

**ORDINANCE REPEALING PORTIONS OF CHAPTER 300 AND 380 AND ADOPTING AMENDED OR
NEW ORDINANCES REGARDING ELECTRIC BICYCLES**

WHEREAS, Technology changes and new “vehicles” are created and so the City’s Ordinances need to adapt as well.

WHEREAS, The City wishes to amend Chapter 300 to update certain definitions and to modify and adopt new provisions to Chapter 380 regarding electric bicycles, all for health, property, safety or welfare of the operators, owners and the general public in the City of Weatherby Lake.

WHEREAS, Section 300.010 needs to be amended as follows (changes are highlighted):

Section 300.010 **Definitions.**

A.

The following words and phrases, when used in this Title, mean:

ALLEY OR ALLEYWAY

Any street with a roadway of less than twenty (20) feet in width.

ALL-TERRAIN VEHICLE

Any motorized vehicle manufactured and used exclusively for off-highway use which is fifty (50) inches or less in width, with an unladen dry weight of six hundred (600) pounds or less, traveling on three (3), four (4) or more low pressure tires with a seat designed to be straddled by the operator and handlebars for steering control.

AUTHORIZED EMERGENCY VEHICLE

A vehicle publicly owned and operated as an ambulance or a vehicle publicly owned and operated by the State Highway Patrol, Police or Fire Department, Sheriff, Constable or Deputy Sheriff, traffic officer or any privately owned vehicle operated as an ambulance when responding to emergency calls.

BUSINESS DISTRICT

The territory contiguous to and including a highway when within any six hundred (600) feet along the highway there are buildings in use for business or industrial purposes including, but not limited to, hotels, banks or office buildings, railroad stations and public buildings which occupy at least three hundred (300) feet of frontage on one (1) side or three hundred (300) feet collectively on both sides of the highway.

CENTRAL BUSINESS (OR TRAFFIC) DISTRICT

All streets and portions of streets within the area described by City ordinance as such.

COMMERCIAL VEHICLE

Every vehicle designed, maintained or used primarily for the transportation of property.

CONTROLLED ACCESS HIGHWAY

Every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over the highway, street or roadway.

CROSSWALK

1.

That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway.

2.

Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

CURB LOADING ZONE

A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

DRIVER

Every person who drives or is in actual physical control of a vehicle.

ELECTRIC BICYCLE

"Electric bicycle", a bicycle equipped with fully operable pedals, a saddle or seat for the rider, and an electric motor of less than 750 watts that meets the requirements of one of the following three classes: (a) "Class 1 electric bicycle", an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of twenty miles per hour; (b) "Class 2 electric bicycle", an 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 the speed of twenty miles per hour; (c) "Class 3 electric bicycle", an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of twenty-eight miles per hour;

FREIGHT CURB LOADING ZONE

A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight (or passengers).

HIGHWAY

The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

INTERSECTION

1.

The area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of the roadways of two (2) highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict; or

2.

Where a highway includes two (2) roadways thirty (30) feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two (2) roadways thirty (30) feet or more apart, then every crossing of two (2) roadways of such highways shall be regarded as a separate intersection.

LANED ROADWAY

A roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic.

MOTOR VEHICLE

Any self-propelled vehicle not operated exclusively upon tracks, except farm tractors, electric bicycles, and motorized bicycles.

MOTORCYCLE

Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding an electric bicycle and a tractor.

MOTORIZED BICYCLE

Any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty (50) cubic centimeters which produces less than three (3) gross brake horsepower and is capable of propelling the device at a maximum speed of not more than thirty (30) miles per hour on level ground but excluding an electric bicycle.

OFFICIAL TIME STANDARD

Whenever certain hours are named herein, they shall mean standard time or daylight-saving time as may be in current use in the City.

OFFICIAL TRAFFIC CONTROL DEVICES

All signs, signals, markings and devices not inconsistent with this Title placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic.

PARK OR PARKING

The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

PASSENGER CURB LOADING ZONE

A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

PEDESTRIAN

Any person afoot.

PERSON

Every natural person, firm, co-partnership, association or corporation.

POLICE OFFICER

Every officer of the municipal Police Department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

PRIVATE ROAD OR DRIVEWAY

Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

RAILROAD

A carrier of persons or property upon cars operated upon stationary rails.

RAILROAD TRAIN

A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails.

RESIDENCE DISTRICT

The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of three hundred (300) feet or more is in the main improved with residences or residences and buildings in use for business.

RIGHT-OF-WAY

The right of one (1) vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

ROADWAY

That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two (2) or more separate roadways, the term "roadway", as used herein, shall refer to any such roadway separately but not to all such roadways collectively.

SAFETY ZONE

The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

SIDEWALK

That portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for use of pedestrians.

STAND OR STANDING

The halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.

STATE HIGHWAY

A highway maintained by the State of Missouri as a part of the State highway system.

STOP

When required, complete cessation from movement.

STOP OR STOPPING

When prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Police Officer or traffic control sign or signal.

STREET OR HIGHWAY

The entire width between the lines of every way or place open for vehicular travel by the public, regardless of its legal status, and regardless of whether it has been legally established by constituted authority as a public, street, road or highway or by user for the statutory period of time as a public, street, road or highway.

THROUGH HIGHWAY

Every highway or portion thereof on which vehicular traffic is given preferential right-of-way and at the entrances to which vehicular traffic from intersecting highways is required by law to yield right-of-way to vehicles on such through highway in obedience to either a stop sign or a yield sign when such signs are erected as provided in this Title.

TRAFFIC

Pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together while using any highway for purposes of travel.

TRAFFIC CONTROL SIGNAL

Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

TRAFFIC DIVISION

The Traffic Division of the Police Department of the City or, in the event a Traffic Division is not established, then said term, whenever used herein, shall be deemed to refer to the Police Department of the City.

VEHICLE

Any mechanical device on wheels designed primarily for use or used on highways, except motorized bicycles, electric bicycles, vehicles propelled or drawn by horses or human power or vehicles used exclusively on fixed rails or tracks, cotton trailers or motorized wheelchairs operated by handicapped persons.

And,

WHEREAS, Chapter 380 needs to be amended as follows(changes are highlighted):

Section 380.010 Bicycle and Motorized Bicycle — Defined.

As used in this Chapter, the following terms shall mean:

BICYCLE

Every vehicle propelled solely by human power upon which any person may ride, having two (2) tandem wheels, except scooters and similar devices.

MOTORIZED BICYCLE

Any two- or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty (50) cubic centimeters, which produces less than three (3) gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty (30) miles per hour on level ground but excluding an electric bicycle, as defined in section 300.010. A motorized bicycle shall be considered a motor vehicle for purposes of any homeowners' or renters' insurance policy.

Section 380.020 Brakes Required.

Every bicycle, electric bicycle, and motorized bicycle shall be equipped with a brake or brakes which will enable its driver to stop the bicycle or motorized bicycle within twenty-five (25) feet from a speed of ten (10) miles per hour on dry, level, clean pavement.

Section 380.030 Lights and Reflectors — When Required — Standards To Be Met.

A.

Every bicycle, electric bicycle, and motorized bicycle when in use on a street or highway during the period from one-half (½) hour after sunset to one-half (½) hour before sunrise shall be equipped with the following:

1.

A front-facing lamp on the front or carried by the rider which shall emit a white light visible at night under normal atmospheric conditions on a straight, level, unlighted roadway at five hundred (500) feet;

2.

A rear-facing red reflector, at least two (2) square inches in reflective surface area, or a rear-facing red lamp on the rear which shall be visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lower beams of vehicle headlights at six hundred (600) feet;

3.

Reflective material and/or lights on any part of the bicyclist's pedals, crank arms, shoes or lower leg visible from the front and the rear at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lawful lower beams of vehicle headlights at two hundred (200) feet; and

4.

Reflective material and/or lights visible on each side of the bicycle or bicyclist and visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lawful lower beams of vehicle headlights at three hundred (300) feet. The provisions of this Subsection shall not apply to motorized bicycles which comply with National Highway Traffic and Safety Administration regulations relating to reflectors on motorized bicycles.

Section 380.040 Rights and Duties of Bicycle and Motorized Bicycle Riders.

Every person riding a bicycle, electric bicycle or motorized bicycle upon a street or highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle as provided by Chapter 304, RSMo., and this Title, except as to special regulations in this Chapter, and except as to those provisions of Chapter 304, RSMo., and this Title, which by their nature can have no application.

Section 380.050 Riding To Right — Required For Bicycles and Motorized Bicycles — Mandatory Use of Bicycle Path By Bicycles.

Every person operating a bicycle, electric bicycle, or motorized bicycle at less than the posted speed or slower than the flow of traffic upon a street or highway shall ride as near to the right side of the roadway as safe, exercising due care when passing a standing vehicle or one proceeding in the same direction, except when making a left turn, when avoiding hazardous conditions, when the lane is too narrow to share with another vehicle, or when on a one-way street. Bicyclists may ride abreast when not impeding other vehicles.

Section 380.085 Electric bicycles — rights and privileges — label, requirements — modifications require new label — product safety standards — authorized to ride, where, exceptions — class 3 electric bicycles, special provisions. — 1. Except as otherwise provided in this section, every person riding an electric bicycle shall be granted all of the rights and shall be subject to all of the duties applicable to the operator of a bicycle. An electric bicycle shall be considered a vehicle to the same extent as a bicycle.

2. An electric bicycle or a person operating an electric bicycle is not subject to provisions of law that are applicable to motor vehicles, all-terrain vehicles, off-road vehicles, off-highway vehicles, motor vehicle rentals, motor vehicle dealers or franchises, or motorcycle dealers or franchises, including vehicle registration, certificates of title, drivers' licenses, and financial responsibility.

3. Beginning August 28, 2021, manufacturers and distributors of electric bicycles shall apply a permanent label to each electric bicycle. The label, which shall be affixed to the electric bicycle in a prominent location, shall contain the classification number, top assisted speed, and motor wattage of the electric bicycle. The text on the label shall be Arial font and in at least nine-point type.

4. No person shall tamper with or modify an electric bicycle so as to change the motor-powered speed capability or engagement of an electric bicycle unless he or she replaces the label required under subsection 3 of this section with a new label indicating the new classification.

5. An electric bicycle shall comply with the equipment and manufacturing requirements for bicycles adopted by the United States Consumer Product Safety Commission, 16 CFR 1512.

6. An electric bicycle shall operate in a manner so that the electric motor is disengaged or ceases to function when the rider stops pedaling or when the brakes are applied.

7. An electric bicycle may be ridden where bicycles are permitted to travel.

8. The use of class 3 electric bicycles shall be subject to the following provisions:

(1) No person under sixteen years of age shall operate a class 3 electric bicycle. A person under sixteen years of age may ride as a passenger on a class 3 electric bicycle that is designed to accommodate passengers; and

(2) All class 3 electric bicycles shall be equipped with a speedometer that is capable of displaying the speed an electric bicycle is traveling in miles per hour.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WEATHERBY LAKE, MISSOURI AS FOLLOWS:

Effective immediately, the currently existing Sections 300.010, 380.010, 380.020, 380.030, 380.040, 380.050 of the Municipal Ordinances of the City of Weatherby Lake Missouri and Sections are hereby repealed and new Sections 300.010, 380.010, 380.020, 380.030, 380.040, 380.050, and new Section 380.085 of the Municipal Ordinances of the City of Weatherby Lake Missouri are hereby adopted to read as follows:

Section 300.010 Definitions.

A.

The following words and phrases, when used in this Title, mean:

ALLEY OR ALLEYWAY

Any street with a roadway of less than twenty (20) feet in width.

ALL-TERRAIN VEHICLE

Any motorized vehicle manufactured and used exclusively for off-highway use which is fifty (50) inches or less in width, with an unladen dry weight of six hundred (600) pounds or less, traveling on three (3), four (4) or more low pressure tires with a seat designed to be straddled by the operator and handlebars for steering control.

AUTHORIZED EMERGENCY VEHICLE

A vehicle publicly owned and operated as an ambulance or a vehicle publicly owned and operated by the State Highway Patrol, Police or Fire Department, Sheriff, Constable or Deputy Sheriff, traffic officer or any privately owned vehicle operated as an ambulance when responding to emergency calls.

BUSINESS DISTRICT

The territory contiguous to and including a highway when within any six hundred (600) feet along the highway there are buildings in use for business or industrial purposes including, but not limited to, hotels, banks or office buildings, railroad stations and public buildings which occupy at least three hundred (300) feet of frontage on one (1) side or three hundred (300) feet collectively on both sides of the highway.

CENTRAL BUSINESS (OR TRAFFIC) DISTRICT

All streets and portions of streets within the area described by City ordinance as such.

COMMERCIAL VEHICLE

Every vehicle designed, maintained or used primarily for the transportation of property.

CONTROLLED ACCESS HIGHWAY

Every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over the highway, street or roadway.

CROSSWALK

1.

That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway.

2.

Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

CURB LOADING ZONE

A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

DRIVER

Every person who drives or is in actual physical control of a vehicle.

ELECTRIC BICYCLE

"Electric bicycle", a bicycle equipped with fully operable pedals, a saddle or seat for the rider, and an electric motor of less than 750 watts that meets the requirements of one of the following three classes: (a) "Class 1 electric bicycle", an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of twenty miles per hour; (b) "Class 2 electric bicycle", an 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 the speed of twenty miles per hour; (c) "Class 3 electric bicycle", an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of twenty-eight miles per hour;

FREIGHT CURB LOADING ZONE

A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight (or passengers).

HIGHWAY

The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

INTERSECTION

1.

The area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of the roadways of two (2) highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict; or

2.

Where a highway includes two (2) roadways thirty (30) feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two (2) roadways thirty (30) feet or more apart, then every crossing of two (2) roadways of such highways shall be regarded as a separate intersection.

LANED ROADWAY

A roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic.

MOTOR VEHICLE

Any self-propelled vehicle not operated exclusively upon tracks, except farm tractors, electric bicycles, and motorized bicycles.

MOTORCYCLE

Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding an electric bicycle and a tractor.

MOTORIZED BICYCLE

Any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty (50) cubic centimeters which produces less than three (3) gross brake horsepower and is capable of propelling the device at a maximum speed of not more than thirty (30) miles per hour on level ground but excluding an electric bicycle.

OFFICIAL TIME STANDARD

Whenever certain hours are named herein, they shall mean standard time or daylight-saving time as may be in current use in the City.

OFFICIAL TRAFFIC CONTROL DEVICES

All signs, signals, markings and devices not inconsistent with this Title placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning or guiding traffic.

PARK OR PARKING

The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

PASSENGER CURB LOADING ZONE

A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

PEDESTRIAN

Any person afoot.

PERSON

Every natural person, firm, co-partnership, association or corporation.

POLICE OFFICER

Every officer of the municipal Police Department or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

PRIVATE ROAD OR DRIVEWAY

Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

RAILROAD

A carrier of persons or property upon cars operated upon stationary rails.

RAILROAD TRAIN

A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails.

RESIDENCE DISTRICT

The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of three hundred (300) feet or more is in the main improved with residences or residences and buildings in use for business.

RIGHT-OF-WAY

The right of one (1) vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

ROADWAY

That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two (2) or more separate roadways, the term "roadway", as used herein, shall refer to any such roadway separately but not to all such roadways collectively.

SAFETY ZONE

The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

SIDEWALK

That portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines intended for use of pedestrians.

STAND OR STANDING

The halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.

STATE HIGHWAY

A highway maintained by the State of Missouri as a part of the State highway system.

STOP

When required, complete cessation from movement.

STOP OR STOPPING

When prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Police Officer or traffic control sign or signal.

STREET OR HIGHWAY

The entire width between the lines of every way or place open for vehicular travel by the public, regardless of its legal status, and regardless of whether it has been legally established by constituted authority as a public, street, road or highway or by user for the statutory period of time as a public, street, road or highway.

THROUGH HIGHWAY

Every highway or portion thereof on which vehicular traffic is given preferential right-of-way and at the entrances to which vehicular traffic from intersecting highways is required by law to yield right-of-way to vehicles on such through highway in obedience to either a stop sign or a yield sign when such signs are erected as provided in this Title.

TRAFFIC

Pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together while using any highway for purposes of travel.

TRAFFIC CONTROL SIGNAL

Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

TRAFFIC DIVISION

The Traffic Division of the Police Department of the City or, in the event a Traffic Division is not established, then said term, whenever used herein, shall be deemed to refer to the Police Department of the City.

VEHICLE

Any mechanical device on wheels designed primarily for use or used on highways, except motorized bicycles, electric bicycles, vehicles propelled or drawn by horses or human power or vehicles used exclusively on fixed rails or tracks, cotton trailers or motorized wheelchairs operated by handicapped persons.

Section 380.010 Bicycle and Motorized Bicycle — Defined.

As used in this Chapter, the following terms shall mean:

BICYCLE

Every vehicle propelled solely by human power upon which any person may ride, having two (2) tandem wheels, except scooters and similar devices.

MOTORIZED BICYCLE

Any two- or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty (50) cubic centimeters, which produces less than three (3) gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty (30) miles per hour on level ground but excluding an electric bicycle, as defined in section 300.010. A motorized bicycle shall be considered a motor vehicle for purposes of any homeowners' or renters' insurance policy.

Section 380.020 Brakes Required.

Every bicycle, electric bicycle, and motorized bicycle shall be equipped with a brake or brakes which will enable its driver to stop the bicycle or motorized bicycle within twenty-five (25) feet from a speed of ten (10) miles per hour on dry, level, clean pavement.

Section 380.030 Lights and Reflectors — When Required — Standards To Be Met.

A.

Every bicycle, electric bicycle, and motorized bicycle when in use on a street or highway during the period from one-half (½) hour after sunset to one-half (½) hour before sunrise shall be equipped with the following:

1.

A front-facing lamp on the front or carried by the rider which shall emit a white light visible at night under normal atmospheric conditions on a straight, level, unlighted roadway at five hundred (500) feet;

2.

A rear-facing red reflector, at least two (2) square inches in reflective surface area, or a rear-facing red lamp on the rear which shall be visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lower beams of vehicle headlights at six hundred (600) feet;

3.

Reflective material and/or lights on any part of the bicyclist's pedals, crank arms, shoes or lower leg visible from the front and the rear at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lawful lower beams of vehicle headlights at two hundred (200) feet; and

4.

Reflective material and/or lights visible on each side of the bicycle or bicyclist and visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lawful lower beams of vehicle headlights at three hundred (300) feet. The provisions of this Subsection shall not apply to motorized bicycles which comply with National Highway Traffic and Safety Administration regulations relating to reflectors on motorized bicycles.

Section 380.040 Rights and Duties of Bicycle and Motorized Bicycle Riders.

Every person riding a bicycle, electric bicycle or motorized bicycle upon a street or highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle as provided by Chapter 304, RSMo., and this Title, except as to special regulations in this Chapter, and except as to those provisions of Chapter 304, RSMo., and this Title, which by their nature can have no application.

Section 380.050 Riding To Right — Required For Bicycles and Motorized Bicycles — Mandatory Use of Bicycle Path By Bicycles.

Every person operating a bicycle, electric bicycle, or motorized bicycle at less than the posted speed or slower than the flow of traffic upon a street or highway shall ride as near to the right side of the roadway as safe, exercising due care when passing a standing vehicle or one proceeding in the same direction, except when making a left turn, when avoiding hazardous conditions, when the lane is too narrow to share with another vehicle, or when on a one-way street. Bicyclists may ride abreast when not impeding other vehicles.

Section 380.085 Electric bicycles — rights and privileges — label, requirements — modifications require new label — product safety standards — authorized to ride, where, exceptions — class 3 electric bicycles, special provisions. — 1. Except as otherwise provided in this section, every person riding an electric bicycle shall be granted all of the rights and shall be subject to all of the duties applicable to the operator of a bicycle. An electric bicycle shall be considered a vehicle to the same extent as a bicycle.

2. An electric bicycle or a person operating an electric bicycle is not subject to provisions of law that are applicable to motor vehicles, all-terrain vehicles, off-road vehicles, off-highway vehicles, motor vehicle rentals, motor vehicle dealers or franchises, or motorcycle dealers or franchises, including vehicle registration, certificates of title, drivers' licenses, and financial responsibility.

3. Beginning August 28, 2021, manufacturers and distributors of electric bicycles shall apply a permanent label to each electric bicycle. The label, which shall be affixed to the electric bicycle in a prominent location, shall contain the classification number, top assisted speed, and motor wattage of the electric bicycle. The text on the label shall be Arial font and in at least nine-point type.

4. No person shall tamper with or modify an electric bicycle so as to change the motor-powered speed capability or engagement of an electric bicycle unless he or she replaces the label required under subsection 3 of this section with a new label indicating the new classification.

5. An electric bicycle shall comply with the equipment and manufacturing requirements for bicycles adopted by the United States Consumer Product Safety Commission, 16 CFR 1512.

6. An electric bicycle shall operate in a manner so that the electric motor is disengaged or ceases to function when the rider stops pedaling or when the brakes are applied.

7. An electric bicycle may be ridden where bicycles are permitted to travel.

8. The use of class 3 electric bicycles shall be subject to the following provisions:

- (1) No person under sixteen years of age shall operate a class 3 electric bicycle. A person under sixteen years of age may ride as a passenger on a class 3 electric bicycle that is designed to accommodate passengers; and
- (2) All class 3 electric bicycles shall be equipped with a speedometer that is capable of displaying the speed an electric bicycle is traveling in miles per hour.

PASSED THIS 11TH DAY OF OCTOBER, 2023.



MAYOR

ATTEST:



CITY CLERK

APPROVED THIS 11TH DAY OF OCTOBER, 2023.



MAYOR