

ORDINANCE NO. 2025-_____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENIFEE,
CALIFORNIA, ADDING CHAPTER 12.30 TO TITLE 12 OF THE MENIFEE
MUNICIPAL CODE RELATING TO BICYCLES, ELECTRIC BICYCLES, ELECTRIC
SCOOTERS AND ELECTRIC SKATEBOARDS**

WHEREAS, electric bicycles, electric scooters, and electric skateboards (collectively, “E-Conveyances”) are an ever-growing public safety concern. With the increasing popularity and usage of E-Conveyances, traffic accidents involving individuals operating E-Conveyances and motor vehicles have greatly increased, necessitating rules and regulations applicable to these devices to ensure a safer community; and

WHEREAS, individuals involved in E-Conveyance traffic accidents tend to suffer more serious injuries when compared to traditional bicycle accidents; and

WHEREAS, collisions involving E-Conveyances and motor vehicles result in greater damage to all vehicles and property involved; and

WHEREAS, the Menifee Police Department has seen a significant increase in calls and incidents related to collisions involving E-Conveyances, which more often than not result in serious injuries to persons and property; and

WHEREAS, in order to adequately protect the community from the dangers inherent in operating E-Conveyances, the City Council desires to add Chapter 12.30 to Title 12 of the Menifee Municipal Code, establishing regulations for Bicycles, Electric Bicycles (“E-Bikes”), Electric Scooters (“E-Scooters”), and Electric Skateboards (“E-Skateboards”), including violations, penalties, and enforcement for same; and

WHEREAS, on February 19, 2025, the City Council held a duly noticed public meeting at which time members of the public had the opportunity to review the documents presented to the City Council and provide oral comments to the City Council concerning the proposed ordinance.

NOW, THEREFORE, the City Council of the City of Menifee, California does ordain as follows:

Section 1. Chapter 12.30, as shown in Exhibit A, is hereby added to Title 12 of the Menifee Municipal Code.

Section 2. This Ordinance shall take effect thirty (30) days after its adoption.

Section 3. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Section 4. Notice of Adoption. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause to be published as required by law.

This Ordinance was introduced and read on the 19th day of February, 2025, and **PASSED, APPROVED, AND ADOPTED**, this 5th day of March, 2025.

Ricky Estrada, Mayor

ATTEST:

Stephanie Roseen, City Clerk

Approved as to form:

Jeffrey T. Melching, City Attorney

EXHIBIT A

TITLE 12

CHAPTER 12.30

BICYCLES, E-BIKES, E-SCOOTERS, AND E-SKATEBOARDS

Sections:

12.30.010	Purpose and Intent
12.30.020	Definitions
12.30.030	Enforcement
12.30.040	Applicability of Traffic Laws
12.30.050	Obedience to Traffic-Control Devices
12.30.060	Use of Headphones or Earbuds
12.30.070	Helmets
12.30.080	Lights and Reflectors
12.30.090	Method of Riding; Number of Riders
12.30.100	Riding on Roadway and Bicycle Lanes
12.30.110	Speed
12.30.120	Emerging From, Entering Alley, Driveway, Bicycle Path, Etc.
12.30.130	Leaving Bicycle Lane
12.30.140	Parking
12.30.150	Riding on Sidewalks, Playgrounds, Etc.
12.30.160	Equipment
12.30.170	Establishment
12.30.180	Designation
12.30.190	Use of Streets Restricted
12.30.200	Motor Vehicle Usage

§ 12.30.010 PURPOSE AND INTENT.

This division shall apply to the use of bicycles and E-Conveyances (as those terms are defined below), in conformity with State law, and shall apply to any bicycle or E-Conveyance operated upon any street or sidewalk, public property, or upon any public path set aside for the use of bicycles or E-Conveyances within the City's jurisdiction. The provisions contained herein are enacted pursuant to Vehicle Code Division 16.7 (Vehicle Code § 39000 et seq.), and any rules and regulations adopted thereunder pertaining to the licensing of bicycles, and California Vehicle Code § 21206 pertaining to the regulation of the operation, use and equipment of bicycles. This division is not intended to conflict in any way with the provisions thereof.

§ 12.30.020 DEFINITIONS.

BICYCLE. Any device upon which a person may ride which is propelled by human power through a system of belts, chains or gears, and having one or more wheels. "Bike" shall mean the same as "Bicycle," and the terms may be used interchangeably.

BICYCLE LANE. The portion of the roadway which has been separated from any vehicular lanes by a solid white line or other pavement marking or defined for bike riders by appropriate signage.

BICYCLE PATH OR BICYCLE TRAIL. A path that provides a completely separated right-of-way from vehicular traffic designated for the exclusive use of bicycles and pedestrians with crossflows by motorists minimized.

BICYCLE ROUTE. A suggested route of travel for bicycle riders. A "bicycle route" may offer no physical protection to the bike rider and is normally defined for the bicycle rider only by a sign indicating "bike route," which defines a suggested route of a bicycle system and provides a certain awareness for the motorist that bicycle riders are sharing the roadway.

E-CONVEYANCE. Includes any Electric Bicycle, Electric Scooter, Electric Skateboard, or other device propelled by an electric motor and designed to transport 1 or more people.

ELECTRIC BICYCLE. An electric bicycle, or "E-Bike", which is a bicycle equipped with fully operable pedals and an electric motor of less than 750 watts, and is categorized by the following:

- (1) Class 1 – 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 a speed of 20 miles per hour.
- (2) Class 2 – 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 a speed of 20 miles per hour.
- (3) Class 3 - 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 a speed of 28 miles per hour and is equipped with a speedometer.

ELECTRIC SCOOTER OR E-SCOOTER. A two or three-wheeled device that has handlebars, a floorboard that is designed to be stood on while riding and is powered by an electric motor. This device may also have a driver seat that does not interfere with the ability of the rider to stand and ride, and may also be designed to be powered by human propulsion.

ELECTRIC SKATEBOARD OR E-SKATEBOARD. A four-wheeled device that has a floorboard that is designed to be stood on while riding and is powered by an electric motor.

HIGHWAY. A way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. Highway includes street.

MOTORIZED BICYCLE. Any two-wheeled or three-wheeled device having fully operative pedals for propulsion by human power or having no pedals if powered solely by electrical energy, has an automatic transmission, and a motor which produces less than four gross brake horsepower and is capable of propelling the device at a maximum speed of not more than 30 miles per hour on level ground.

§ 12.30.030 ENFORCEMENT.

(A) Parental responsibility. 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.

(B) Penalty for violations. Every person violating any provisions of this Chapter shall be subject to the penalties provided for in Chapter 1.01 of the Municipal Code of the Menifee Municipal Code.

(C) Infraction, fines, and penalties. Any person who violates this chapter is guilty of an infraction and punishable by a fine as set forth in § 1.01.200 of the Menifee Municipal Code. This chapter may also be enforced via administrative or civil actions as authorized by § 1.01.200 of the Menifee Municipal Code.

(D) An electric bike shall meet the following criteria:

- (1) Comply with the equipment and manufacturing requirements for bicycles adopted by the United States Consumer Product Safety Commission (16 C.F.R. 1512.1, et seq.).
- (2) Operate in a manner so that the electric motor is disengaged or ceases to function when the brakes are applied or operate in a manner such that the motor is engaged through a switch or mechanism that, when released or deactivated, will cause the electric motor to disengage or cease to function.
- (3) A person shall not tamper with or modify an electric bicycle so as to change the speed capability of the device, unless he or she appropriately replaces the label indicating the appropriate classification. It shall be unlawful to operate an electric bicycle which has been modified to exceed 28 miles per hour upon any roadway, sidewalks, trail, paths or other public property within the City.

§ 12.30.040 APPLICABILITY OF TRAFFIC LAWS.

Every person riding a bicycle or E-Conveyance upon a street or sidewalk shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of the State pertaining to the rules of the road, or by the terms of this code or other ordinances of this City applicable to the driver of a vehicle, except as to those provisions which by their nature can have no application to bicycles or E-Conveyances, and except as otherwise provided in this Chapter.

§ 12.30.050 OBEDIENCE TO TRAFFIC-CONTROL DEVICES.

It shall be unlawful for any person operating a bicycle or E-Conveyance to fail to obey the instructions of official traffic-control signs and other traffic-control devices applicable to vehicles or bicycles, unless otherwise directed by a police officer.

§ 12.30.060 USE OF HEADPHONES OR EARBUDS.

It shall be unlawful for any person to operate a bicycle or E-Conveyance while wearing headphones, earbuds or any other device which obstructs and/or covers any portion of the ear canal.

§ 12.30.070 HELMETS.

(A) Any person under the age of 18 years old must wear a properly fitted and fastened bicycle helmet when riding any bicycle or E-Conveyance on a public roadway, bikeway, bicycle path, bicycle trail, or bicycle route within the City, regardless of E-bike class.

(B) All people operating or riding as a passenger upon a Class 3 electric bicycle shall comply with Section 21213 of the California Vehicle Code regarding the wearing of a properly fitted and fastened bicycle helmet.

(C) Any person under the age of 16 years old shall not operate a Class 3 electric bicycle.

§ 12.30.080 LIGHTS AND REFLECTORS.

No person shall operate a bicycle or E-Conveyance after sunset without a front facing white light. All bicycles and e-bikes shall have reflectors on both wheels and on the rear of the bike or e-bike.

§ 12.30.090 METHOD OF RIDING; NUMBER OF RIDERS.

No person operating a bicycle or E-Conveyance shall allow more persons at one time than the number for which the bicycle or E-Conveyance is designed and equipped.

§ 12.30.100 RIDING ON ROADWAYS AND BICYCLE LANES.

(A) Any person operating a bicycle or E-Conveyance upon a roadway at a speed less than the normal speed of traffic moving in the same direction at such time shall ride as close as practicable to the right-hand curb, edge of the roadway, or bike lane, except under any of the following situations:

- (1) When overtaking and passing another bicycle, E-Conveyance or vehicle proceeding in the same direction.
- (2) When preparing for a left turn at an intersection or onto a private road or driveway.

- (3) When reasonably necessary to avoid conditions (including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes) that make it unsafe to continue along the right-hand curb or edge. (Note: "Substandard width lane" is a lane that is too narrow for a bicycle and a vehicle to travel safely side-by-side within the lane.)
- (B) Any person operating a bicycle or E-Conveyance upon a roadway or a highway, which highway carries traffic in one direction only and has two or more marked traffic lanes, may ride as near the left-hand curb or edge of such roadway as practicable.
- (C) Persons riding bicycles or E-Conveyances upon a roadway or bike lane shall not ride more than two abreast.

§ 12.30.110 SPEED.

No person shall operate a bicycle or E-Conveyance at a speed greater than is reasonable and prudent under the existing conditions, and in no event at a speed which endangers the safety of persons or property. No bicycle or E-Conveyance operator shall travel over 20 miles per hour on a public highway, trail, path, park or other public property within the City.

§ 12.30.120 EMERGING FROM, ENTERING ALLEY, DRIVEWAY, BICYCLE PATH, ETC.

The operator of a bicycle or E-Conveyance emerging from an alley, driveway, bicycle path, building or otherwise approaching a sidewalk or sidewalk area shall yield the right-of-way to all pedestrians on such sidewalk or sidewalk area, and upon entering a bicycle lane or roadway, shall yield the right-of-way to all vehicles or bicycles on the roadway.

§ 12.30.130 LEAVING BICYCLE LANE.

- (A) Whenever a bicycle lane has been established, any person operating a bicycle or E-Conveyance upon the roadway at a speed of less than the normal speed of traffic moving in the same direction shall ride within the bicycle lane, except that such person may move out of the lane under any of the following situations:

- (1) When overtaking and passing another bicycle, vehicle, E-Conveyance or pedestrian within the lane or about to enter the lane if such overtaking and passing cannot be done safely within the lane.
 - (2) When preparing for a left turn at an intersection or onto a private road or driveway.
 - (3) When it is reasonably necessary to leave the bicycle lane to avoid debris or other hazardous conditions.
 - (4) When approaching a place where a right turn is authorized.
- (B) No person operating a bicycle or E-Conveyance within a bicycle lane shall leave such lane until movement can be made with reasonable safety, and then only after giving the appropriate signal in the manner provided in Vehicle Code Division 11, Chapter 6 (Vehicle Code § 22100 et seq.) in the event that any vehicle may be affected by the movement.

§ 12.30.140 PARKING.

No person shall leave a bicycle or E-Conveyance lying on its side on any sidewalk, nor park a bicycle or E-Conveyance upon the public right-of-way, or against a building or at a curb, except in such a manner as to afford the least obstruction to pedestrian traffic. Where appropriate signs are posted, no person shall park a bicycle or E-Conveyance on a public highway in the area designated by those signs.

§ 12.30.150 RIDING ON SIDEWALKS, PLAYGROUNDS, ETC.

- (A) Riding bicycles and E-Conveyances on any sidewalk, bicycle path, bicycle trail, or roadway is permitted unless prohibited by appropriate signs authorized by the terms of this Chapter.
- (B) Whenever any person is riding a bicycle or E-Conveyance upon a sidewalk, bicycle path, or bicycle trail, such person shall yield the right-of-way to any pedestrian or person on horseback and shall give an audible signal before overtaking and passing pedestrians.

- (C) No person shall ride or operate a bicycle or E-Conveyance upon any playground, park, or school ground not specifically designated as a bicycle path or route, unless specifically posted as authorized for such use.
- (D) No person shall operate a bicycle or E-Conveyance on a bicycle path or bicycle trail at a speed greater than 20 miles per hour, and in no event at a speed greater than is reasonable or prudent under the existing conditions, or at a speed which endangers the safety of persons and/or property.
- (E) When posted, no person shall operate a bicycle or E-Conveyance at any City special events.
- (F) The operator of a bicycle or E-Conveyance shall travel in the same direction as vehicles are required to be driven upon the roadway, regardless of whether or not the operator is in the roadway or in a bike lane. This section also applies to any sidewalk less than eight feet in width, unless there is no accompanying sidewalk on the opposite side of the street, or wherever posted signs prohibit such behavior.
- (G) The operator of a bicycle or E-Conveyance shall not allow a person riding as a passenger, and a person shall not ride as a passenger, on a bicycle or E-Conveyance upon a highway other than upon or astride a separate seat attached thereto. The section does not apply to any type of bicycle or E-Conveyance with an original factory seat designed to collectively accommodate the operator and passenger. If the passenger is four years of age or younger, or weighs 40 pounds or less, the seat shall have adequate provision for retaining the passenger in place and for protecting the passenger from the moving parts of the bicycle.

§ 12.30.160 EQUIPMENT.

Every bicycle and E-Conveyance, when operated within the City, shall comply with all of the equipment requirements contained in California Vehicle Code § 21201, as well as this Chapter.

§ 12.30.170 ESTABLISHMENT.

The City Council may, by resolution, establish bicycle lanes, paths or routes within the City as they determine may be required.

§ 12.30.180 DESIGNATION.

(A) The City's Director of Public Works is authorized to erect or place and maintain signs on any sidewalk or roadway prohibiting the riding of bicycles and/or E-Conveyances by any person thereon.

(B) The City's Director of Public Works is authorized to erect or place and maintain signs upon any street, or adjacent to any street in the City, indicating the existence of a bicycle path, lane or route, or otherwise regulating the operation and use of vehicles, bicycles, and E-Conveyances with respect thereto, as long as the same are consistent with this Chapter. Where such a sign is erected, such other designation, including but not limited to appropriate painting or such other devices as the City's Director of Public Works shall determine, will provide sufficient notice of the existence of the bicycle path, lane or route. Said signage shall conform with the provisions established by the California Manual on Uniform Traffic Control Devices.

§ 12.30.190 USE OF STREETS RESTRICTED.

Riding or operating a bicycle or E-Conveyance on any street within the City is permitted in accordance with the California Vehicle Code unless specifically prohibited by this Chapter.

§ 12.30.200 MOTOR VEHICLE USAGE.

No person shall operate any motorized vehicle upon any bicycle lane or path, except to park when permitted, or to enter or leave the roadway, or to prepare for a turn within a distance of 200 feet from the intersection. Nothing in this section shall be deemed or construed to prohibit any bus owned and operated by a public transportation district or other authorized transportation agencies from driving upon such bicycle lanes within 150 feet of any bus stop approved by the City. Motor vehicle parking is prohibited in bicycle lanes, provided such restriction is appropriately posted.

This section does not prohibit the use of a motorized bicycle in a bicycle lane, pursuant to Vehicle Code § 21207.5, at a speed no greater than is reasonable or prudent, having due regard for visibility, traffic conditions, and the condition of the roadway surface of the bicycle lane, and in a manner which does not endanger the safety of persons or property.