

Chapter 10.35 BICYCLES AND ELECTRIC-ASSISTED SCOOTERS

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State Law References: Authority to regulate bicycles, K.S.A. [8-2002\(a\)\(8\)](#); authority to regulate persons upon skates, coasters, sleds and other toy vehicles, K.S.A. [8-2002\(a\)\(21\)](#); bicycles and play vehicles, K.S.A. [8-1586](#) et seq.

10.35.010 Definitions.

As used in this chapter, the following definitions shall apply:

- (a) “Amenity zone” means that portion of the sidewalk used for street trees, landscaping, transit stops, and street lights.
- (b) “Bicycle” means every device propelled by human power upon which a person may ride, having two or three tandem wheels.
- (c) “Electric-assisted scooter” means a self-propelled vehicle that has at least two wheels in contact with the ground, an electric motor, handlebars, a brake and a deck that is designed to be stood upon when riding. Electric-assisted scooter does not include: (1) a vehicle that is powered by gasoline; or (2) a motorized skateboard, as defined by Article I of the Standard Traffic Ordinance adopted at TMC [10.15.010](#), as amended by TMC [10.15.020](#).
- (d) “Electric personal assistive mobility device” means a self-balancing two-nontandem-wheeled device, designed to transport only one person, with an electric propulsion system that limits the maximum speed of the device to 15 miles per hour.
- (e) “Frontage zone” means the area adjacent to the property line where transitions between public sidewalk and the space within buildings occur.
- (f) “Pedestrian” means:
 - (1) Any person afoot;
 - (2) Any person in a wheelchair, either manually or mechanically propelled, or other low powered, mechanically propelled vehicle designed specifically for use by a physically disabled person; or
 - (3) Any person using an electric personal assistive mobility device.

- (g) "Pedestrian zone" means a clear travel space for pedestrians consisting of at least four feet in width so as not to obstruct pedestrian use and passage.
- (h) "Pocket park" means an area for public leisure that may include green space, educational displays, public art, medallions, sculptures, benches, fountains, miniature trains, pavilions and statues.
- (i) "Public parking facilities" means parking lots and garages owned or operated by the City.
- (j) "Traffic regulations applicable to bicycles" means Sections 127 through 133 of the Standard Traffic Ordinance adopted at TMC [10.15.010](#), as amended by TMC [10.15.020](#). (Ord. 20178 § 1, 4-9-19.)

Cross References: Definitions generally, TMC [1.10.020](#).

10.35.020 Areas reserved for bicycles and pedestrians.

- (a) The areas described in this section shall be reserved for exclusive use by pedestrians and any person who rides a bicycle, skates or uses roller skates, skateboards, roller blades or other similar devices:
 - (1) The top of the levee system known as the Oakland Unit of the Topeka flood protection project and in such areas specifically designated and marked by appropriate signage.
 - (2) Regional multi-use trail segments located within the City and identified in the Topeka Bikeways Master Plan and amendments thereto.
- (b) No motor vehicles shall be operated in the area designated by this section except vehicles used for governmental purposes. (Ord. 20002 § 3, 6-7-16.)

10.35.030 Bicycles, electric-assisted scooters, roller skates and skateboards – Prohibited areas.

- (a) It shall be unlawful for any person to ride a bicycle, operate an electric-assisted scooter, skate or use roller skates, skateboards, roller blades, or other similar devices in the following areas:
 - (1) Public sidewalks and pocket parks in an area bounded by 6th Street and 10th Street along Kansas Avenue; and
 - (2) Public parking facilities.
- (b) Any person who rides a bicycle, operates an electric-assisted scooter, or uses roller skates, skateboards, roller blades, or other similar devices on a public sidewalk shall:
 - (1) Yield the right-of-way to pedestrians and give an audible signal before overtaking and passing pedestrians; and

(2) Travel at a speed that is reasonable and prudent under existing conditions, except that an operator of an electric-assisted scooter shall not travel at a speed that exceeds 15 miles per hour.

(c) This section shall not apply to a law enforcement officer engaged in the performance of official duties. (Ord. 20178 § 2, 4-9-19.)

Cross References: Police Department, TMC [2.20.100](#).

10.35.040 Electric-assisted scooters – Operating requirements.

(a) Operators must be at least 16 years of age. A driver's license is not required.

(b) Operators under the age of 18 shall wear a helmet while operating an electric-assisted scooter.

(c) It shall be unlawful to fail to comply with all traffic regulations applicable to bicycles.

(d) Notwithstanding subsection [\(c\)](#) of this section, it shall be unlawful for the operator of an electric-assisted scooter to:

(1) Operate an electric-assisted scooter on a street with a speed limit of 35 miles per hour or more unless the electric-assisted scooter is traveling in a marked bike lane;

(2) Operate an electric-assisted scooter at a speed in excess of 15 miles per hour;

(3) Fail to yield the right-of-way to pedestrians and/or give an audible signal before overtaking and passing pedestrians;

(4) Fail to comply with Shawnee County resolutions governing County park property, including the regional multi-use trails;

(5) Fail to remain alert and give full attention to the safe operation of the scooter while in motion;

(6) Engage in any activity that interferes with the safe operation of the scooter; or

(7) Operate the electric-assisted scooter in such a manner as to indicate a careless or heedless disregard for the rights or safety of others, or in such a manner as to endanger, or be likely to endanger, any person or property.

(e) The Municipal Judge shall establish a schedule of fines to be imposed for violations of this section. The fines shall not exceed the amount established for traffic infractions related to the operation of bicycles. (Ord. 20178 § 3, 4-9-19.)

Cross References: Municipal Judge, TMC [2.20.060](#).

10.35.050 Electric-assisted scooters – Parking requirements.

- (a) Operators shall park electric-assisted scooters on hard surfaces in either the frontage zone or amenity zone of the sidewalk; beside bicycle racks, transit stops or bike share stations; or in another area specifically designated for scooter parking, which will not in any way inhibit the pedestrian zone.
- (b) It shall be unlawful for the operator of an electric-assisted scooter to engage in any of the following activities:
- (1) Park in any street or in any area where parking is prohibited.
 - (2) Park on a sidewalk in such a manner that inhibits the pedestrian zone.
 - (3) Park on private property without the written consent of the owner.
 - (4) Park in a manner that would impede access to bike racks, including Topeka Metro Transit Authority bike share stations.
 - (5) Park in, or in a manner that would impede access to, or the use of any of the following:
 - (i) Buildings, parking lots, or garages;
 - (ii) Motor vehicle driving lanes or bicycle lanes;
 - (iii) Loading zones, disabled parking zones or designated parking spaces on the street;
 - (iv) Curb ramps;
 - (v) Entrances to private property or driveways;
 - (vi) Transit zones, including bus stops and shelters; and
 - (vii) Utility infrastructure, including traffic control devices and utility poles.
- (c) The Municipal Judge shall establish a schedule of fines to be imposed for violations of this section. The fines shall not exceed the amount established for traffic infractions related to parking. (Ord. 20178 § 4, 4-9-19.)

Cross References: Municipal Judge, TMC [2.20.060](#).

The Topeka Municipal Code is current through Ordinance 20292, passed April 20, 2021.

Disclaimer: The City Clerk's Office has the official version of the Topeka Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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