



City of Arlington Council Agenda Bill

Item:
NB #1
Attachment
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COUNCIL MEETING DATE:	
October 5, 2026	
SUBJECT:	
Ordinance Related to Electric-Assist Bicycles (E-Bikes), Micromobility Devices, and Other Powered Personal Transporters	
ATTACHMENTS:	
Proposed Ordinance	
DEPARTMENT OF ORIGIN	
Executive; Paul Ellis, City Administrator	
EXPENDITURES REQUESTED:	None
BUDGET CATEGORY:	N/A
BUDGETED AMOUNT:	None
LEGAL REVIEW:	
DESCRIPTION:	
City Council is asked to review a proposed ordinance that defines equipment and requirements for the use of electrically assisted bicycles, micromobility devices and other powered personal transport devices.	
HISTORY:	
E-bikes and other electrically assisted transportation devices have increased in popularity. As their use has grown, conflicts with pedestrians and users of other multimodal transportation devices have become more common. Nationwide, these conflicts have contributed to an increase in reported injuries.	
ALTERNATIVES:	
Remand to staff for additional information	
RECOMMENDED MOTION:	
"I move to approve the ordinance regulating the use of electrically assisted bicycles, micromobility devices and other powered personal transport devices and authorize the mayor to sign."	

ORDINANCE NO. 2026-XXX

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON RELATED TO ELECTRIC-ASSIST BICYCLES, MICROMOBILITY DEVICES, AND OTHER POWERED PERSONAL TRANSPORTERS, CREATING A NEW CHAPTER 10.86 OF THE ARLINGTON MUNICIPAL CODE, AND REPEALING PORTIONS OF CHAPTER 10.84 OF THE ARLINGTON MUNICIPAL CODE

WHEREAS, there is a need to address the increased use of electric-assisted bicycles, the dangers they pose to the community, changes in state law, and to establish consistent regulations of sidewalks, paths, and roadways; and

WHEREAS, e-bike use in the United States is on a sharp upward trajectory, with annual sales increasing from approximately 325,000 in 2018 to over 1.1 million in 2022—nearly a fourfold rise—and projected to continue growing substantially; and

WHEREAS, emergency department visits in the United States for e-bike–related injuries grew dramatically between 2017 and 2022, from just 751 cases to 23,493—doubling each year—while e-scooter injuries increased by over 45% per year; and

WHEREAS, data reveals that head, neck, and upper/lower extremity injuries are the most common serious e-bike injuries, and that e-bikes impose a greater risk of high-impact trauma due to their speed and weight; and

WHEREAS, risks to youth are especially concerning: e-bikes became in the United States the leading cause of pediatric trauma activations at one Level 1 hospital (surpassing motor vehicle crashes), with e-bike–related hospital activations jumping from 2% of cases in 2017 to 64% in 2023; e-bike injuries among children and teens increased by over 300% from 2019 to 2023, and are now four times more likely to involve fractures or head injuries than accidents involving traditional bicycles; and

WHEREAS, helmet usage is notably lower in e-bike crashes—teens involved in e-bike trauma activations were significantly less likely to wear helmets than those in pedal-bike incidents—heightening preventable risk; and

WHEREAS, these trends are similar in Washington state. While pedal bike injuries still dominate total injuries, the rate of change has slightly decreased between 2020 and 2024. E-bike injuries have increased 483% during the same period, and hospitalizations increased from zero in 2020 to 149 cases in 2025. EMS calls for e-bike and e-scooter injuries have tripled since 2020; and

WHEREAS, for Washington State e-bike and e-scooter injuries between 2020 and 2024, riders were wearing a helmet only 30% of the time; and

WHEREAS, the Washington State Legislature recently passed ESSB 6110 (2026) amending RCW 46.04.169 to clarify that vehicles capable of exceeding 20 mph solely on their electric motor, or vehicles designed or intended by the manufacturer or seller to be easily configured so they no longer meet e-bike requirements, are excluded from the definition of

“electric-assisted bicycle”; and the Legislature recognized the need for a regulatory framework for electric motorcycles; and

WHEREAS, Washington law establishes a three-class system for electric-assisted bicycles (Class 1, Class 2, Class 3) and a maximum motor power of 750 watts (RCW 46.04.169); and

WHEREAS, state law requires permanent class labeling on new e-bikes and prohibits tampering that alters speed capability unless the label is appropriately replaced (RCW 46.37.690); and

WHEREAS, the operation of Class 3 electric-assisted bicycles on sidewalks is restricted unless authorized by local ordinance, and operators must be at least 16 years old (RCW 46.61.710; RCW 46.20.500); and

WHEREAS, because there are many new devices with electric motors that do not fall into any existing definition of e-bikes, motorized foot scooters, or electric motorcycle, and new devices capable of reaching high speeds continue to become available, it is necessary to create regulations to cover these devices based on their speed capacity; and

WHEREAS, the City finds it necessary to amend its municipal code in a manner that promotes safe, equitable use of e-bikes, reduces conflicts in pedestrian-rich areas, and protects public health, safety, and welfare; and

WHEREAS, the City has the authority and responsibility to provide for the punishment of all practices dangerous to public health or safety, and to make necessary for the preservation of public health, peace, and good order, and to provide for the punishment of all persons charged with violating any City ordinance.

WHEREAS, the City Council believes that the safety of the operators, pedestrians, and the traveling public will be enhanced by amending Arlington Municipal Code Chapter 10.84 to include additional safety requirements and enforcement provisions.

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code Sections 10.84.110, 10.84.120, 11.84.130, 10.81.140, 10.84.150, 10.84.160, 10.84.170, and 10.84.180 are hereby repealed.

Section 2. A new Arlington Municipal Code Chapter 10.86, entitled “Electric-Assisted Bicycles, Devices, and Transporters” is hereby adopted to read as follows:

10.86.010 – Purpose.

The purpose of this chapter is to establish regulations, civil penalties, and criminal penalties for the use of electric-assisted bicycles and powered personal transporters on City streets, sidewalks, paths, and trails.

10.86.020 – Definitions.

- (1) "Bicycle," means every device propelled solely by human power, or an electric-assisted bicycle as defined in RCW 46.04.169, upon which a person or persons may ride, having two tandem wheels either of which is sixteen inches or more in diameter, or three wheels, any one of which is twenty inches or more in diameter.
- (2) "City property" means all property owned or controlled by the city, including without limitation, all city rights-of-way that are not a city street or sidewalk.
- (3) "City street" has the same meaning as RCW 46.04.120 now or hereinafter amended.
- (4) "Electric-assisted bicycle" or "e-bike" means a bicycle with two or three wheels, a saddle, fully operative pedals for human propulsion, and an electric motor. The electric-assisted bicycle's electric motor must have a power output of no more than 750 watts. The electric-assisted bicycle must meet the requirements of one of the following three classifications:
 - a. "Class 1 electric-assisted bicycle" provides assistance only when the rider is pedaling and ceases assistance at 20 miles per hour;
 - b. "Class 2 electric-assisted bicycle" may be propelled exclusively by the motor and is not capable of providing assistance at speeds of 20 miles per hour or greater;
 - c. "Class 3 electric-assisted bicycle" provides assistance only when the rider is pedaling, ceases assistance at 28 miles per hour, and is equipped with a speedometer.
- (5) "Electric-assisted bicycle," does not include:
 - a. Any vehicle capable of exceeding 20 miles per hour on solely its electric motor; or
 - b. Any vehicle designed, manufactured, or intended by the manufacturer or seller to be easily configured so that it does not meet the requirements of an electric-assisted bicycle, whether by means of a mechanical switch or button, a software setting, an online application, or other similar method intended to alter factory configuration.

These exclusions have the meaning provided in RCW 46.04.169, as amended by ESSB 6110 (2026), or as amended in the future.

- (6) "Electric motorcycle" means a motor-powered vehicle excluded from the definition of "electric-assisted bicycle" under subsection (4) of this section and encompassed within "motorcycle" or "moped" definitions under chapter 46.04 RCW. If 46.04 RCW is hereafter amended to include a definition for "Electric motorcycle," it shall be adopted by reference.
- (7) "Micromobility device" means personal or shared nonmotorized scooters, "motorized foot scooters" as defined in RCW 46.04.336, and "electric personal assistive mobility devices" (EPAMD) as defined in RCW 46.04.1695, and any powered personal transporter that has a maximum speed of no greater than twenty miles per hour on level ground.
- (8) "Motorized foot scooter" means a device with two or three wheels that has handlebars, a floorboard that can be stood upon while riding, and is powered by an internal combustion engine or electric motor that has a maximum speed of no greater than twenty miles per

hour on level ground. For the purposes of this definition, a motor-driven cycle, a moped, an electric-assisted bicycle, or a motorcycle is not a motorized foot scooter.

- (9) “Powered personal transporters” means a small device, not otherwise defined in this chapter, that is designed to carry one or more person and propelled by an electric or other motor, including devices capable of speeds greater than 20 miles per hour solely on its electric or other motor. The term includes, but is not limited to: high-speed electric scooters, electric skateboards, self-balancing devices, and other similar powered mobility devices. It does not include electric-assisted bicycles as defined in RCW 46.04.169, and this section; motorized foot scooters as defined in RCW 46.04.336 and this section; electric personal assistive mobility devices (EPAMDs) as defined in RCW 46.04.1695; wheelchairs, power wheelchairs, or other medically necessary mobility aids used by persons with disabilities; or motor vehicles, mopeds, or motorcycles as defined in RCW 46.04.
- (10) “Operator” means any person who rides or controls an electric-assisted bicycle or powered personal transporter.
- (11) “Rules of the road” means all rules applicable to vehicles, bicycles, micromobility devices, powered personal transporters, or pedestrian traffic as set forth in state or local law, rule or regulation.
- (12) “Shared-use path” means a public paved path designated for bicycle and pedestrian travel.
- (13) “Sidewalk” means that property between the curb lines or the lateral lines of a roadway and the adjacent property set aside and intended for the use of pedestrians, or such portion of private property parallel and in proximity to a public highway and dedicated to use by pedestrians.

10.86.030 – Equipment and labeling.

- (1) Any electric-assisted bicycle sold, repaired, or operated in the City must comply with the Class label and anti-tampering requirements set out in RCW 46.37.690.
- (2) Class 3 electric-assisted bicycles shall be equipped with a speedometer (RCW 46.04.169).
- (3) Every electric-assisted bicycle must comply with the lighting requirements of RCW 46.61.780 when in use during the hours of darkness as defined in RCW 46.37.020.
- (4) Every electric-assisted bicycle shall be equipped with a brake that will enable the operator to make the braked wheels skid on dry, level, clean pavement.
- (5) No motorized foot scooter, bicycle, other wheeled recreational device shall be operated in a manner that creates continuous sound associated with a gasoline-powered engine so as to unreasonably disturb or interfere with the peace and comfort of owners or occupants of real property. Nothing in this section shall limit enforcement of the City’s noise ordinance.
- (6) It is unlawful to sell or operate a motorized foot scooter, bicycle, or other wheeled device that is powered by an internal combustion engine that is not equipped with a muffler in good working order and in constate operation to prevent excessive or unusual noise.
- (7) Equipment and labeling violations are punishable as traffic infraction.

10.86.040 – Operating rules.

- (1) Operators shall obey all applicable rules of the road and traffic laws.
- (2) Operators on any sidewalk or shared-use path shall operate in a careful and prudent manner and a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and character of pedestrian traffic, grade and width of sidewalk or public path, and condition of surface, and shall obey all traffic control devices.
- (3) Operators may use electric-assisted bicycles on the shoulder of the roadway or any specially designated bicycle lane consistent with RCW 46.61.770.
- (4) Where the City posts speed limits on streets or bicycle lanes, electric-assisted bicycles and powered personal transporters shall not be operated in excess of the posted speed limits.
- (5) Operators may not use any motorized foot scooter or micromobility device on any city street with a maximum speed limit above thirty miles per hour, unless the device is operated within a designated bicycle lane.
- (6) Class 3 electric-assisted bicycles and powered personal transporters may not be operated on a shared-use path consistent with RCW 46.61.710. Class 1 and Class 2 electric assist bicycles and micromobility devices may operate on shared paths consistent with this chapter.
- (7) On shared-use paths and sidewalks (where permitted), operators shall:
 - a. Be granted all of the rights and are subject to all the duties applicable to the pedestrian under RCW 46.61;
 - b. Yield the right of way to pedestrians and human-powered devices and shall give an audible signal before overtaking and passing a pedestrian or human-powered devices;
 - c. Not operate in excess of fifteen (15) miles per hour; and
 - d. Slow to ten (10) miles per hour or less when within fifty (50) feet of pedestrians or in congested areas.
- (8) Class 3 electric-assisted bicycles and powered personal transporters may not ride on the sidewalk and shared-use path unless there is no alternative to travel over the sidewalk or shared-use shared path as part of a city street.
- (9) No bicycle, any class of electric-assisted bicycle or powered personal transporter may ride on sidewalk except:
 - a. as necessary to enter or leave an adjacent property; and
 - b. Upon any section of sidewalk designated, and indicated with clearly posted signs, as a trail or shared-use path consistent with this chapter; and
 - c. Upon any section of sidewalk designated by the Public Works Director and indicated with clearly posted signs as mobility corridors where use is permitted consistent with this chapter.

- (10) No bicycle, any class of electric-assisted bicycle, micromobility device, or powered personal transporter may ride on any City property where it is restricted in other chapters of this code or by clearly posted signs.
- (11) It shall not be a violation of this section to walk a bicycle, electric-assisted bicycle, micromobility device, or powered personal transporter in a location where operating that device is prohibited or to start and stop from the curb ramp of any sidewalk.
- (12) Electric Motorcycles are motorcycles and may only operate as allowed under Title 46 RCW.

10.86.050 - Operating in parks.

- (1) It is unlawful for any person to operate an electric-assisted bicycle, micromobility device, powered personal transporter, or electric motorcycle in a City Park, except (1) Class I and Class II electric-assisted bicycles, micromobility devices, or powered personal transporters that have a maximum speed of no greater than twenty miles per hour on level ground, may operate in areas designated on signs posted by the parks department as open to such operation and (2) upon such areas authorized for use by motor vehicles, such as parking lots.
- (2) For shared-use paths that pass through a park or extend continuously beyond park boundaries, operators shall comply with the rules for shared-use paths in this chapter.
- (3) Operators of an electric-assisted bicycle, micromobility device, powered personal transporter in a City Park must comply with all rules and regulations and are subject to all of the liability and penalties of this chapter.

10.86.060 – Age and helmet requirement.

- (1) No driver's license is required for operation of an electric-assisted bicycle, micromobility device, or powered personal transporter.
- (2) Persons under sixteen years of age may not operate a class 3 electric-assisted bicycle or a PPT capable of exceeding 20 miles per hour on solely its motor.
- (3) Persons under eleven years of age may not operate an electric-assisted bicycle, micromobility device, or a powered personal transporter unless under direct supervision of a person over the age of eighteen.
- (4) Helmets are mandatory for operators of Class 3 electric-assisted bicycles, powered personal transporters capable of exceeding 20 miles per hour on solely its motor, and for all operators under the age of sixteen (16) years on any class of electric-assisted bicycle, micromobility devices, or powered personal transporters.

10.86.070 - Parking and storage; obstruction of public spaces.

- (1) No person shall park or leave an electric-assisted bicycle, micromobility device, or powered personal transporter in a manner that blocks building entrances, bus stops, ramps, or reduces sidewalk clearance below three (3) feet; violations are subject to removal or relocation.

- (2) No person may connect a battery charger for an electric-assisted bicycle, micromobility device, or powered personal transporter to any public outlet for the purpose of charging, powering, or supplying electricity to such device unless the outlet is specifically designated for such purpose.

10.86.080 – Exemptions.

- (1) Police officers operating a bicycle, electric-assisted bicycle, micromobility device, or powered personal transporter in the performance of their duties may operate on any sidewalk and multi-use trails including operating on sidewalk.
- (2) The provisions of this chapter shall not apply to mobility devices used as reasonable accommodation under the ADA;
- (3) The provisions of this chapter shall not apply to devices operated under a City permit for special events.

10.86.090 - Negligent operation of an Electric-Assisted Bicycle, Micromobility Device, or Powered Personal Transporter.

- (1) A person commits the offense of Negligent Operation of an Electric-assisted Bicycle, Micromobility Device, or Powered Personal Transporter when such person operates a device in a manner that is both negligent and endangers or is likely to endanger any person or property.
 - a. It is an affirmative defense to Negligent Operation of an Electric-assisted Bicycle, Micromobility Device, or Powered Personal Transporter that must be proved by the defendant by a preponderance of the evidence, that the driver was operating the device on private property with the consent of the owner in a manner consistent with the owner's consent.
 - b. Violation of this section is a traffic infraction and is subject to a penalty of two hundred fifty dollars.
- (2) For the purposes of this section, "negligent" means the failure to exercise ordinary care, and is the doing of some act that a reasonably careful person would not do under the same or similar circumstances or the failure to do something that a reasonably careful person would do under the same or similar circumstances.

10.86.100 - Reckless Endangerment with an Electric-assisted Bicycle, Micromobility Device, or Powered Personal Transporter.

- (1) A person commits the offense of Reckless Endangerment with an Electric-assisted Bicycle, Micromobility Device, or Powered Personal Transporter when such person recklessly engages in conduct which creates a substantial risk of serious physical injury to another person.
- (2) Reckless Endangerment with an Electric-assisted Bicycle, Micromobility Device, or Powered Personal Transporter is a gross misdemeanor.

- (3) A parent, guardian, institution, agency, or other person having a lawful right to physical custody of an operator, who knowingly provides an operator under the age of 16 with an electric-assisted bicycle or powered personal transporter is liable for any violation of this section by the operator under the age of 16 and is liable for a traffic infraction punishable by a fine of \$250.

10.86.110 - Tampering with Electric-Assisted Bicycle.

- (1) No person may intentionally modify, tamper with, alter, or disable any component of an electric-assisted bicycle, including but not limited to the motor, controller, software, gearing, or sensors, for the purpose of changing the bicycle's class designation or increasing its maximum assisted speed beyond the manufacturer's specifications.
- (2) A person who intentionally modifies an electric-assisted bicycle in a manner that changes its class designation, or maximum assisted speed shall not operate or permit operation of the device until the class label accurately reflecting the modification has been replaced in accordance with RCW 46.37.690.
- (3) An electric-assisted bicycle that provides assisted speeds in excess of the limits established in RCW 46.04.169 for Class 1, Class 2, or Class 3 electric-assisted bicycles is presumed to have been unlawfully modified unless the operator produces documentation from the manufacturer or a certified technician verifying the bicycle's compliant configuration.
- (4) It is unlawful to knowingly operate an electric-assisted bicycle that has been modified in violation of this section on any public roadway, sidewalk, shared-use path, trail, or other facility where bicycles or electric-assisted bicycles are permitted.
- (5) A violation of this section is a traffic infraction punishable by a fine of \$250, plus any restitution or assessments authorized by law.

10.86.120 – Penalty.

- (1) Unless otherwise established in the Arlington Municipal Code, a violation of this chapter is a traffic infraction punishable by a fine of \$50 for the first offense and \$150 for each subsequent offense.
- (2) It is unlawful for the parent or guardian of any person under the age of sixteen (16) to knowingly authorize or permit a person under the age of sixteen (16) to operate in violation of this chapter.
- (3) The Arlington Municipal Court has jurisdiction over operators who are 16 or 17 years old on the date of the alleged offense as authorized under RCW 13.04.030.
- (4) For first time juvenile violations, completion of an approved safety course, if available, may substitute for civil penalties at the City's discretion.
- (5) For operators under the age of sixteen (16) who violate any provision of this chapter, a law enforcement officer may release a regulated device to the parent or legal guardian instead of issuing a citation or impounding the device pursuant to this chapter.
- (6) The court may also order a person found to have committed an infraction under this chapter to make restitution in an amount no greater than \$5,000.

10.86.130 – Enforcement.

- (1) The Arlington Police Department shall have the authority to enforce the provisions of this chapter, except as otherwise authorized herein. This authority does not supersede or preclude enforcement by other state or local authorities.
- (2) Any person, or the parent or guardian of any person under the age of sixteen (16), requested to identify themselves to a law enforcement officer pursuant to an investigation under this chapter has a duty to provide name and current address.

10.86.140 – Impound.

- (1) When an operator is cited for a violation of this chapter, a law enforcement officer may take custody of an electric-assisted bicycle, micromobility device, or powered personal transporter for public safety or evidentiary purposes.
- (2) For operators under the age of 16, if the officer does not impound the device, the officer may release it only to the parent or legal guardian.
- (3) The officer must provide the violator with a written notice setting forth the procedure for reclaiming the device.
- (4) The procedure for reclaiming the device shall be promulgated by the Chief of police.
- (5) Only the parent or legal guardian of a violator or an adult owner can reclaim a device impounded pursuant to this section.
- (6) A fifty-dollar fee for the cost of impound and administrative processing shall be paid to the city clerk prior to the release of any property impounded under this provision.
- (7) Any unclaimed devices may be disposed of in accordance with state law.

10.86.150 - Administrative rules.

The Police Chief may adopt administrative rules, consistent with this chapter and state law, to implement speed signage, facility designations, conspicuity requirements, and battery safety/charging protocols.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date. The title of this ordinance, which summarizes the contents, shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this ____ day of _____, 2026.

CITY OF ARLINGTON

Don E. Vanney, Mayor

ATTEST:

Raelynn Jones, City Clerk

APPROVED AS TO FORM:

Oskar Rey, City Attorney