

ORDINANCE NO. 1675

AN ORDINANCE OF THE CITY OF CANBY, OREGON, AMENDING TITLE 10 OF THE CANBY MUNICIPAL CODE TO ADD CHAPTER 13.10 REGULATING THE OPERATION OF ELECTRIC ASSISTED BICYCLES, MOTOR ASSISTED SCOOTERS OR E-SCOOTERS, ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES, AND VEHICLES MANUFACTURED FOR OFF-ROAD USE; DECLARING AN EMERGENCY.

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

WHEREAS, the increased use electric assisted bicycles, motor assisted scooters or e-scooters, electric personal assistive mobility devices, and vehicles manufactured for off-road use has resulted in higher speeds, unsafe operation, and conflicts within shared public spaces, which have created unsafe conditions currently experienced in the City of Canby; and

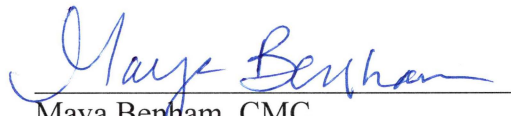
WHEREAS, the City desires to align local regulations with the Oregon Vehicle Code while establishing reasonable local regulations and enforcement discretion.

NOW, THEREFORE, THE CITY OF CANBY, OREGON ORDAINS AS FOLLOWS:

Section 1. Title 10 of the Canby Municipal Code is amended to add Chapter 13.10 as attached as Exhibit A to this Ordinance and incorporated herein by this reference.

Section 2. In order to protect the public health and safety from the currently unsafe conditions created by the unregulated use of electric assisted bicycles, motor assisted scooters or e-scooters, vehicles manufactured for off-road use, and electric personal assistive mobility devices, the City Council declares an emergency and this Ordinance shall become effective immediately upon its adoption.

Section 3. The Interim City Administrator or designee is authorized to take all administrative actions necessary to fix any formatting, typographical, or scrivener's errors within this Ordinance.

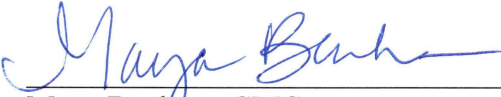

Maya Benham, CMC
City Recorder

SUBMITTED to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, July 15, 2026, ordered posted as required by the Canby City Charter; and scheduled for second reading on Wednesday, August 5, 2026, commencing at the hour of 7:00 PM in the Council Chambers located at 222 NE 2nd Avenue, 1st Floor Canby, Oregon.



Brian Hodson
Mayor

ATTEST:



Maya Benham, CMC
City Recorder

Exhibit A

Chapter 10.13– Electric Assisted Bicycles, Motor Assisted Scooters or E-Scooter, Electric Personal Assistive Mobility Devices, and Vehicles Manufactured for Off-Road Use

10.13.010 Purpose

- A. The purpose of this Chapter is to regulate the operation of electric assisted bicycles, electric personal assistive mobility devices, motor assisted scooters or e-scooters, and vehicles manufactured for off-road use to promote public safety, reduce conflicts in shared public spaces, and protect pedestrians, bicyclists, and other users of the public right-of-way; and
- B. This Chapter is intended to supplement and be consistent with the Oregon Vehicle Code.

10.13.020 Definitions

The following definitions shall apply only to this chapter:

- A. **“Bicycle”** means a vehicle that:
 - 1. Is designed to be operated on the ground on wheels’
 - 2. Has a seat or saddle for use of the rider;
 - 3. Is designed to travel with not more than three wheels in contact with the ground;
 - 4. Is propelled exclusively by human power;
 - 5. Has every wheel more than 14 inches in diameter or two tandem wheels either of which is more than 14 inches in diameter; and
 - 6. Is equipped with pedals.
- B. **“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.
- C. **“E-Bike”** shall mean the same as “Electric Assisted Bicycle.”
- D. **“Class 1 Electric Assisted Bicycle”** means an electric assisted bicycle 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.
- E. **“Class 2 Electric Assisted Bicycle”** means an electric assisted bicycle 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.
- F. **“Class 3 Electric Assisted Bicycle”** means an electric assisted bicycle 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.
- G. **“Motor assisted scooter or e-scooter”** means a vehicle that:
 - 1. Is designed to be operated on the ground with not more than four wheels;
 - 2. Has a foot support or seat for the operator’s use;

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3. Can be propelled by motor or human propulsion; and
 4. Is equipped with a power source that
 - a. On or before December 31, 2026, is incapable of propelling the vehicle at a speed greater than 24 miles per hour on level ground; or
 - b. On or after January 1, 2027, is incapable of propelling the vehicle at a speed of greater than 20 miles per hour on level ground; and
 5. 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.
- H. **“Electric personal assistive mobility device”** means a device that:
1. Is self-balancing on two non-tandem wheels;
 2. Is designed to transport one person in a standing position; and
 3. Has an electric propulsion system.
- I. **“Vehicle,”** for the purposes of this chapter, means any device in, upon or by which any person or property is or may be transported or drawn upon a public highway and includes vehicles that are propelled or powered by any means. “Vehicle” does not include a manufactured structure.
- J. **“Vehicle Manufactured for Off-Road Use”** means a vehicle that:
1. Does not meet federal motor vehicle safety standards for public roadway operation; and
 2. Is capable of traveling faster than 24 mph on level ground; and
 3. 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
 4. If the power source is electric, has a power output of more than 1,000 watts.
 5. Examples of “Vehicles Manufactured for Off-Road Use” include, but are not limited to, mini-motorcycles, mini-choppers, pocket bikes, go-karts and all-terrain vehicles.
- K. **“Guardian”** means a parent, legal guardian, or person legally responsible for supervising a minor.

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- L. **“Minor”** means any person younger than eighteen (18) years of age.
- M. **“Highway”** means every public way, road, street, thoroughfare and place, including bridges, viaducts and other structures within the boundaries of this state, open, used or intended for use of the general public for vehicles or vehicular traffic as a matter of right.

10.13.030 General Operating Regulations

- A. A person shall not operate an electric assisted bicycle, motor assisted scooter or e-scooter, or electric personal assistive mobility device:
 - 1. While carrying more persons on the device than the number for which it is designed; or
 - 2. On a sidewalk or other public property that is designated for pedestrian use.
- B. A person may operate an electric assisted bicycle, motor assisted scooter or e-scooter, or electric personal assistive mobility device in City-owned parks. In addition to this chapter, such operation shall be subject additional regulations applicable to each City-owned park. Additional regulations shall establish the maximum speed of operation; location of operation within the park; and shall identify the specific vehicles and, if applicable, class of vehicles that may be operated in the park. The City Administrator shall have authority to establish these regulations. These regulations shall be posted at each City-owned park.
- C. Age Restrictions
 - 1. Until January 1, 2027, no person under sixteen (16) years of age shall operate any electric assisted bicycle or motor assisted scooter or e-scooter within the City of Canby.
 - 2. Beginning January 1, 2027, a person may operate a Class 1 electric assisted bicycle or a Class 2 electric assisted bicycle within the City of Canby 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 Canby:
 - a. A Class 1 electric assisted bicycle if they are 14 years of age or older; or
 - b. A Class 2 electric assisted bicycle if they are 16 years of age or older; or
 - c. A Class 3 electric assisted bicycle if they are 16 years of age or older.
 - 3. Beginning January 1, 2027, a person may operate a motor assisted sooter or an e-scooter if the person is fourteen (14) years of age or older.
- D. All minors must wear protective headgear of a type approved under state law when operating an electric assisted bicycle, motor assisted scooter or e-scooter, or electric personal assistive mobility device on a highway or on any premises open to the public.

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1. This requirement does not apply when wearing protective headgear would violate a religious belief or practice of the person.
- E. A person shall not operate an electric assisted bicycle, motor assisted scooter or e-scooter, or electric personal assistive mobility device on any portion of a highway that is not a bicycle lane or bicycle path when a bicycle lane or bicycle path is adjacent to or near the roadway.
- F. Notwithstanding section D, above, a person may operate an electric assisted bicycle, motor assisted scooter or e-scooter, or electric personal assistive mobility device on a highway for any of the purposes listed below as long as that person then immediately returns to or enters a bicycle lane or path. A person must comply with all regulations applicable to motor vehicles when operating an electric assisted bicycle, motor assisted scooter or e-scooter, or electric personal assistive mobility device on a highway under this section.
 1. Overtaking and passing another bicycle, a vehicle, or a pedestrian that is in the bicycle lane or path because passage cannot safely be made in the lane or path.
 2. Preparing to execute a left turn at an intersection or into a private road or driveway.
 3. Avoiding debris or other hazardous conditions.
 4. Preparing to execute a right turn where a right turn is authorized.
 5. 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.
- G. A person shall not operate electric assisted bicycle, motor assisted scooter or e-scooter, or electric personal assistive mobility device to overtake or pass another person:
 1. Without providing an audible warning; or
 2. 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.

10.13.040 Reckless or Careless Operation

- A. A person shall not operate an electric assisted bicycle, motor assisted scooter or e-scooter, electric personal assistive mobility device, or vehicle manufactured for off-road use in a careless or reckless manner. A careless or reckless manner includes, but is not limited to:
 1. Stunt riding such as wheelies, riding on handlebars, jumping, trick riding, or other similar conduct;

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2. Moving between the bicycle lane, bicycle path, roadway, and/or sidewalk quickly, unpredictably, or without providing a visual or audible signal;
3. 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;
4. Attempting to elude law enforcement or community services officers;
5. Operating an electric assisted bicycle, motor assisted scooter or e-scooter, electric personal assistive mobility device, or vehicle manufactured for off-road use while under the influence of intoxicants; or
6. Other similar conduct that endangers or would be likely to endanger any person or property.

- B. No person shall operate a vehicle manufactured for off-road use on any highway, public street, sidewalk, bicycle lane, pathway, trail, boardwalk, park, or other public property within the City.

10.13.050 Violations

- A. Any person who violates or fails to comply with the provisions of this chapter or any posted regulations established by the City Administrator or designee under Section 10.13.030(B) commits a violation of this chapter and is subject to the penalties set forth in Section 10.13.060, below.
- B. Any person who is the guardian of a minor and such minor violates or fails to comply with Section 10.13.030, Section 10.13.040, or any posted regulations established by the City Administrator or designee under Section 10.13.030(B) commits a violation of this chapter and is subject to the penalties set forth in Section 10.13.060, below.

10.13.060 Penalty

- A. A violation of this chapter is punishable by a fine as follows:
1. Any person who violates Section 10.13.030 of this chapter shall be subject to a fine in the amount of \$250.00. Any subsequent violation of Section 10.13.030 within twelve months of the initial violation of Section 10.13.030 or within twelve months of any subsequent violation of Section 10.13.030 shall be subject to a fine in the amount of \$500.00.
 2. Any person who violates Section 10.13.040 of this chapter shall be subject to a fine in the amount of \$500.00. Any subsequent violation of Section 10.13.040 within twelve months

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of the initial violation of Section 10.13.040 or within twelve months of any subsequent violation of Section 10.13.030 shall be subject to a fine in the amount of \$1,000.00.

- B. If a minor of 11 years of age or younger violates or fails to comply with Section 10.13.030 or Section 10.13.040, then only the guardian of such minor shall be subject to a penalty for the violation of Section 10.13.050(B). The minor shall not be subject to a penalty for the minor's violation of or failure to comply with Section 10.13.030 or Section 10.13.040. The penalty for the guardian's violation of Section 10.13.050(B) shall be in the amount established by Section 10.13.060(A) based on whether the minor violated or failed to comply with Section 10.13.030 or Section 10.13.040.
- C. If a minor of at least 12 years of age violates or fails to comply Section 10.13.030 or Section 10.13.040, then either the guardian of such minor shall be subject to a penalty for the violation of Section 10.13.050(B) or the minor shall be subject to a penalty for the minor's violation of or failure to comply with Section 10.13.030 or Section 10.13.040. In no event will both the minor and the guardian be subject to a penalty. If the guardian is subject to a penalty for the violation of Section 10.13.050(B), then the penalty shall be in the amount established by Section 10.13.060(A) based on whether the minor violated or failed to comply with Section 10.13.030 or Section 10.13.040. If the minor is subject to a penalty for the minor's violation of or failure to comply with Section 10.13.030 or Section 10.13.040, then the amount of the penalty shall be as established in Section 10.13.060(A).
- D. Nothing in this chapter shall be construed as limiting any judicial remedies that the city may have at law or in equity for enforcement of this code.