

## **ORDINANCE NO. 1039**

### **AN ORDINANCE OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ADDING CHAPTER 10.84 TO TITLE 10 OF THE RANCHO CUCAMONGA MUNICIPAL CODE REGULATING THE USE OF BICYCLES AND E- CONVEYANCES IN PUBLIC AREAS**

**WHEREAS**, the City of Rancho Cucamonga ("City") is committed to ensuring the public health, safety, and welfare of all its residents and visitors; and

**WHEREAS**, the City recognizes the importance of fostering sustainable transportation options while maintaining public safety and accessibility for all users of public spaces; and

**WHEREAS**, bicycles and e-conveyances (electric bicycles, scooters, and similar devices) have become increasingly popular modes of transportation and recreation within the City; and

**WHEREAS**, the use of bicycles and e-conveyances in public spaces presents both benefits and challenges, including safety concerns for riders, pedestrians, and motorists; and

**WHEREAS**, the City has observed a significant increase in traffic incidents involving e-conveyance users and motor vehicles with their increasing popularity, often due to higher speeds and unsafe riding practices; and

**WHEREAS**, the public has expressed concerns regarding the unsafe operation of e-conveyances, including reckless riding behaviors that pose risks to riders, pedestrians, drivers, and others in public spaces; and

**WHEREAS**, the City aims to promote the safe use of bicycles and e-conveyances by implementing regulations that align with state law and best practices in transportation safety; and

**WHEREAS**, the City is committed to educating its residents and visitors on the safe operation of bicycles and e-conveyances to prevent accidents and other traffic hazards and promote responsible use of these transportation modes; and

**WHEREAS**, the City recognizes that providing clear guidelines for the operation of bicycles and e-conveyances in public spaces will improve the quality of life for all residents and visitors.

**NOW THEREFORE**, the City Council of the City of Rancho Cucamonga does ordain as follows:

**SECTION 1:** Chapter 10.84 is hereby added to Title 10 of the Rancho Cucamonga Municipal Code to read as follows:

**ATTACHMENT 1**

## **“Chapter 10.84 – REGULATING THE USE OF BICYCLES AND E-CONVEYANCES**

### **10.84.010 – Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meaning set forth in this section:

“Bicycle” has the same meaning as defined in California Vehicle Code Section 231, as it may be amended from time to time.

“Bicycle Lane” has the same meaning as defined in Street and Highways Code Section 890.4, as it may be amended from time to time.

“Bicycle Path or Bicycle Trail” has the same meaning as defined in Street and Highways Code Section 890.4 and California Vehicle Code Section 231.5, as the provisions may be amended from time to time.

“E-Conveyance” means any electric bicycle or e-bike, electric scooter, electrically motorized skateboard, or other device that is designed to convey one or more people and is capable of being powered by human propulsion or electric motor propulsion.

“Electric Bicycle” or “E-Bike” has the same meaning as defined in California Vehicle Code Section 312.5, as it may be amended from time to time, and which, as of the date of the adoption of this section, provides that an “electric bicycle” is a bicycle equipped with fully operable pedals and an electric motor that does not exceed 750 watts, and are categorized under Class 1, Class 2, and Class 3.

“Electrically Motorized Skateboard” has the same meaning as defined in the California Vehicle Code Section 313.5, as it may be amended from time to time.

“Electric Personal Assistive Mobility Device” has the same meaning as defined in California Vehicle Code Section 313, as it may be amended from time to time.

“Minor” means any person under the age of eighteen.

“Narrow Width Lane” means a lane that is too narrow for a bicycle and a vehicle to travel safely side by side within the lane.

“Off-Highway Motorcycle” has the same meaning as defined in California Vehicle Code Section 436, as it may be amended from time to time.

“Pedestrian” has the same meaning as defined in California Vehicle Code Section 467, as it may be amended from time to time.

“Public area” means any outdoor area, public alley, parkway, public transportation path, roadway,

right-of-way, sidewalk, park, trail, paseo, pathway or street that is owned, granted by easement, operated or controlled by the City.

“Unsafe manner” is defined as an act in violation of the City Municipal Code, California Vehicle Code, or any other applicable state or federal law. For purposes of this section, operation of a bicycle or e-conveyance in an “unsafe manner” also includes operating in such a way that constitutes a danger to the operator, passenger, other motorist, other rider, pedestrian, or property.

“Vehicle” has the same meaning as in California Vehicle Code Section 670, as it may be amended from time to time.

#### **10.84.020      Operation.**

A.      No person shall ride a bicycle or e-conveyance in an unsafe manner, as defined under Section 10.84.010, on any publicly owned property, including but not limited to a public street, sidewalk, public right of way, park, bicycle path, trail, or lane, or any other public area open for vehicle or pedestrian travel. Examples of riding in an unsafe manner include, but are not limited to, the following actions:

1. Riding on a public street or bikeway against the flow of traffic.
2. Not yielding to vehicles or pedestrians when required.
3. Operating an e-conveyance in a manner it was not designed for, including carrying passengers when not designed for carrying passengers.
4. Failing to obey posted traffic or other signs.
5. A person under the age of 18 riding without a properly fitted and fastened helmet.
6. Engaging in racing, speed, or stunt contests.
7. Carrying any package, bundle, item or article which prohibits the operator from having full control and forward visibility at all times.
8. Operating a bicycle or e-conveyance at a speed greater than is reasonable and prudent under the conditions then existing taking into account the weather, pedestrian and vehicular traffic, and the surface and width of the sidewalk or roadway.
9. Performing any acrobatics, tricks, wheelies, or stunts when pedestrians or moving vehicles are present.

B.      Any person operating a bicycle or e-conveyance upon a street at a speed less than the normal speed of traffic moving in the same direction at such a time shall ride as close as practicable to the right-hand curb or edge of the roadway, 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 into a private road or driveway;
3. When reasonably necessary to avoid conditions, including, but not limited to, fixed or moving objects, vehicles, other e-conveyances, bicycles, pedestrians, animals, surface

- hazards, or narrow width lanes, that make it unsafe to continue along the right-hand curb or edge; or
4. When operating as close as practicable to the left-hand curb or edge of the roadway on a one-way street.
- C. Persons riding or operating bicycles or electric bicycles shall not ride more than two abreast, except on paths or parts of a roadway set aside for the exclusive use of bicycles.
- D. Any person operating a bicycle or e-conveyance who is emerging from an alley, driveway, bicycle path, building or otherwise approaching upon 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, highway, or street shall yield the right-of-way to all vehicles, bicycles, or e-conveyances on the roadway.
- E. No person shall operate a bicycle or e-conveyance in any City park, except on paved paths or trails that are specifically designated for bicycle or e-conveyance use. The operation of bicycles or e-conveyances is strictly prohibited on dirt, grass, athletic fields, landscaped areas, or any other non-designated surfaces within any City park.
- F. No person shall operate a bicycle or e-conveyance in any parking lot of any property owned or operated by the City. Within such parking lots, bicycles or e-conveyances must be walked, not ridden.
- G. No person shall operate a bicycle or e-conveyance while holding and operating a handheld wireless telephone or an electronic wireless communications device unless the wireless telephone or electronic wireless communications device is specifically designed and configured to allow voice-operated and hands-free operation, and it is used in that manner while riding.
- H. No person shall operate a bicycle or electric bicycle on any sidewalk, except:
1. A person may ride a bicycle or electric bicycle on any area designated as a driveway;
  2. Any area designated as a bikeway by the City Council; or
  3. To avoid a dangerous situation on the road or an obstacle.

#### **10.84.030 Electric Off-Highway Motorcycles.**

- A. No person shall operate an electric off-highway motorcycle of any model (e.g., Sur-Ron, Talaria, E Ride Pro) on any publicly-owned property, including but not limited to, a public street, sidewalk, public right of way, park, bicycle path or trail, or any other public area open for vehicle or pedestrian travel.
- B. Electric off-highway motorcycles are only allowed to be operated in areas specifically designated for off-highway vehicle recreation, or on private property with the express permission of the property owner. Unlike electric bicycles or mopeds, such vehicles are not eligible for highway

registration and cannot be retrofitted for on-road use unless originally manufactured and certified for dual-purpose operation.

#### **10.84.040 Equipment.**

- A. Every bicycle, including electric bicycles, when operated within the City, shall comply with all of the equipment requirements contained in California Vehicle Code Section 21201.
- B. Any minor operating or riding as a passenger upon a bicycle or e-conveyance in a public area or any other place open to the public for vehicle and pedestrian travel must wear a properly fitted and fastened bicycle helmet.
- C. Any operator or passenger of a Class 3 electric bicycle, regardless of age, must wear a properly fitted and fastened bicycle helmet pursuant to California Vehicle Code Section 21213.

#### **10.84.050 Parking.**

No person shall temporarily leave unaccompanied, abandon, or park a bicycle or e-conveyance in a manner that obstructs vehicular traffic, the pedestrian travel way of any sidewalk or pedestrian path, or on public property in violation of any government sign prohibiting parking of bicycles or e-conveyances at a location.

#### **10.84.060 Enforcement.**

- A. Any person, including a minor, who violates the provisions of this Chapter shall be subject to penalties, fines, and enforcement procedures set forth in Chapter 1.12 of the Rancho Cucamonga Municipal Code.
- B. Violations by Minors
  - 1. 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.
  - 2. In the case of a minor committing a violation under this Chapter, the parent or guardian may be held responsible for the violation and any associated penalties or fines.
  - 3. If the minor's activities result in damage to public property, the City may, pursuant to California Civil Code Section 1714.1, pursue a civil complaint against the minor's parent(s) or guardian(s) having custody and control of the minor for every tort resulting in property damage.
- C. Impoundment
  - 1. In addition to all other available penalties, the Enforcement Officer shall have the authority to take immediate possession of and transport a bicycle or e-conveyance for safekeeping to the nearest City facility if an unaccompanied minor is found in violation of any provisions of this Chapter, and the unsafe manner in which the device was operated constitutes an immediate danger

to the health and safety of the juvenile operator or to members of the public, thus constituting an exigent circumstance.

2. The impounded device shall be released by the City to the parent or legal guardian of the minor if the individual owns the device.

3. Upon impoundment of any e-conveyance device under this Chapter, the minor shall be issued a receipt. Said receipt shall state the days, business hours, location, and process by which the owner may claim the impounded device within 30 days. The citation receipt shall also explain that unclaimed devices impounded for longer than 30 days will be disposed subject to an opportunity for a pre-disposal hearing or sold at an auction in accordance with laws governing the disposal of abandoned property.

#### **10.84.070 Exemptions.**

A. First responders, as defined under California Government Code Section 8562, are exempt from this Chapter while in the performance of their duties.

B. This Chapter is not intended to apply to or otherwise restrict electric personal assistive mobility devices used in a safe manner by physically disabled persons as defined under the Americans with Disabilities Act (42 U.S.C. Section 12101 et seq.) and section 36.311 of Title 28 of the Code of Federal Regulations.”

**SECTION 2: Severability.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The City Council of the City of Rancho Cucamonga hereby declares that it would have adopted each section, subsection, sentence, clause, phrase, or portion of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable.

**SECTION 3: CEQA.** The City Council finds that the adoption of this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15060(c)(2) because there is no potential that the regulations for bicycles and e-conveyances will result in a direct or reasonably foreseeable indirect physical change in the environment. In addition, this Ordinance is not subject to CEQA under the CEQA Guidelines Section 15060(c)(3) because the Ordinance is an activity that is not a project as defined in CEQA Guidelines Section 15378.

**SECTION 4: Publication.** The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published in the manner prescribed by law.

**PASSED, APPROVED, AND ADOPTED** this 7<sup>th</sup> day of May, 2025.

\_\_\_\_\_  
L. Dennis Michael, Mayor

**ATTEST:**

\_\_\_\_\_  
Kim Sevy, City Clerk

**STATE OF CALIFORNIA                    )**

**COUNTY OF SAN BERNARDINO    )**

**CITY OF RANCHO CUCAMONGA    )**

I, **Kim Sevy**, City Clerk of the City of Rancho Cucamonga, California, do hereby certify that the foregoing Ordinance was introduced at a Regular Meeting of the City Council of the City of Rancho Cucamonga held on the 16<sup>th</sup> day of April 2025, and was passed at a Regular Meeting of the City Council of the City of Rancho Cucamonga held on the 7<sup>th</sup> day of May, 2025.

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINED:**

Executed this 8<sup>th</sup> day of May 2025, at Rancho Cucamonga, California.

\_\_\_\_\_  
Kim Sevy, City Clerk