

**CITY OF HAPPY VALLEY
ORDINANCE 601**

**AN ORDINANCE OF THE CITY OF HAPPY VALLEY, OREGON, AMENDING TITLE
10 OF THE HAPPY VALLEY MUNICIPAL CODE TO ADD CHAPTER 10.45
REGULATING THE OPERATION OF ELECTRIC ASSISTED BICYCLES, ELECTRIC
MICROMOBILITY DEVICES, AND VEHICLES MANUFACTURED FOR OFF-ROAD
USE**

WHEREAS, the City Council of the City of Happy Valley seeks to promote public safety and ensure the safe use of public streets, sidewalks, bicycle lanes, pathways, parks, and other public property; and

WHEREAS, increased use of electric assisted bicycles and electric micromobility devices has resulted in higher speeds, unsafe operation, and conflicts within shared public spaces; and

WHEREAS, the City desires to align local regulations with the Oregon Vehicle Code while establishing reasonable local regulations and enforcement discretion.

NOW, THEREFORE, THE CITY OF HAPPY VALLEY ORDAINS AS FOLLOWS:

Section 1. Title 10 of the Happy Valley Municipal Code is amended to add Chapter 10.45 Regulating the operation of electric assisted bicycles and electric micromobility devices.

Section 2. An emergency is declared to exist and as provided by Section 17 of the Happy Valley City Charter this Ordinance takes effect immediately upon adoption.

Ordinance 601 is enacted by the City Council of the City of Happy Valley, this 19th day of May, 2026.

Tom Ellis
Mayor

ATTEST:

Kara Kerpan
City Recorder

Exhibit A

Chapter 10.45 – Electric Assisted Bicycles and Electric Micromobility Devices

10.45.010 Purpose

- A. The purpose of this Chapter is to regulate the operation of electric assisted bicycles and certain electric micromobility devices to promote public safety, reduce conflicts in shared public spaces, and protect pedestrians, bicyclists, and other users of the public right-of-way.
- B. This Chapter is intended to supplement and be consistent with the Oregon Vehicle Code.

10.45.020 Definitions

- A. “Electric assisted bicycle”
 - a. “Electric assisted bicycle” means a bicycle that is equipped with an electric motor and that is a Class 1 electric assisted bicycle, a Class 2 electric assisted bicycle or a Class 3 electric assisted bicycle.
 - b. “Class 1 electric assisted bicycle” means an electric assisted bicycle that:
 - i. Provides assistance only when the rider is pedaling; and
 - ii. Ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.
 - c. “Class 2 electric assisted bicycle” means an electric assisted bicycle that:
 - i. May be propelled by its motor without a rider pedaling; and
 - ii. Ceases to provide assistance once the bicycle reaches a speed of 20 miles per hour.
 - d. “Class 3 electric assisted bicycle” means an electric assisted bicycle that:
 - i. Provides assistance only when the rider is pedaling;
 - ii. Ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour; and
 - iii. Is equipped with a speedometer.
 - e. An electric assisted bicycle shall be considered a bicycle, rather than a motor vehicle, for purposes of this code, except when otherwise specifically provided in the code.
- B. “Electric personal assistive mobility device” means a device that:
 - a. Is self-balancing on two nontandem wheels;
 - b. Is designed to transport one person in a standing position;

- c. Has an electric propulsion system; and
 - d. Has a maximum speed of 15 miles per hour.
- C. “Motor assisted scooter” means a vehicle that:
- a. Is designed to be operated on the ground with not more than four wheels;
 - b. Has a foot support or seat for the operator’s use;
 - c. Can be propelled by motor or human propulsion; and
 - d. Is equipped with a power source that is incapable of propelling the vehicle at a speed of greater than 20 miles per hour on level ground and:
 - i. 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
 - ii. If the power source is electric, has a power output of not more than 1,000 watts.
- D. “Electric micromobility device” means:
- a. electric assisted bicycles, motor assisted scooters, and electric personal assistive devices as defined in this Chapter; and
 - b. other similar devices that:
 - i. have a maximum speed of 28 miles per hour; and
 - ii. are powered either fully or partially by an electric motor.
- E. “Vehicle Manufactured for Off-Road Use” means a vehicle that:
- a. Does not meet federal safety standards; and
 - b. Is capable of traveling faster than 24 mph on level ground and:
 - i. If the power source is a combustion engine, has a piston or rotor displacement of more than 35 cubic centimeters regardless of the number of chambers in the power source; or
 - ii. If the power source is electric, has a power output of more than 1,000 watts.
 - c. Vehicles manufactured for off-road use include but are not limited to: mini-motorcycles, mini-choppers, pocket bikes, go-karts, and all-terrain vehicles.

10.45.030 General Operating Regulations

- A. It is unlawful for any person to operate an electric micromobility device:
- a. while carrying more persons on the device than the number for which it is designed or safely equipped; or
 - b. on a sidewalk, park boardwalk, or other public property designated primarily for pedestrian use.
- B. It is unlawful for any person:
- a. under 14 years of age to operate a Class 1 electric assisted bicycle; or
 - b. under 16 years of age to operate an electric micromobility device except a Class I electric assisted bicycle as described in this section.

- C. It is unlawful for any person under 16 years of age to operate or ride on an electric micromobility device on a highway or on premises open to the public and not wear protective headgear of a type approved under state law.
 - a. This subsection does not apply when wearing protective headgear would violate a religious belief or practice of the person.

- D. Except as provided in subsection (a) of this section, it is unlawful for any person to operate an electric micromobility device on any portion of a roadway that is not a bicycle lane or bicycle path when a bicycle lane or bicycle path is adjacent to or near the roadway.
 - a. A person is not in violation of the offense under this section if the person is able to safely move out of the bicycle lane or path for the purpose of:
 - i. Overtaking and passing another bicycle, a vehicle or a pedestrian that is in the bicycle lane or path and passage cannot safely be made in the lane or path.
 - ii. Preparing to execute a left turn at an intersection or into a private road or driveway.
 - iii. Avoiding debris or other hazardous conditions.
 - iv. Preparing to execute a right turn where a right turn is authorized.
 - v. Continuing straight at an intersection where the bicycle lane or path is to the right of a lane from which a motor vehicle must turn right.

- E. It is unlawful for any person operating an electric micromobility device to overtake or pass another person:
 - a. without providing an audible warning; or
 - b. on the right unless overtaking or passing the other person on the left would be unsafe due to debris, road conditions, or some other similar obstacle.

10.45.040 Reckless or Careless Operation

- A. It is unlawful for any person operating an electric micromobility device or vehicle manufactured for off-road use to ride carelessly or recklessly. Careless or reckless riding includes but is not limited to:
 - a. stunt riding such as wheelies, riding on handlebars, jumping, trick riding, or other similar conduct;
 - b. moving between the bicycle lane, bicycle path, roadway, and/or sidewalk quickly, unpredictably, or without providing a visual or audible signal;
 - c. using a mobile device or wearing devices that hinder the ability to hear road noises such as earbuds, earphones, headphones, or headsets in both ears;
 - d. attempting to elude law enforcement or community services officers;
 - e. riding under the influence of intoxicants; or
 - f. other similar conduct that endangers or would be likely to endanger any person or property.

- B. It is unlawful for any person to operate a vehicle manufactured for off-road use on any public street, sidewalk, bicycle lane, pathway, trail, boardwalk, park, or other public property within the City.

10.45.050 Enforcement and Penalties

- A. A violation of this chapter constitutes a civil infraction.
- B. Every person determined to have violated any of the provisions of HVMC Section 10.45.030 shall be fined not more than \$250. For a second or subsequent violation within one year thereafter, such person shall be fined not more than \$500.
- C. Every person determined to have violated any of the provisions of HVMC Section 10.45.040 shall be fined not more than \$500. For a second or subsequent violation within one year thereafter, such person shall be fined not more than \$1,000.
- D. Nothing in this chapter shall be construed as limiting any judicial or other remedies the city may have at law or in equity, for enforcement of this chapter.