

2026-0

**INTRODUCED BY: HOLLY FONSECA, COUNCILWOMAN-AT-LARGE, DIVISION B
ORDINANCE NO.**

An ordinance to amend the St. Charles Parish Code of Ordinances, Chapter 15, Motor Vehicles and Traffic, Sec. 15-1., Definitions, by adding definitions; to add Secs. 15-27., 15-28., 15-29., 15-30., 15-31., 15-32., and 15-33., relative to the regulations of motorized bicycles, motor driven cycles, electric-assisted bicycles, electric scooters and electric dirt bikes.

WHEREAS, the operation of motorized bicycles, motor driven cycles, electric-assisted bicycles, electric scooters and electric dirt bikes in a manner that compromises the safe and efficient movement of vehicular traffic poses a threat to the health, safety, and welfare of the general public; and,

WHEREAS, the increasing use of motorized bicycles, motor driven cycles, electric-assisted bicycles, electric scooters and electric dirt bikes on public streets, sidewalks, and other public rights-of-way necessitates reasonable regulations to promote the safe and orderly use of such devices and to protect the health, safety, and welfare of the general public; and,

WHEREAS, these amendments to the St. Charles Parish Code of Ordinances are necessary to eliminate safety hazards and protect the health, safety, and welfare of Parish residents.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code of Ordinances, Chapter 15, Motor Vehicles and Traffic, to add Secs. 15-27., 15-28., 15-29., 15-30., 15-31., 15-32., and 15-33., on the Chapter's title page is hereby amended with new text underlined:

MOTOR VEHICLES AND TRAFFIC

Sec. 15.27. Reckless operation of a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike.

Sec. 15.28. Electric low-speed scooters; operation; exceptions.

Sec. 15.29. Helmets required while operating a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike.

Sec. 15.30. Bicycle helmets; restraining seats.

Sec. 15.31. Traffic laws for any motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike.

Sec. 15.32. Use of a wireless telecommunications device while operating a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike is prohibited.

Sec. 15.33. Operation of a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike capable of exceeding 28 mph.

SECTION II. That the St. Charles Parish Code of Ordinances, Chapter 15, Motor Vehicles and Traffic, Sec. 15-1, Definitions, is hereby amended by adding the following definitions in alphabetical order to the existing definitions, with new text underlined:

Bicycle: means every device upon which any person or persons, if the design accommodates passengers, may ride, propelled exclusively by human power, or an electric-assisted bicycle as defined in this Section, having a saddle or seat for each rider, and having two tandem wheels, either of which is sixteen inches or more in diameter, or three wheels, any one of which is twenty inches or more in diameter.

Electric-assisted bicycle: means every bicycle upon which any person or persons, if the design accommodates passengers, may ride, having a saddle or seat for each rider, and having two tandem wheels, either of which is sixteen inches or more in diameter, or three wheels, any one of which is twenty inches or more in diameter, equipped with fully operable pedals, and an electric motor of less than seven hundred fifty watts that meets the requirement of one of the following classes:

(a) "Class one electric-assisted bicycle" means an electric-assisted bicycle equipped with a motor, which provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of twenty miles per hour.

(b) "Class two electric-assisted bicycle" means an electric-assisted bicycle equipped with a motor, which may be used exclusively to propel the bicycle and is not capable of providing assistance when the bicycle reaches the speed of twenty miles per hour.

(c) "Class three electric-assisted bicycle" means an electric-assisted bicycle equipped with a motor, which provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of twenty-eight miles per hour.

Electric dirt bike: means an off-road motorcycle with or without pedals powered by a battery and an electric motor rather than a traditional gas engine.

Electric scooter: means a battery-powered personal mobility vehicle featuring a standing deck, handlebars for steering, and an electric hub motor.

Motor driven cycle: means every motor scooter, with a motor of not to exceed five horsepower.

Motorized bicycle: means a pedal bicycle which may be propelled by human power or helper motor, or by both, but excluding an electric-assisted bicycle, with a motor rated no more than one and one-half brake horsepower, a cylinder capacity not exceeding fifty cubic centimeters, an automatic transmission, and which produces a maximum design speed of no more than twenty-five miles per hour on a flat surface.

SECTION III. That the St. Charles Parish Code of Ordinances, Chapter 15, Motor Vehicles and Traffic, is hereby amended by adding Secs. 15-27., 15-28., 15-29., 15-30., 15-31., 15-32., and 15-33., with new text underlined:

Sec. 15–27. Reckless operation of a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike.

(a) Reckless operation of a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike is the operation of any motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike in a criminally negligent or reckless manner, which endangers self, others, or property which includes, but is not limited to one or more of the following:

(1) Operation at an unsafe speed for the area;

(2) Riding on one wheel;

(3) Over-accelerating tires causing tires to spin excessively (peeling out);

(4) Passing too close to pedestrians or other vehicular traffic; or

(5) Holding on to a moving motor vehicle.

(b) *Penalty.* Whoever commits the crime of reckless operation of a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike shall be fined not more than one hundred dollars (\$100.00) plus court costs for the first offense. On a second or subsequent conviction, the offender shall be fined not less than one hundred (\$100.00) nor more than five hundred dollars (\$500.00) plus court costs.

Sec. 15-28. Electric low-speed scooters; operation; exceptions.

- (a) For purposes of this Section, the term "electric low-speed scooter" shall mean a privately owned, rental or commercial scooter weighing less than one hundred pounds that has handlebars and an electric motor, is solely powered by an electric motor or human power, and has a maximum speed of not more than twenty miles per hour on a paved level surface when powered solely by an electric motor. An electric low-speed scooter shall not be considered a motor-driven cycle, a vehicle, or a motor vehicle.
- (b) No electric low-speed scooter shall be used to carry more persons at one time than the number of persons for whom it is designed and equipped.
- (c) No person operating an electric low-speed scooter shall attach himself or the scooter to any other vehicle being operated upon a roadway.
- (d) No person operating an electric low-speed scooter on a roadway shall carry any package, bundle, or article that prevents the operator from keeping at least one hand on its handlebars.
- (e) Every person operating an electric low-speed scooter upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or a vehicle proceeding in the same direction, except under any of the following circumstances:
 - (1) When overtaking and passing another electric low-speed scooter, bicycle, or vehicle proceeding in the same direction.
 - (2) When preparing to turn or turning left at an intersection, or into a private road or driveway.
 - (3) When reasonably necessary to avoid fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, substandard width lanes, or any other condition that makes it unsafe to continue along the right-hand curb or edge of the roadway. For purposes of this Paragraph, a "substandard width lane" is a lane that is too narrow for an electric low-speed scooter and another electric low-speed scooter, bicycle, or a vehicle to travel safely side-by-side within the lane.
- (f) An electric low-speed scooter shall be equipped with a brake which enables the operator to make its braked wheels skid on dry, level, and clean pavements.
- (g) An electric low-speed scooter, when in use during the times specified in La. R.S. 32:301, shall be equipped with appropriate lights, reflectors, or reflective markings.
- (h) *Penalty.* Whoever commits the violation of this section of an electric low-speed scooter shall be fined not more than one hundred dollars (\$100.00) plus court costs.

Sec. 15-29. Helmets required while operating a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike.

- (a) All operators or passengers under 17 years of age of any motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike shall be required to wear a helmet meeting or exceeding the minimum helmet safety standards set by the Consumer Product Safety Commission or a motorcycle or NTA 8776-certified e-bike helmet.
- (b) *Penalty.* Whoever commits the violation of this section of a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike shall be fined not more than one hundred dollars (\$100.00) plus court costs.

Sec. 15-30. Bicycle helmets; restraining seats.

- (a) The following words and phrases when used in this Section shall have the meaning assigned to them:
 - (1) "Approved helmet" means a bicycle helmet that meets or exceeds the minimum bicycle helmet safety standards set by the Consumer Product Safety Commission.
 - (2) "Bicycle" means a human-powered vehicle with two tandem wheels designed to transport, by pedaling, one or more persons.
 - (3) "Operator" means a person who travels on a bicycle seated on a saddle seat from which that person is intended to and can pedal the bicycle.

- (4) "Passenger" means any person who travels on a bicycle in any manner except as an operator.
- (5) "Restraining seat" means a seat separate from the saddle seat of the operator of the bicycle that is fastened securely to the frame of the bicycle and is adequately equipped to restrain the passenger in such seat and protect such passenger from the moving parts of the bicycle.
- (b) With regard to any bicycle used on a public roadway, public bicycle path, or other public right-of-way, no parent, guardian, or person with legal responsibility for the safety and welfare of a child shall knowingly allow any of the following:
 - (1) Such child under the age of twelve to operate or ride as a passenger on a bicycle without wearing an approved helmet of good fit fastened securely upon the head with the straps of the helmet.
 - (2) Such child who weighs less than forty pounds or is less than forty inches in height to be a passenger on a bicycle without being properly seated in and adequately secured to a restraining seat.
- (c) *Penalty.* Whoever commits the violation of this section of a bicycle shall be fined not more than one hundred dollars (\$100.00) plus court costs.

Sec. 15-31. Traffic laws for any motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike.

- (a) Operators of any motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike shall be required to obey traffic laws on any parish road, street, sidewalk or highway. Violation of this would include but not be limited to one or more of the following:
 - (1) Exceeding 20 mph, or in excess of the posted speed limit;
 - (2) Failure to obey stop signs;
 - (3) Failure to obey yield signs;
 - (4) Failure to obey traffic lights;
 - (5) Failure to obey lane markings;
 - (6) Operation on private property without the consent of the owner;
 - (7) Driving on an interstate highway;
 - (8) Failure to operate on the right side of the roadway so as to allow other traffic to overtake them; or
 - (9) Operating a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter, or electric dirt bike on a sidewalk or operation of a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter, electric dirt bike during the times specified in La. R.S. 32:301, without appropriate lights, reflectors, or reflective markings.
- (b) *Penalty.* Whoever commits the violation of this section of a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike shall be fined not more than one hundred dollars (\$100.00) plus court costs.

Sec. 15-32. Use of a wireless telecommunications device while operating a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike is prohibited.

- (a) As used in this Section, a "wireless telecommunications device" means a cellular telephone, a text-messaging device, a personal digital assistant, a stand-alone computer or other electronic device, or any other substantially similar portable wireless device that is readily movable and is used to write, send, or read text or data through manual input. The term "wireless telecommunications device" shall not mean any device or component that is permanently affixed to a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike, or a device used hands-free, citizens band radios, citizens band radio hybrids, commercial two-way radio communications devices, two-way radio transmitters or receivers used by licensees of the Federal Communications Commission in the Amateur Radio Service, or electronic communication devices with a push-to-talk function.
- (b)(1) Notwithstanding any provision of law to the contrary, except as provided in Subsection (c) of this Section, no person shall operate any wireless telecommunications device while operating a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike upon any public road or

highway, sidewalk or public path unless the motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike is lawfully stationary.

(2) Operating a wireless telecommunications device shall include:

- a. Engaging in a call, which means talking or listening during a voice transmission on a wireless telecommunications device or manually entering names or telephone numbers to initiate a voice transmission, except when using a hands-free wireless telephone.
- b. Writing, sending, or reading a text-based communication, which means using a text message, instant message, electronic mail, or other text-based application to communicate with any person.
- c. Accessing, reading, or posting to a social networking site, which means using a wireless telecommunications device to access, read, or post on such device to any web-based service that allows individuals to construct a profile within a bounded system, articulate a list of other users with whom they share a connection, and communicate with other members of the site.
- d. Accessing, viewing, posting, editing, or creating a video, photograph, or other image.
- e. Accessing, reading, viewing, composing, browsing, transmitting, saving, or retrieving electronic data from any application or other media.
- f. Using any application or feature of a wireless telecommunications device by making manual entries of letters, numbers, symbols, commands, or any combination thereof.
- g. Holding or physically supporting a wireless telecommunications device in either or both hands, except for an earpiece or headphone device as defined in La. R.S. 32:295.2(A) or a device worn on the wrist to talk or listen during a voice transmission.

(c) The provisions of (b) of this Section shall not apply to a person who uses a wireless telecommunications device to do any of the following:

- (1) Report a traffic collision, medical emergency, other emergency, or serious road hazard.
- (2) Report a situation in which the person believes that an individual is in jeopardy of serious injury or death.
- (3) Operate a wireless telecommunications device while the motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike is lawfully stationary and not in violation of any other law.

(d) *Penalty.* Whoever commits the violation of this section of a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike shall be fined not more than one hundred dollars (\$100.00) plus court costs.

Sec. 15-33. Operation of a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike capable of exceeding 28 mph.

(a) No person shall operate a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike on any public roadway, street, highway, sidewalk or public path that is capable of exceeding 28 mph according to manufacturer's specifications unless the operator has a valid Louisiana driver's license, has liability insurance required for motor vehicles, the vehicle is registered with the Department of Motor Vehicles, and the operator is wearing an approved helmet.

(b) *Penalty.* Whoever commits the violation of this section of a motorized bicycle, motor driven cycle, electric-assisted bicycle, electric scooter or electric dirt bike shall be fined not more than one hundred dollars (\$100.00) plus court costs.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this _____ day of _____, 2026, to become effective (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED : _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____