scooters usually have advanced features such as multiple riding modes, enhanced suspension, and better battery capacity. Operation requires more caution, as increased speed presents additional risks, particularly in congested areas.

C. Class 3: High-Speed E-Scooter
   (1) Motor Power: Between 1,000 and 2,000 watts.
   (2) Description: Class 3 e-scooters are used for longer distances, operating at higher speed limits and improved performance, capable of a fast and powerful ride. These scooters are usually equipped with larger batteries, advanced braking systems, and enhanced safety features. Operation requires experienced riders or those capable of managing the higher speed and performance features.

D. Class 4: Off-Road and High-Performance E-Scooter
   (1) Motor Power: Greater than 2,000 watts.
   (2) Description: Class 4 e-scooters are the most powerful, designed for off-road use or extreme performance. Their heavy-duty construction includes large tires, complex suspension systems, and high-torque motors, capable of navigating rough trails and unpaved roads. Operation requires experience riders or those capable of managing the power and performance features.

4. “Electric Bicycle” means a low-speed electric bicycle defined in Iowa Code section 321.1(36A), as amended, as a device having a saddle or seat for the use of a rider, two or three 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.
   (1) Motor Power: Maximum 750 watts.
   (2) Description: Motor assists while pedaling but has no throttle. This class includes types like mountain bikes, townies, low-end commuters, and hybrids.

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.
   (1) Motor Power: Maximum 750 watts.
   (2) Description: Motor assists while pedaling and also has a throttle.

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.
   (1) Motor Power: Maximum 750 watts.
   (3) Description: Motor assists while pedaling but has no throttle. This class includes high end commuters, cargo bikes, gravel bikes and road bikes.

D. "Off-Road and Unclassified E-Bikes":
   (1) Motor Power: Greater than 750 watts.
   (2) Description: No pedal requirement. Defined as an off-road motorcycle (ORM) under Iowa law. Iowa DNR requires operators under the age of 12 to be under the direct supervision of an adult (18+) with a valid driver's license.

5. "Electric Personal Assistive Mobility Device," such as a Segway, means a nontandem two-wheeled device as defined in Iowa Code section 321.1(20B), as amended, that is self-balancing and powered by an electric propulsion system that averages seven hundred fifty watts and is designed to transport one person, with a maximum speed on a paved level surface of less than twenty miles per hour, but is not an "assistive device" as defined by Iowa Code section 216E.1(1).

6. "Minor" means any person below the age of eighteen (18) years who is not married or otherwise emancipated.

7. "Miscellaneous Mobility Devices" includes but is not limited to electrically powered or supplemented Electric Skateboards, Electric Unicycles, Onewheels, Hoverboards, and Electric Skates.

8. "Personal Mobility Device" means a vehicle or mobility aid designed be an "assistive device" as defined by Iowa Code section 216E.1(1), to enhance the movement of individuals with disabilities or mobility limitations, such as electric wheelchairs, scooters, and walkers. These devices are exempt from the regulations of this chapter.

77.03 APPLICABILITY AND COMPLIANCE WITH STATE LAW.

Operators of PEVs shall comply with all regulations under Iowa law for the specific type of PEV and all applicable provisions of Iowa law governing traffic control devices, right-of-way, and roadway conduct when operating on public ways where such operation is permitted. Nothing in this chapter shall be construed to authorize the operation of any device in a manner prohibited by state law.

77.04 OPERATION REGULATIONS.

1. Single Rider. No PEV, unless designed as such, shall be operated with more than one rider at any time unless the device is specifically designed and manufactured for multiple riders.

2. Age Restriction. Age restrictions on operating PEVs on any public sidewalk, trail, street, or other public way within the City shall be dependent upon the class of vehicle as set out in Table 77.05.4. Unless otherwise stated in the Iowa Code, it is unlawful for anyone under ten (10) years of age to operate a motorized scooter, electric bicycle, or other personal transport vehicle, unless under the direct supervision of a parent or legal guardian.

3. Yielding and Right-of-Way. Operators shall yield the right-of-way to pedestrians at all times and shall operate in a manner consistent with applicable bicycle traffic rules where operation is permitted.

4. **Speed. No person shall operate a PEV at a speed greater than that is reasonable and prudent for the conditions.**

5. Helmet. Every minor person operating a PEV **is required to wear** a properly secured bicycle helmet or a helmet of the type and design manufactured for use by operators of similar vehicles any time the PEV is in motion.

6. Registration. The City Council may institute a registration policy to require all operators or parents of any minor operators of PEVs to obtain a permit, complete education requirements, and receive safety operations and rules for use on City sidewalks, streets and trails. Any registration policy and associated fees shall be set by Resolution of the Council.

77.05 PLACES OF OPERATION AND REQUIREMENTS.

Operators of PEVs shall comply with the following restrictions regarding where such devices may be operated within the City. Table 77.05.4 below is a summary of places of operation and requirements.

1. Streets. For those PEVs permitted on sidewalks and trails, but prohibited from operating in the street, a street crossing is permitted only when the operator abides by all of the following requirements:

A. The crossing of a street is made at an angle of approximately ninety (90) degrees to the direction of the street and at a location where no obstruction prevents a quick and safe crossing;

B. The operator brings the device to a complete stop before crossing the street;

C. The operator yields the right-of-way to all vehicles approaching on the street that constitute an immediate hazard; and

D. Where the street is divided, the crossing is made only at an intersection.

2. Sidewalks. PEVs may be operated on sidewalks, unless otherwise prohibited by Table 77.05.4 or by posted signage. When operated on a sidewalk, the operator shall:

A. Yield the right-of-way to pedestrians at all times; and

B. Give an audible signal before overtaking and passing a pedestrian.

3. Trails and shared-use paths. PEVs may be operated on shared-use paths and trails unless otherwise prohibited by Table 77.05.4 or by posted signage. Operational expectations shall comply with 77.04.3 and 77.05.2 as applicable.

4. The following Table 77.05.4 provides the restrictions on age of operator, places of operation, and other requirements for the devices regulated by this chapter.

Table 77.05.4

Device	Age Restriction	Place(s) of Operation	
Class 1: Low-Speed E-Scooter	10+	Sidewalks and Trails; Streets prohibited	*
Class 2: Mid-Range E-Scooter	10+	Sidewalks and Trails; Streets prohibited	*
Class 3: High-Speed E-Scooter	10+	Streets and Trails; Sidewalks prohibited	*
Class 4: Off-Road and High-Performance E-Scooter	NA	Prohibited	
Class 1 E-Bike	10+	Streets and Trails; Sidewalks prohibited	
Class 2 E-Bike	10+	Streets and Trails; Sidewalks prohibited	
Class 3 E-Bike	16+	Streets and Trails; Sidewalks prohibited	*
Segway	NA	Sidewalks and Trails; Streets prohibited	*
Off-Road/Unclassified E-Bike	12+	Prohibited (off-road vehicle)	
Misc Mobility Devices **	NA	Streets, Trails; Sidewalks prohibited	*

*** - Prohibited from riding around the Rec Complex Walking Trail unless under the direct supervision of a parent or legal guardian, or unless if taking the most direct route to and from home and to a recreation complex facility (i.e swimming pool, ballfields, etc).**

**** - Misc Mobility Devices exceeding 750 watts and over 20mph speeds are prohibited from all public streets and trails**

77.06 OPERATION PROHIBITED.

Operation of devices in violation of the regulations and the requirements of this chapter is prohibited. Each occurrence or day of operation in violation of this chapter constitutes a separate offense.

77.07 EQUIPMENT REQUIREMENTS.

1. Lighting. Any PEV operated between sunset and sunrise, or during conditions of reduced visibility, shall be equipped with a front lamp emitting a white light and a rear red lamp emitting a red light.

2. Brakes. All PEV devices regulated by this chapter shall be equipped with brakes capable of bringing the device to a controlled stop.

77.08 RECKLESS OR IMPROPER RIDING.

No person shall operate a PEV in a reckless, improper or unsafe manner, regardless of whether operation is otherwise permitted, including but not limited to:

1. Multiple riders;
2. Excessive speed for the location or conditions;
3. Zigzagging, stunting, loss of control, or racing;
4. Riding against the flow of traffic where street operation is permitted;
5. Riding on private property without permission from the property owner;
6. Riding on any open space or grassways on public property and city parks.
7. Failing to yield to pedestrians; or
8. Operating while under the influence of alcohol or controlled substances.

77.09 ENFORCEMENT AND PENALTIES.

Except as otherwise provided, violations of this chapter are municipal infractions. A violation involving reckless operation, operation of a prohibited device, or operation resulting in injury, property damage, or interference with traffic may be charged as a simple misdemeanor. The following scheduled fines apply unless otherwise provided:

1. Reckless or unsafe operation, operation of a prohibited device, or operation resulting in injury, property damage, or interference with traffic: $75 first offense, $150 second offense, $250 third or subsequent
2. Operation in a prohibited area: $50 first offense, $100 second offense, $150 third or subsequent
3. Speed-related or unsafe operation violations: $50 first offense, $100 second offense, $150 third or subsequent
4. Equipment violations: $25 first offense, $50 second offense, $75 third or subsequent

Nothing in this section limits the authority of an enforcing officer to issue a warning in lieu of a citation when appropriate.

77.10 IMPOUNDMENT.

As an additional enforcement option, a PEV may be impounded immediately when necessary to protect public safety, or when:

1. The violation involves reckless or hazardous operation; or
2. The operator commits a second or subsequent violation within a twelve-month period.

77.11 RESPONSIBILITY OF PARENTS OR LEGAL GUARDIANS.

A parent or legal guardian who knowingly permits a minor under their care or supervision to violate any provision of this chapter may be cited for such violation and held responsible for applicable penalties.

SECTION 2. REPEALER. All ordinances of parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. In all other respects, the Code of Ordinance of the City of Sergeant Bluff shall remain in effect.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the City Council of the City of Sergeant Bluff on the 23rd day of June 2026, and approved this 23rd day of June 2026.

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MAYOR/MAYOR PRO TEM

Attest:

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DANNY CHRISTOFFERS, CITY CLERK

First Reading: 6/9/2026 Vote for passage: 5-0

Second Reading: 6/23/2026 Vote for passage: 5-0

Third Reading: WAIVED Vote for passage: WAIVED

Passed, Approved, and Adopted June 23, 2026.

I certify that the foregoing was published as Ordinance No. 774 on the 2nd day of July, 2026

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DANNY CHRISTOFFERS, CITY CLERK