



City of Othello
Washington
Ordinance No. 1652

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OTHELLO, WASHINGTON, CREATING A NEW CHAPTER 9.53 WITHIN TITLE 9 OF THE OTHELLO MUNICIPAL CODE (“OMC”) RELATED TO REQUIREMENTS FOR AND RESTRICTIONS ON THE OPERATION OF ELECTRIC BICYCLES (“E-BIKES”) AND OTHER MOTORIZED PERSONAL MOBILITY DEVICES WITHIN CITY LIMITS AND ESTABLISHING CIVIL PENALTIES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the proliferation of electric-assisted bicycles (“E-bikes”), electric motorized foot scooters, electric skateboards, hoverboards, self-balancing one-wheeled devices, and other personal motorized or electric mobility devices within the City of Othello (“City”) provides expanded transportation options, but also introduces heightened traffic and pedestrian safety concerns reported by law enforcement and members of the community; and

WHEREAS, the Othello Police Department has observed, reported, and documented safety hazards involving excessive operational speeds, inexperienced youth operators, unclassified or modified devices resembling motor vehicles, and dangerous incidents and conflicts on City sidewalks, trails, and shared-use paths; and

WHEREAS, Washington State law (RCW 46.61.710 and RCW 46.61.725) authorizes local jurisdictions to regulate or restrict the operation of electric-assisted bicycles, motorized foot scooters, and motorized personal transportation devices upon roadways, sidewalks, trails, and shared-use facilities under their jurisdiction; and

WHEREAS, on June 22, 2026, Chief of Police Brent McFarlane presented an overview of enforcement challenges to the City Council, emphasizing the necessity of updated municipal regulations to protect pedestrians, clarify rider expectations, and establish enforceable public safety standards; and

WHEREAS, the City Council has determined that regulations to address the heightened public safety risks presented by the devices listed above are necessary to preserve public safety across all municipal rights-of-way, including such requirements as establishing a maximum speed limit of ten miles per hour (10 mph) on pedestrian infrastructure, explicit requirements for operators to follow the general motor vehicle laws and rules of the road, and other prohibitions on use;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OTHELLO, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Adopting New OMC Chapter 9.53 (Electric bicycles and other motorized personal mobility devices). A new Othello Municipal Code Chapter 9.53 to be entitled “Electric bicycles and other motorized personal mobility devices,” is hereby adopted to read as follows:

OMC 9.53.010 Purpose and Intent.

The purpose and intent of this chapter is to protect public health and safety by regulating the operation of electric-assisted bicycles (“E-bikes”), electric motorized foot scooters, electric skateboards, hoverboards, self-balancing one-wheeled devices, and other personal motorized or electric mobility devices within the City of Othello.

OMC 9.53.020 Definitions.

For the purposes of this Chapter, the following definitions shall apply:

- A. “Electric-Assisted Bicycle (E-Bike)” means a two- or three-wheeled cycle with fully operable pedals and an electric motor of 750 watts or less, categorized as Class 1 (pedal-assist up to 20 mph), Class 2 (throttle-assisted up to 20 mph), or Class 3 (pedal-assist up to 28 mph with a speedometer) as provided in RCW 46.04.169 as it exists or is hereafter amended.
- B. “Motorized Personal Mobility Device (MPMD)” means any electric or motorized personal transportation device possessing one, two, three, or four wheels, including but not limited to:
 - 1. Motorized Foot Scooters: Stand-up or sit-down scooters equipped with handlebars and powered by an electric motor or gas engine (RCW 46.04.336);
 - 2. Electric Skateboards and Hoverboards: Boards powered by an electric propulsion system designed to transport a single person; and
 - 3. Self-Balancing/One-Wheeled Devices (“One-Wheels”): Electric-powered single-wheel or self-balancing boards that utilize internal gyroscopic propulsion mechanisms.

- C. “Electric Motorcycle (E-Moto) / Unclassified Vehicle” means any two- or three-wheeled device exceeding 750 watts, capable of exceeding 20 mph under motor power alone without pedaling, or manufactured with hardware/software toggles designed to bypass state speed caps. These are classified as motor vehicles subject to full state motor vehicle registration and licensing laws.

OMC 9.53.030 Compliance with rules of the road - Rules of operation, speed limits, location restrictions, and safety equipment.

A. Operation on roadways.

1. Every person operating an E-bike, motorized foot scooter, electric skateboard, one-wheel device, or any other Motorized Personal Mobility Device upon a public street, roadway, highway, or street bike lane within the City of Othello shall be subject to all duties, responsibilities, and traffic laws applicable to drivers of vehicles under Washington State law (RCW Title 46) and the municipal code of Othello, except as to those provisions which by their nature can have no application.
2. Every person operating an E-bike, motorized foot scooter, electric skateboard, one-wheel device, or any other Motorized Personal Mobility Device upon a public street, roadway, highway, or street bike lane within the City of Othello shall:
 - a. **Traffic Signals and Signs:** Obey all official traffic control devices, stop signs, yield signs, and traffic lights.
 - b. **Direction of Travel:** Travel in the same direction as vehicle traffic on public roadways. Riding against traffic on roadways is strictly prohibited.
 - c. **Lane Positioning:** Ride as close to the right side of the roadway as practicable, except when preparing to make a left turn or avoiding hazards.
 - d. **Hand Signals:** Use standard hand/arm signals before turning, stopping, or suddenly decreasing speed.

B. Operation on sidewalks, crosswalks, trails, and shared-use paths. To ensure pedestrian safety across shared spaces, all

operators shall comply with the following operational constraints:

1. **10 MPH Speed Cap:** No person shall operate an E-bike, motorized foot scooter, electric skateboard, one-wheeled device, or other MPMD at a speed exceeding ten miles per hour (10 mph).
2. **Pedestrian Right-of-Way:** Operators must yield the right-of-way to pedestrians at all times.
3. **Audible Passing Signal:** Operators must give an audible warning (via voice, bell, or horn) before passing any pedestrian or non-motorized traveler.
4. **Sidewalk Travel:**
 - a. **Motorized foot scooters, electric skateboards, one-wheeled devices, Class 1 E-bikes, and Class 2 E-bikes** are permitted on public sidewalks provided speed caps (10 mph) and pedestrian right-of-way rules are observed. They are barred on sidewalks within heavily congested commercial zones marked by official city signage.
 - b. **Class 3 E-Bikes** are prohibited on city sidewalks, natural-surface trails, and recreational paths. They are permitted on roadways and dedicated bicycle lanes.
 - c. **Electric Motorcycles (E-Motos)** are subject to all the same state law requirements and rules of the road as standard motorcycle and are strictly prohibited from all sidewalks, public shared-use paths, trails, and city parks.
- C. **City Parks:** All motorized devices are barred from city parks, unpaved natural-surface park trails, eco-conservation zones, and sports fields, except on paved park access roads and designated parking lots.
- D. **Negligent Operation:** Operating any device covered by this chapter in a careless, negligent, or reckless manner that

endangers or is likely to endanger persons or property is strictly prohibited.

- E. **Age Limits:** No person under the age of sixteen (16) shall operate a Class 3 E-bike or any motorized device capable of exceeding 20 mph on public rights-of-way.
- F. **Helmets Required:** All operators and passengers of any motorized mobility device (E-bikes, scooters, skateboards, one-wheels) under the age of sixteen (16), and all operators of Class 3 E-bikes regardless of age, shall wear a properly fitted bicycle helmet meeting CPSC safety standards while the device is in motion.

OMC 9.53.040 Illegal Modifications.

It shall be unlawful to modify, tamper with, or software-unlock an E-bike, scooter, or mobility device to increase its motor-assisted speed capability past legal class thresholds unless the compliance label is permanently updated to reflect its true classification. Operating an unlocked or modified device on pedestrian pathways constitutes an equipment violation under this chapter.

OMC 9.53.050 Enforcement, penalties, and parental liability.

The Othello Police Department shall have full enforcement authority over this chapter.

Civil Infraction: Any violation of speed caps, traffic rules, location restrictions, or safety equipment/helmet rules shall constitute a non-criminal monetary civil infraction as follows:

- A. First Offense: \$75.00
- B. Subsequent Offenses (within 12 months): \$150.00

Parental Responsibility (RCW 46.61.700): It is unlawful for a parent or legal guardian to knowingly permit a minor child under sixteen (16) years of age to violate any section of this chapter. Civil infraction citations for violations committed by minors under age 16 may be issued directly to the parent or legal guardian.

Section 2. Corrections. The City Clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 3. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by a court of competent jurisdiction, such invalidity shall not affect the validity or effectiveness of the remaining portions.

Section 4. Summary, Publication, and Effective Date. This Ordinance or a summary thereof consisting of the title, shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after its adoption and publication as required by law.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF OTHELLO, WASHINGTON,
AT A REGULAR MEETING THEREOF, THIS 14th DAY OF SEPTEMBER 2026.**

By: *Ken Johnson*
Ken Johnson (Sep 16, 2026 08:08:05 PDT)
Ken Johnson, Mayor

ATTEST:

By: *Tania Morelos*
Tania Morelos, City Clerk

APPROVED AS TO FORM:

By: *Joanna Eide*
Joanna Eide (Sep 16, 2026 17:10:54 PDT)
Joanna Eide, City Attorney

PASSED the 14th day of September, 2026
APPROVED the 14th day of September, 2026
PUBLISHED on the 23rd day of September, 2026