

AGENDA ITEM

July 6, 2021

Subject: Code Revision – Motorized Bicycle

Department: Administration

We have received multiple complaints over the past few months concerning Motorized Bicycle traveling at high rate of speeds, not obeying traffic laws, and operating without mufflers.

This Ordinance will address Motorized Bicycle operating in Nevada and align our City Code with State Law as well as the Vehicle Equipment Safety Commission.

Manager's Note:

- From the Missouri State Highway Patrol:
 - **“it is illegal to operate motorized bicycles on public streets and highways unless the operator has a driver's license.** *This applies to the newly popular mini-motorcycles also. A motorized bicycle is defined as any two-wheeled or three-wheeled device having an automatic transmission and a motor with cylinder capacity of not more than 50 cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than 30 mph on level ground. Missouri law states that motorized bicycles, commonly referred to as scooters, **can be operated on-public streets and highways if the driver holds a valid license.** If your child can't legally drive a car, he can't drive a motorized bicycle on the road.”*

BILL NO. 2021-044

ORDINANCE NO.

A GENERAL ORDINANCE OF THE CITY OF NEVADA MISSOURI AMENDING SECTION 19-146 OF THE CODE OF THE CITY OF NEVADA, MISSOURI.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, MISSOURI, THAT:

Section 1. Section 19-146 of the Code of the City of Nevada, Missouri is hereby amended by addition of the following provisions:

- (i) No person shall operate a motorized bicycle on any highway or street in this municipality unless the person has a valid license to operate a motor vehicle. The definition of motorized bicycle is to be that set forth in Section 307.180, RSMo.
- (j) No person shall operate a motorized bicycle or a homemade motorcycle in a residential area of this municipality if it emits from its engine a noise which can be heard within 150 feet of the motorized bicycle. The definition of motorized bicycle is to be that set forth in Section 307.180, RSMo.
- (k) No motorized bicycle or homemade motorcycle shall be driven in such a manner so as to make, continue or cause to be made or continue any loud, unnecessary or unusual noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the City. The definition of motorized bicycle is to be that set forth in Section 307.180, RSMo.
- (l) No person shall operate an unlicensed homemade motorcycle on highway or street in this municipality. The definition of motorcycle is that contained in Section 307.180, RSMo.
- (m) No motorized bicycle shall be operated on any street or highway of this municipality unless it is equipped as required by Section 307.196, RSMo, including but not limited to:
 - (1) Steering signals
 - (2) Muffler
 - (3) Lighting equipment
 - (4) Headlamp indicator

Section 2. This ordinance shall be in full force and effect from and after its passage and approval.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Nevada, Missouri, this ____ day of _____, 2021.

George Knox, Mayor

(Seal)

Attest:

Michele Bailey, City Clerk