

ORDINANCE 1772

AN ORDINANCE RELATING TO THE REGULATION OF E-BIKES AND E-SCOOTERS

Annotated to show ~~deletions~~ and additions to the code sections being modified. Deletions are ~~bold lined through~~ and additions are **bold underlined**.

WHEREAS, Chapter II, Section 4, of the West Linn City Charter provides:

Powers of the City. The City shall have all powers which the Constitution, statutes and common law of the United States and of this State now or hereafter expressly or implied grant or allow the City, as fully as though this Charter specifically enumerated each of those powers;

WHEREAS, Oregon law (ORS 801.258, 801.348, 807.020, 814.485, 814.534, and related statutes) defines and regulates electric-assisted bicycles (e-bikes) and motor assisted scooters (e-scooters), distinguishing them from motor vehicles; and

WHEREAS, Oregon law currently prohibits persons under sixteen (16) years of age from operating e-bikes and e-scooters, and requires helmet use for e-bike riders under sixteen and helmet use for all e-scooter riders; and

WHEREAS, the City Council finds that local regulation of e-bikes and e-scooters will establish operating rules, clarify enforcement authority, and enhance public safety within the City.

NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:

SECTION 1. New Section. West Linn Municipal Code Section 6.158 E-Bike and E-Scooter Operating Rules is added to read as follows:

(1) Definitions

- (a) "Electric assisted bicycle or e-bike" means a bicycle that is equipped with an electric motor and is a Class 1 e-bike, a Class 2 e-bike, or a Class 3 e-bike.
- (b) "Class 1 e-bike" means an e-bike that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.
- (c) "Class 2 e-bike" means an e-bike that may be propelled by its motor without a rider pedaling and ceases to provide assistance once the bicycle reaches a speed of 20 miles per hour.
- (d) "Class 3 e-bike" means an e-bike that provides assistance only when the rider is pedaling, ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour, and is equipped with a speedometer.
- (e) "Guardian" means a parent, legal guardian, or person responsible for supervising a minor.
- (f) "Minor" means any person seventeen (17) years of age or younger.
- (g) "Motor assisted scooter or e-scooter" means a vehicle that:

- i. Is designed to be operated on the ground with not more than four wheels;
- ii. Has a foot support or seat for the operator's use;
- iii. Can be propelled by motor or human propulsion; and
- iv. Is equipped with a power source that is incapable of propelling the vehicle at a speed of greater than 24 miles per hour on level ground until December 31, 2026, or incapable of propelling the vehicle at a speed of greater than 20 miles per hour on level ground on and after January 1, 2027; and
- v. If the power source is a combustion engine, has a piston or rotor displacement of 35 cubic centimeters or less regardless of the number of chambers in the power source; or if the power source is electric, has a power output of not more than 1,000 watts.

(2) Age Restriction

- (a) Until January 1, 2027, no person under sixteen (16) years of age shall operate an e-bike or e-scooter within the City of West Linn.
- (b) Beginning January 1, 2027, a person may operate a Class 1 e-bike or a Class 2 e-bike within the City of West Linn if the person is participating in a bicycle safety program as described in ORS 802.325. Otherwise, a person may only operate the following within the City of West Linn:
 - i. A Class 1 e-bike if they are 14 years of age or older; or
 - ii. A Class 2 e-bike if they are 16 years of age or older; or
 - iii. A Class 3 e-bike if they are 16 years of age or older.
- (c) Beginning January 1, 2027, a person may operate an e-scooter if the person is fourteen (14) years of age or older.
- (d) Should state laws change, age restrictions under this subsection shall comport with applicable state law age restrictions for e-bike and e-scooter operation.
- (e) Violation of any provision in subsection (2) is a Class D violation.
- (f) A guardian may be cited for a minor's violation of any provision in subsection (2).

(3) Protective Headgear Requirements

- (a) Any person under sixteen (16) years of age operating or riding an e-bike or e-scooter must wear protective headgear of a type approved under ORS 815.052.
- (b) The offense described in subsection (3) is a specific fine traffic violation with a presumptive fine of \$25.
- (c) The first time a person commits the offense described in subsection (3), the person is not required to pay a fine if the person proves to the satisfaction of the court that the person has protective headgear of a type approved under ORS 815.052.
- (d) A guardian may be cited for a minor's violation of subsection (3).

(4) Operating Rules

- (a) Only one person may ride an e-bike or e-scooter at a time unless the e-bike or e-scooter is manufactured for more than one rider.
- (b) E-bikes and e-scooters shall not be operated on sidewalks.

- (c) Riders must give an audible signal by voice, bell, or horn before overtaking pedestrians or other cyclists.
- (d) Violation of any provision in subsection (4) is a Class D violation.

(5) Unsafe Operation

- (a) No person shall operate an e-bike or e-scooter in an unsafe manner.

Unsafe operation includes, but is not limited to:

- i. Operating in a manner that endangers persons or property;
 - ii. Riding too fast for conditions;
 - iii. Loss of control such as swerving or performing wheelies;
 - iv. Riding with both hands off handlebars;
 - v. Using a mobile device or wearing earbuds in both ears while riding;
 - vi. Failing to yield right-of-way at intersections or crosswalks;
 - vii. Aggressive, intimidating, or reckless behavior toward pedestrians or other cyclists;
 - viii. Operating under the influence of alcohol or controlled substances.
- (b) Enforcement may rely on officer observation, video evidence, or credible witness statements.
 - (c) Violation of any provision in subsection (5) is a Class D violation.

(6) Enforcement and Penalties

- (a) Violations of this section constitute a civil penalty.
- (b) If a minor appears in court, they must be accompanied by a guardian.
- (c) A person may be cited separately for each violation in this section.

SECTION 2. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 3. Savings. Notwithstanding this amendment/repeal, the City ordinances in existence at the time any criminal or civil enforcement actions were commenced, shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said ordinance(s) or portions of the ordinance were operative. This section simply clarifies the existing situation that nothing in this Ordinance affects the validity of prosecutions commenced and continued under the laws in effect at the time the matters were originally filed.

SECTION 4. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions need not be codified and the City Recorder or the designee is authorized to correct any cross-references and any typographical errors.

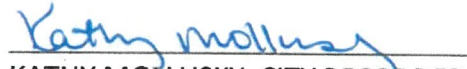
SECTION 5. Effective Date. This ordinance shall take effect on the 30th day after its passage.

The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 33(c) of the City Charter on the 9th day of June, 2026, and duly PASSED and ADOPTED this 9th day of June, 2026.

A handwritten signature in black ink, appearing to read 'Rory B', followed by a horizontal line.

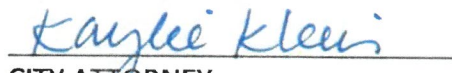
RORY BIALOSTOSKY, MAYOR

ATTEST:

A handwritten signature in blue ink, appearing to read 'Kathy Mollusky', followed by a horizontal line.

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read 'Kaylee Klein', followed by a horizontal line.

CITY ATTORNEY