

ORDINANCE NO. 25-_____

**AN ORDINANCE
AMENDING TITLE 11, CHAPTER 4 OF THE CITY OF NAPERVILLE MUNICIPAL CODE
REGULATING THE OPERATION, CLASSIFICATION, AND SAFETY OF
ELECTRIC BICYCLES (“E-BIKES”), ELECTRIC SCOOTERS (“E-SCOOTERS”),
AND PERSONAL MOBILITY DEVICES**

RECITALS

1. **WHEREAS**, the City of Naperville has adopted policies and plans to promote transportation options that are safe, sustainable, and accessible for all residents; and
2. **WHEREAS**, the City of Naperville recognizes the increasing use of E-Bikes, E-Scooters, and Personal Mobility Devices as a sustainable and efficient mode of transportation that promotes public health, reduces traffic congestion, and supports environmental goals; and
3. **WHEREAS**, the State of Illinois has adopted definitions and regulations for E-Bikes under 625 ILCS 5/1-140.10 and 625 ILCS 5/11-1517, classifying them as bicycles rather than motor vehicles, thereby exempting them from licensing, registration, and insurance requirements and adopted definitions and regulations for E-Scooters under 625 ILCS 5/11-1518; and
4. **WHEREAS**, 625 ILCS 5/11-1517 explicitly includes E-Bikes in the definition of bicycles, granting them the same rights and responsibilities as traditional bicycles on roadways, while prohibiting their use on sidewalks and imposing certain restrictions on Class 3 E-Bikes; and
5. **WHEREAS**, 625 ILCS 5/11-1518 defines E-Scooters and regulates their use and prohibited uses; and
6. **WHEREAS**, 815 ILCS 361 regulates the sale and use of micromobility devices; and
7. **WHEREAS**, the City Council seeks to encourage responsible use of E-Bikes, E-Scooters, and Personal Mobility Devices while ensuring the safety of pedestrians, bicyclists, and other users of the City’s streets, trails, and public spaces; and
8. **WHEREAS**, the City Council finds it necessary to adopt clear, consistent rules to ensure the safe integration of E-Bikes, E-Scooters, and Personal Mobility Devices into

the City's transportation network, protect pedestrians and other users, and align with state law while allowing for local trail and path management; and

9. **WHEREAS**, it is the intent of the City Council to provide clear, consistent rules for the operation, storage, and enforcement of E-Bikes, E-Scooters, and Personal Mobility Devices to prevent conflicts, reduce accidents, and preserve the quality of life in Naperville's neighborhoods, business districts, and parklands.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers that:

SECTION 1: Recitals Incorporated. The foregoing Recitals are hereby incorporated in this Section 1 as though fully set forth herein.

SECTION 2: Amendment to Title 11, Chapter 4 of the Naperville Municipal Code.
Title 11 (Motor Vehicles and Traffic), Chapter 4 (Bicycles, Skateboards, Roller Skates, and In-Line Skates) of the Naperville Municipal Code is hereby amended to add Section 7 (Electric Bicycles, Electric Scooters, and Personal Mobility Devices), through the addition of the underlined language and the deletion of the stricken language as follows:

TITLE 11 – MOTOR VEHICLES AND TRAFFIC

**CHAPTER 4 - BICYCLES, SKATEBOARDS, ROLLER SKATES, ~~AND IN-LINE SKATES,~~
E-BIKES, E-SCOOTERS, AND OTHER MOBILITY DEVICES**

SECTION:

11-4-1: DEFINITIONS: through **11-4-6: OTHER PROVISIONS:** * * *

11-4-7: REGULATION OF E-BIKES, E-SCOOTERS, AND OTHER MOBILITY DEVICES

11-4-7:1. - DEFINITIONS:

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

1. **Electric Bicycle (“E-Bike”)**: A bicycle with fully operable pedals and an electric motor of less than 750 watts. An E-Bike is not a moped or a motor driven cycle.
2. **Class 1 E-Bike**: An E-Bike equipped with a motor that provides assistance only when the operator is pedaling and that ceases to provide assistance when the E-Bike reaches a speed of 20 miles per hour (“mph”).
3. **Class 2 E-Bike**: An E-Bike equipped with a motor that may be used exclusively to propel the E-Bike and that is not capable of providing assistance when the E-Bike reaches a speed of 20 mph.
4. **Class 3 E-Bike**: An E-Bike equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the E-Bike reaches a speed of 28 mph.
5. **E-Motor or Prohibited Motorized Device (“E-Motor”)**: Any two- or three-wheeled device with a motor exceeding 750 watts, lacking fully operable pedals, or capable of sustained speeds exceeding 28 mph, including but not limited to motor-driven cycles, minibikes, or pocket bikes as defined in 625 ILCS 5/1-145.001. Such devices are not E-Bikes nor E-Scooters, as defined in this Ordinance, and are prohibited from being operated on public streets, bicycle lanes, parks, Multi-Use Paths, or Sidewalks in the City of Naperville, unless appropriately titled and registered as motor vehicles and operated appropriately pursuant to state law.
6. **Electric Scooters (“E-Scooters”)**: A device weighing less than 100 pounds, with 2 or 3 wheels, handlebars, and a floorboard that can be stood upon while riding, that is powered by a motor, and that is not capable of providing assistance when the E-Scooter reaches a speed of 10 mph. Scooters with motors capable of sustained speeds exceeding 10 mph, without human assistance, shall not be considered an E-Scooter under this Ordinance and are prohibited from being operated on public streets; bicycle lanes, parks; Multi-Use Paths; or Sidewalks in the City of Naperville, unless titled and registered as motor vehicles and operated appropriately pursuant to state law. An E-Scooter is not a moped or a motor driven cycle.
7. **Personal Assistance Mobility Device**: Manual wheelchairs, power wheelchairs, electric scooters, and manually powered mobility aids such as a walker, crutches, cane, braces, and other similar devices used by a person as an accommodation for a disability.

8. **Personal Mobility Device:** Any powered or assisted device other than an E-Bike, E-Scooter, or E-Motor, as defined in this Ordinance, designed to transport one or more persons with a powered propulsion system, such as a golf cart, motorized or motor-assisted skateboard, motorized unicycles, hover boards, all-terrain vehicles, recreational off-highway vehicles, dirt bikes, and any other similar mobility devices, which are propelled by any type of motor or engine whatsoever and include a platform or other space on which an operator or passenger may ride. Such devices are not E-Bikes nor E-Scooters, as defined in this Ordinance, and are prohibited from being operated on public streets, bicycle lanes, parks, Multi-Use Paths, or Sidewalks in the City of Naperville, unless appropriately titled and registered as motor vehicles and operated appropriately pursuant to state law. The following shall be exempt from this definition: (1) Personal Assistance Mobility Devices, as defined in this Ordinance; (2) Personal Mobility Devices when used by a public entity for official public entity purposes or by a public employee when used in the performance of the public employee's official duties; and (3) golf carts when used on golf course property and in a manner consistent with the golf course's policies.
9. **Multi-Use Path, Shared-Use Path, Trail, or Bike Path (Multi-Use Path):** A designated pathway for shared use by bicycles, pedestrians, and other non-motorized users, excluding Sidewalks and the Riverwalk.
10. **Sidewalk:** The portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines, intended for pedestrian use.

11-4-7:2. - CLASSIFICATION AND EQUIPMENT:

1. E-Bikes operated within the City of Naperville must comply with Federal Consumer Product Safety Commission standards and Class 1 E-Bikes, Class 2 E-Bikes, and Class 3 E-Bikes must bear a permanent visible label indicating its class, motor wattage, and top assisted speed. Modification of an E-Bike to exceed its classified speed or power limits shall result in reclassification or prohibition under this Ordinance.
2. E-Bikes and E-Scooters operated within the City of Naperville must well-maintained and in good operating condition and must conform to the regulations consistent with the Illinois Vehicle Code governing their operation, including being equipped with:
 - a. Brakes that will adequately control and stop the movement of the device, and that at a minimum are capable of stopping the device within 30 feet from 15 mph on dry, level pavement;

- b. A front-facing white light and rear facing red reflector or light visible from 500 feet during hours of darkness (sunset to sunrise) or low visibility;
- c. For E-Bikes, reflective tires or wheel rims; and
- d. For Class 3 E-Bikes, a functional speedometer.

11-4-7:3. - OPERATION AND USE:

1. General Rights and Duties: Except as specified in this Ordinance, E-Bike and E-Scooter operators shall have the same rights and duties as operators of traditional bicycles under the Illinois Vehicle Code (e.g., 625 ILCS 5/11-1502), including yielding at stop signs, signaling turns, and riding with traffic.
2. Age Restrictions:
 - a. E-Bike operators, including operators of Class 1 E-Bikes, Class 2 E-Bikes, and Class 3 E-Bikes, must be at least sixteen (16) years of age and must be able to safely operate the device.
 - b. E-Scooter operators must be at least eighteen (18) years of age, consistent with 625 ILCS 5/11-1518(c), and must be able to safely operate the device.
3. Where E-Bikes and E-Scooters May Be Operated:
 - a. Roadways. E-Bikes and E-Scooters may be operated on any street or roadway where bicycles are permitted, subject to all traffic laws applicable to bicycles under the Illinois Vehicle Code and the Naperville Municipal Code. However, E-Scooters may not be operated on a highway with a posted speed limit in excess of 35 mph, consistent with 625 ILCS 5/11-1518(b), or on State highways, consistent with 625 ILCS 5/11-1518(k).
 - b. Bicycle Lanes. Class 1 E-Bikes, Class 2 E-Bikes, and E-Scooters are permitted in bicycle lanes within the City of Naperville. Class 3 E-Bikes are permitted in bicycle lanes only if the bicycle lane is designed for speeds up to 28 mph or local signage allows.
 - c. Multi-Use Paths. E-Bikes, Class 1 E-Bikes, Class 2 E-Bikes, and E-Scooters are permitted on a Multi-Use Path unless prohibited or otherwise regulated

by the City of Naperville or unless prohibited or otherwise regulated by another managing government authority such as the Forest Preserve District of DuPage County, the Forest Preserve District of Will County, or the Naperville Park District (see Naperville Park District Ordinance 641). Class 3 E-Bikes are prohibited on a Multi-Use Path in the City of Naperville unless explicitly authorized by the City of Naperville or by another managing government authority.

- d. Sidewalks. E-Bikes and E-Scooters shall not be operated on Sidewalks within the City of Naperville, except where expressly permitted by official City of Naperville signage or when necessary to enter or exit adjacent private property.
 - e. Prohibited Areas. E-Bikes and E-Scooters are prohibited on highways, expressways, State highways, the Riverwalk, or any area posted as off-limits to bicycles in the City of Naperville. E-Scooters are also prohibited throughout the entire park system of the Naperville Park District.
- 4. Administrative Authority: The City of Naperville's City Manager or his or her designee may authorize the posting of regulations restricting the use of devices defined in this Ordinance within the City of Naperville when deemed necessary, in the sole discretion of the City Manager or his or her designee, for public safety, preservation of property, or consistency with adopted City plans.
 - 5. Speed Limits: E-Bike and E-Scooter operators shall not exceed posted speed limits. On Multi-Use Paths, E-Bikes and E-Scooters shall not exceed a maximum speed of 15 mph.
 - 6. Helmet Requirement: All E-Bike, E-Scooter operators and passengers are encouraged to wear an ANSI, SNELL, or CPSC-approved helmet when operating or riding E-Bikes or E-Scooters.

11-4-7:4. -PROHIBITED ACTS:

For the purposes of this Ordinance, the following acts are prohibited in the City of Naperville:

- 1. Operating a Personal Mobility Device, E-Motor, modified E-Bike, or modified E-Scooter on public property.

2. Reckless operation of an E-Bike, E-Scooter, Personal Mobility Device, or E-Motor, including disobeying traffic regulations and weaving through traffic.
3. Operating an E-Bike, E-Scooter, Personal Mobility Device, or E-Motor while wearing headphones or otherwise obstructing the operator's hearing.
4. Operating an E-Bike, E-Scooter, Personal Mobility Device, or E-Motor while impaired, including under the influence of alcohol or drugs.
5. Operating an E-Bike, E-Scooter, Personal Mobility Device, or E-Motor equipped with a siren or oscillating red and blue lights.
6. Operating an E-Bike, E-Scooter, Personal Mobility Device, or E-Motor while attached, by person or device, to any other vehicle being operated on a public right-of-way.
7. Operating an E-Bike, E-Scooter, Personal Mobility Device, or E-Motor while carrying any package, bundle, or article that prevents the operator from keeping at least one hand upon the device's handlebars or steering controls.
8. Operating an E-Bike or E-Scooter to transport more than one passenger at a time, or operating an E-Bike, E-Scooter, Personal Mobility Device, or E-Motor to transport a passenger if the device is not designed and equipped for multiple riders.
9. Operating an E-Bike, E-Scooter, Personal Mobility Device, or E-Motor while obstructing pedestrians or failing to yield to pedestrians.
10. Tampering with or removing the class label on an E-Bike or E-Scooter or operating an E-Bike without a label clearly identifying the accurate E-Bike class.

11-4-7:5. -PARKING AND STORAGE:

1. E-Bikes and E-Scooters may be parked in bicycle racks or designated bicycle parking areas.
2. No E-Bike or E-Scooter shall be parked in a manner that obstructs pedestrian pathways, Americans with Disabilities Act accessibility, or emergency access routes.

11-4-7:6. – PARENTAL AND GUARDIAN RESPONSIBILITY:

1. Parents and guardians of minors are responsible for the appropriate operation of E-Bikes, E-Scooters, Personal Mobility Devices, and E-Motors owned by said parents and guardians or owned by minors under their direct control.
2. Any violation of this Ordinance committed by a minor under the direct control of, or with the consent of, their parent or guardian shall subject said parent or guardian to a violation of this Ordinance and the penalties provided in this Ordinance.
3. The City of Naperville shall have the discretion and authority to impound E-Bikes, E-Scooters, Personal Mobility Devices, E-Motors, or other devices regulated under this Ordinance for non-compliance with this Ordinance. When such a device so impounded is owned by a minor, the City of Naperville shall have the discretion and authority to release such impounded device to the minor's parent or guardian.

11-4-7:7. - ENFORCEMENT AND PENALTIES:

1. Violations of this Ordinance may be enforced by the City of Naperville Police Department and the City of Naperville's Code Enforcement.
2. For any violation of this Ordinance, the minimum penalty will be not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each offense, and each day a violation continues shall constitute a separate offense.
3. The City of Naperville shall have the discretion and authority to impound E-Bikes, E-Scooters, Personal Mobility Devices, E-Motors, or other devices regulated under this Ordinance when it is determined to be appropriate to ensure compliance with this Ordinance.

11-4-7:8. – EXCEPTIONS:

This Ordinance shall not apply to:

1. E-Bikes, E-Scooters, Personal Mobility Devices, or E-Motors when operated by authorized public safety personnel in the course and scope of their duties; and
2. Personal Assistance Mobility Devices or other mobility devices when appropriately operated in accordance with authorization under federal, state, or local law as necessary to provide a reasonable disability accommodation.

SECTION 3: Savings Clause. If any provision of this Ordinance or its application to any person or circumstance is held invalid or unenforceable by any court of competent jurisdiction, this invalidity or unenforceability does not affect any other provisions or application of this Ordinance, which can be given effect without the invalid or unenforceable provision or application. To achieve this purpose, the provisions of this Ordinance are declared to be severable.

SECTION 4: Effective date. This Ordinance shall take full force and effect upon its passage and approval, in accordance with law, and shall be effective as of January 1, 2026.

PASSED this _____ day of _____, 2025.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2025.

Scott A. Wehrli, Mayor

ATTEST:

Dawn Portner, City Clerk