

# ORDINANCE NO. 546

## Amend Chapter 6 Regulation of Bicycles of the Village of West Salem Code of Ordinances to Amend Ordinance Relating to Bicycles, Electric Bicycles, Electric Scooters, and Electric Skateboards

The West Salem Village Board of Trustees do hereby ordain as follows:

**Section 1:** Section 6.11 is hereby deleted and recreated in its entirety as follows:

6.11 **Regulation of Bicycles, Electric Bicycles, Electric Scooters, and Electric Skateboards.** All the provisions set forth in the Wisconsin State Motor Vehicle Laws regulating the operation of bicycles and electric-powered or power-assisted bicycles, scooters, and skateboards are hereby adopted by reference, including chapters 346 and 347, Wis. Stats.

(A) **Definitions.** As used in this Section, the following terms shall have the meaning indicated.

(1) **Electric Bicycle or E-bike.** An electric bicycle, or e-bike, as defined in Sec. 340.01(15ph), Wis. Stats., is equipped with fully operative pedals for propulsion by human power and an electric motor of 750 watts or less and that meets the requirements of any of the following classifications:

(a) **Class 1 Electric Bicycle.** A bicycle equipped with an electric motor of 750 watts or less that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of twenty (20) miles per hour;

(b) **Class 2 Electric Bicycle.** A bicycle equipped with an electric motor of 750 watts or less that may be used to propel the bicycle without pedaling but does not assist when the bicycle reaches the speed of twenty (20) miles per hour; is defined by the presence of a throttle; and is equipped with an actuator motor that acts as the

physical agent to drive the bicycle forward based on throttle input, independent of pedaling;

(c) **Class 3 Electric Bicycle.** A bicycle equipped with an electric motor of 750 watts or less that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of twenty-eight (28) miles per hour.

(2) **Electric Scooter or E-scooter.** An electric scooter, or e-scooter, is a two-wheeled, personal electric vehicle designed for short-distance transportation, typically in urban areas. An electric scooter or e-scooter is powered by an electric motor and battery, is designed to be stood or sat upon by the operator, and is capable of speeds not exceeding twenty (20) miles per hour.

(3) **Electric Skateboard or E-board.** An electric skateboard, also known as an e-board, is a personal mobility device that combines the features of a regular skateboard with an electric propulsion system. It uses a battery and motor to propel the rider forward, eliminating the need to push with their feet.

(4) **Gas-Powered Bicycle or Scooter.** A gas-powered bicycle or scooter refers to a bicycle or scooter that has been modified by adding a non-integral gas or other fuel powered unit, enabling it to reach speeds beyond those originally intended for the vehicle.

(5) **Manually-Powered Bicycle.** A manually-powered bicycle, herein referred to as bicycle, is a vehicle propelled by feet or hands acting upon pedals or cranks and having wheels any two of which are not less than fourteen (14) inches in diameter.

(B) **Operating Rules.** No person operating a bicycle, electric bicycle, electric scooter, or electric skateboard upon any street or highway within the Village of West Salem shall fail to observe all applicable traffic regulations of the Village and State or to comply with the following regulations:

(1) **Rules of the Road.** The provisions of Chapters 346 and 347, Wis. Stats., and applicable Village Ordinances shall govern the operation of bicycles, electric bicycles, electric scooters, and electric skateboards, where appropriate.

(2) **Registration Required.** Owners of electric bicycles, electric scooters, and electric skateboards shall register their devices as indicated below in 6.11(C) Registration.

(3) **Riding on Sidewalks.** No person shall ride or park a bicycle on any public sidewalk in the Business District. No person over the age of thirteen (13) years shall operate a bicycle on any Village sidewalk.

(4) **Stunt or Trick Riding.** No person operating a bicycle on any street, public sidewalk, or highway shall perform tricks or stunts, or participate in any racing.

(5) **Speed.** No person shall operate a bicycle at a speed greater than is reasonable and prudent under existing conditions or in excess of any posted speed limit.

(6) **Towing with Bicycle.** No person operating a bicycle shall tow, drag, or cause to be drawn behind the bicycle, any person on roller skates, coaster sled, or any other type of conveyance which is not mass-marketed to the public and designed to be towed by a bicycle.

(7) **Carrying Extra Passengers.** Bicycle operators shall not use a bicycle, except a tandem, to carry another person, provided, a bicycle operator may carry a child securely attached to his or her person in a back pack or sling and may carry another person on a bicycle if it is equipped with a child's seat securely attached to and properly designed for use on a bicycle.

(8) **Age Restrictions.**

(a) No person under the age of thirteen (13) years may operate an electric bicycle, electric scooter, or an electric skateboard on any street, sidewalk, public property, bicycle pathway, or public highway within the Village of West Salem without adult supervision within a distance of seventy-five (75') feet of the underage rider(s).

(b) Persons aged thirteen (13) to fifteen (15) years may operate a Class 1 electric bicycle, electric scooter, and electric skateboard but shall not operate a Class 2 or Class 3 electric bicycle.

(c) Persons age sixteen (16) years or more may operate any classed electric bicycle, electric scooter, or electric skateboard.

(9) **Helmet Requirement.** All manually-powered bicycle, electric bicycle, electric scooter, and electric skateboard operators under the age of eighteen (18) years must wear a helmet certified with the NTA 8776 standard or a standard CPSC-certified bike helmet with MIPS technology at all times.

(10) **Parking.** No person shall park any bicycle, electric bicycle, electric scooter, or electric skateboard against any windows or in the main traveled portion of any sidewalk, street, or highway nor in such

a manner as to constitute a hazard to pedestrians, traffic, or property.

(11) **Prohibited Areas.** Electric bicycles, electric scooters, and electric skateboards are prohibited from use in the following areas:

(a) All sidewalks and crosswalks.

(b) In all Village public parks, including sidewalks within said parks, and other Village-owned properties which are not streets.

(c) Cutting through privately-owned property, accessing, or crossing any property not designated for vehicle movement is strictly prohibited.

(d) On any street or public space temporarily closed to vehicular traffic by use of emergency vehicles, traffic barricades, barrels, and/or cones by order of the Chief of Police or as designated by a Village Board approved special event permit.

(e) Class 1 and Class 3 electric bicycles may be used on pathways and trails that allow bicycles but must observe a fifteen (15) mile per hour speed limit. Class 2 electric bicycles are prohibited on all pathways, parks, and trails.

(f) The use of a gas-powered bicycles or scooters is prohibited within the Village of West Salem in all locations.

(f) No person shall operate any electrically-powered play vehicle within Village-prohibited areas. Electric play vehicles include, but are not limited to, hoverboards, Segways, electric scooters, electric-powered toy vehicles, or any similar device designed primarily for recreation. Operation of electric play vehicles on sidewalks is prohibited unless expressly permitted for children under thirteen (13) years of age and only when operated in a safe and controlled manner.

(12) **Lighting.** Any manual bicycle, electric bicycle, electric scooter, or electric skateboard operating during hours of darkness must comply with lighting standards detailed under Wis. Stat. Stat. 347.489(1).

(13) **Operation Rules Specific to Electric Bicycles.**

(a) Operation of electric bicycles within the Village of West Salem shall comply with all applicable provisions of Wis. Stat. Sec. 340-351, including, but not limited to, Wis. Stat. Sec. 346.806.

(b) No person under the age of sixteen (16) may operate a Class 2 or Class 3 electric bicycle, though a person under sixteen (16) may ride as a

passenger if the bicycle is designed to accommodate passengers. Anyone operating a Class 3 electric bicycle or any electric bicycle equipped with a motor exceeding 750 watts or capable of speeds greater than twenty-eight (28) miles per hour is required to have a valid driver's license and is subject to all applicable motor vehicle laws.

(14) **Operation Rules Specific to Electric Scooters & Electric Skateboards.**

(a) No electric scooter may be operated at speeds exceeding twenty (20) miles per hour within the Village limits and must comply and adhere to all regulations outlined in this Ordinance.

(b) All electric scooter and electric skateboard operators under the age of eighteen (18) years must wear a helmet certified with the NTA 8776 standard or a standard CPSC-certified bike helmet with MIPS technology at all times.

(C) **Registration.** No person shall operate an unregistered electric bicycle (E-Bike), electric scooter (E-Scooter), or electric skateboard (E-Board) upon any street, sidewalk, public property, bicycle pathway, or public highway within the Village of West Salem. Manually powered bicycles may be registered if desired by the owner.

(1) **How Registered.** Registration shall be made by application through the West Salem Police Department, on forms provided by the Village of West Salem, giving the name, address, telephone number of the owner, and a complete description of the bicycle, electric bicycle, electric scooter, or electric skateboard, including the name of the manufacturer, style, model, class type, serial number, and color.

(2) **Registration Fee.** There shall be no fee to register manually powered bicycles. A Five (\$5.00) Dollar registration fee shall be charged prior to registration of all electric bicycles, electric scooters, and electric skateboards.

(3) **Registration Decal Display Requirements.**

(a) Upon application, a license plate bearing a number sequence shall be issued by the Police Department to the registered owner of any electric bicycle or electric scooter upon initial registration.

(b) Upon application, a registration sticker bearing a number sequence shall be issued by the Police Department to the registered owner of any manual bicycle or electric skateboard upon initial registration.

(C) It is the owner's responsibility to affix the issued license plate to the electric bicycle or electric scooter in the manner prescribed in (e) Placement.

(d) It is the owner's responsibility to affix the issued registration sticker to the manual bicycle or electric skateboard in the manner prescribed in (e) Placement.

(e) **Placement**.

(i) **Electric Bicycles:** License plates shall be affixed rear facing and centered horizontally under the seat of the rider and shall be unobstructed from the public's view.

(ii) **Electric Scooters:** License plates shall be affix forward facing and centered horizontally under the handlebar and shall be unobstructed from the public's view.

(iii) **Electric Skateboards:** Registration stickers shall be affixed so that it is downward facing underneath the skateboard.

(iv) **Manual Bicycle:** Shall affix the registration sticker along the Seat Tube underneath the rider on left side (when sitting atop the bicycle.)

(4) **Unsafe Bicycles not to be Registered**. No bicycle, electric bicycle, electric scooter, or electric skateboard shall be registered which is in an unsafe mechanical condition.

(5) **Suspended Registrations**. The Chief of Police shall have the authority to suspend the registration of, and remove the registration decals from, any bicycle, electric bicycle, electric scooter, or electric skateboard operated contrary to any State law or Village Ordinance for which the rider, parent, or owner has been cited for a violation or which is being operated in an unsafe mechanical condition. The registration shall not be reinstated nor such decals replaced while such bicycle remains in unsafe condition, and while the citation is pending and while a fine related to the citation remains unpaid. Such suspension and removal shall be in addition to other penalties provided for herein.

(6) **Impounding**. The Chief of Police shall have the authority to impound any bicycle, electric bicycle, electric scooter, or electric skateboard for a period not to exceed ten (10) business days, upon issuance of a fourth (4<sup>th</sup>) violation involving the same rider, parent, or owner.

(7) **Period of Registration.** All registrations shall be permanent unless a change of ownership occurs.

(8) **Owner to Register.** The licensing authority shall not register any bicycle which it knows or has reasonable grounds to believe is not owned by or lawfully in the possession of the applicant.

(9) **Change of Ownership.** If a change in ownership occurs, electric bicycles, electric scooters, and electric skateboards must be registered prior to use by a new owner. Within ten (10) days after any registered device is sold or transferred to a new owner, the person in whose name the bicycle is registered shall report such information to the Police Department. The Police Department shall thereupon cancel the registration of the bicycle and the new owner, if any, shall be responsible for obtaining a new registration.

(10) **Alteration/Removal Prohibited.** No person shall remove, alter, or create a counterfeit of any registration decals of a bicycle, electric bicycle, electric scooter, or electric skateboard.

(11) **Registration Exemptions.** Electric bicycles, electric scooters, or electric skateboards not kept within the Village of West Salem are not required to register with the Police Department as long as their use within Village limits does not exceed two (2) weeks.

(D) **Enforcement.**

(1) **Under the Age of Thirteen (13).** Any offender under the age of thirteen (13) years who shall disregard the rules and regulations governing the operation of bicycles, electric bicycles, electric scooters, and/or electric skateboards as set forth in this Section, upon investigation of citizen complaint, or observation by a police officer of this jurisdiction, may receive issuance of the following:

(a) **First offense:** May receive issuance of a written warning of violation which will be accompanied with written parent notification by mail.

(b) **Second Offense and Subsequent:** A parent or legal guardian of the offender may receive issuance of municipal citation and be subject to forfeiture.

(2) **Offenders Age Thirteen (13) or Older.**

Any person having reached the age of Thirteen (13) years may receive issuance of the following:

(a) **First offense:** May receive issuance of a written warning of violation. Parents or legal guardians of offenders seventeen (17) years age or younger will receive written parent notification of violation by mail.

(b) **Second Offense and Subsequent:** May receive issuance of a municipal citation resulting in forfeiture and may be required to appear in municipal court.

(E) **Unclaimed or Unidentified Bicycles.** All abandoned or unidentified bicycles shall be delivered to the West Salem Police Department for storage, and all such bicycles remaining in the possession of the West Salem Police Department at the end of thirty (30) days may be sold.

(F) **Penalty.** Any person violating any provision of this Ordinance shall, upon conviction thereof, forfeit not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars.

**Section 2:** This Ordinance shall become effective and in full force and effect from and after its passage and publication as required by law.

**DATED** this 2<sup>nd</sup> day of June, 2026.



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Scott Schumacher, Village President

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Ashley M. Bohl, Village Clerk/Treasurer

**ADOPTED:** June 2, 2026  
**PUBLISHED:** June 6, 2026