

## MEMORANDUM

**TO:** The Honorable Mayor and City Council

**FROM:** Erik Berg, Management Analyst  
William Kolschowsky, Assistant City Manager

**DATE:** January 26, 2026

**SUBJECT:** **Draft E-bike Ordinance**

### **Objective**

Review a draft ordinance regulating low-speed electric bicycles ("e-bikes"), electric scooters ("e-scooters"), and out-of-class electric vehicles ("e-motos").

### **Background**

Staff has been researching municipal regulations on e-bikes, e-scooters, and e-motos to address concerns over their use in the City. At the October 13, 2025, Planning Session, staff discussed avenues for regulation of electric devices that would promote safe behavior among pedestrians, bicyclists, and drivers. Following the Planning Session, staff developed a scope of regulations and met with the Bicyclist and Pedestrian Commission on November 19, 2025, to present the City's draft scope of regulations and solicit feedback from the Commission. The Commission generally supported the City's overall approach to regulation. The Commission emphasized the need for education and discussed concerns about mandatory registration or safety equipment.

Based on the discussion at these meetings, staff developed the proposed ordinance. The bullet points below are notable differences from the regulatory approach and the scope of regulations proposed at the respective Planning Session and the Bicyclist and Pedestrian Commission meetings:

- Instead of mandatory registration, the ordinance requires education for all electric device operators, since education could more effectively address complaints about unsafe behavior.
- The Illinois Vehicle Code defines a low-speed electric scooter as having a maximum speed of 10 miles per hour. To accommodate scooters with a higher maximum speed, the ordinance creates a separate definition for "electric scooter", a scooter whose top speed is twenty miles per hour.
- The draft ordinance does not require helmets, although, in public communications, helmet use can be strongly encouraged.
- The draft ordinance establishes a speed limit for multi-use paths.



WHEATON MAYOR PHILIP J. SUESS

CITY MANAGER MICHAEL DZUGAN

CITY COUNCIL: ERICA BRAY-PARKER | LEAH BRICE | SCOTT BROWN | BRADLEY CLOUSING | LYNN ROBBINS | SCOTT WELLER

### **Draft Ordinance Summary**

The ordinance amends Chapter 70 (Bicycles), Sections 510-516 to outline operating standards and prohibited actions for bicycles and operators of electric devices. The draft ordinance intends to strike a balance between the competing regulatory perspectives discussed in the October 13 Planning Session.

#### **Section 70-510: Definitions**

This section revises City Code to add the Illinois Vehicle Code's definitions of "low-speed electric bicycle" and "low-speed e-scooter." As mentioned earlier, the ordinance creates a separate definition for "electric scooter." Any electric device that does not meet the definitions of low-speed electric bicycle or electric scooter, e.g., an e-moto, is considered an "out-of-class electric vehicle." This ordinance uses the term "electric device" to refer to low-speed electric bicycles, electric scooters, and e-motos as a whole.

#### **Section 70-511: Mandatory education requirement**

Education is a crucial component of regulation. The purpose of mandatory education is to promote safe behavior by requiring users of electric devices to educate themselves on the rules of the road. The ordinance requires electric device operators in the City to submit certification that verifies awareness of Illinois Rules of the Road. Among other potential educational material, the City will accept completed quizzes from Ride Illinois, a bicycle advocacy organization that provides education on bicycle safety and general cycling etiquette. This organization has quizzes for both adults and children and the latest versions include questions on e-bikes and other electric devices. Users would submit their certificates of completion on the City's online permitting software. Device registration would remain optional.

#### **Section 70-512: Operating standards**

This section of the ordinance outlines and codifies the permissible conduct for operators of bicycles and electric devices.

- Age and license restrictions: As per the Illinois Vehicle Code, Class 3 e-bike riders are required to be sixteen years of age or older. E-moto riders are required to be sixteen years of age or older and have a valid driver's license to operate. There are no age restrictions for other electric devices.
- Location restrictions:

Device	Sidewalk	CBD Sidewalk	Roadway	Multi-Use Path
<b>Bicycle</b>	Yes	No	Yes	Yes
<b>E-bike (all classes)</b>	Yes	No	Yes	Yes
<b>Electric scooter</b>	Yes	No	Yes	Yes
<b>Low-speed e-scooter</b>	Yes	No	No	Yes
<b>E-moto</b>	No	No	Yes	No

- Speed limit: Electric devices must adhere to posted speed limits on roadways. Electric devices have a speed limit of fifteen miles per hour on multi-use paths.
- Parking: Bicycles and electric devices are expected to be parked in bicycle racks in the Central Business District and not obstruct pedestrian walkways.
- Penalties: The ordinance fines violators the same as a sidewalk violation (\$30.00); the fine increases with subsequent violations.

**Section 70-513: Prohibited acts**

While Sec. 70-512 provides the City's etiquette standards, this section specifically identifies and prohibits specific behaviors that are public safety or nuisance concerns. Moreover, while the Operating Standards section may need to be revised to accommodate future state legislation, this section of the ordinance is unlikely to be affected. The fine amount would be determined through the City's adjudicative process, with the amount of the fine depending on the violation's severity.

**Section 70-514: Parental and guardian responsibility**

Parents and guardians are held accountable for the conduct of minors under their care; if a minor violates the ordinance, their parent or guardian may be subject to a penalty as well.

**Section 70-515: Exceptions:**

ADA devices and public safety personnel operating electric devices in the course of their duties are exempt from the provisions of this ordinance.

**Next Steps**

Pending Council's direction, the ordinance will appear in front of the Council at a forthcoming meeting. Prior to consideration, the City would develop its public education material. The City plans to explore opportunities for collaboration with CUSD 200 in sharing the material. Once the ordinance is approved, communication, including the training and registration form, would be disseminated to the public.

**Attachments**

1. Draft Ordinance

## **ARTICLE VI. BICYCLES, LOW-SPEED ELECTRIC BICYCLES, ELECTRIC SCOOTERS, AND OUT-OF-CLASS ELECTRIC VEHICLES**

### **Sec. 70-510. Definitions.**

**Bicycle:** A device solely propelled by human power which any person may ride on a seat, having two (2) tandem wheels, except scooters and similar devices.

**Electric device:** A device propelled by motor propulsion, or with motor assist, which includes, but is not limited to, low-speed electric bicycles, electric scooters, and out-of-class electric vehicles.

**Electric scooter:** 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 an electric motor and human power, and whose maximum speed, with or without human propulsion is no more than twenty (20) miles per hour.

**Low-speed electric bicycle:** A bicycle equipped with fully operable pedals and an electric motor of less than 750 watts, and that meets the requirements of one of the following three (3) classifications set forth in Section 1-140.10 of the Illinois Vehicle Code.

- (1) Class 1 low-speed electric bicycle: A low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty (20) miles per hour.
- (2) Class 2 low-speed electric bicycle: A low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle reaches a speed of twenty (20) miles per hour.
- (3) Class 3 low-speed electric bicycle: A low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight (28) miles per hour.

**Low-speed electric scooter:** A type of electric scooter whose maximum speed, with or without human propulsion, is no more than 10 miles per hour.

**Multi-use path:** A designated pathway, excluding sidewalks, for shared use by bicycles, pedestrians, and other electric device users, except for out-of-class electric vehicles.

**Out-of-class electric vehicle:** A motorized device which is not required to be issued title documents, license plates, or registration by the State of Illinois, is equipped with an electric motor of more than 750 watts that can be used to propel the device, may exceed a speed of twenty-eight (28) miles per hour, or otherwise does not meet the criteria established for low-speed electric bicycles or electric scooters. This includes low-speed electric bicycles that have been modified.

**Reckless operation:** Operation of either a bicycle or an electric device with a conscious disregard for the safety of others and/or the operator, which poses a substantial and unjustifiable risk to the safety of the operator or others, including, but not limited to, disobeying traffic regulations, weaving through traffic, clinging to other vehicles, use of a cell phone while in operation of the device, or operation while impaired. Reckless operation does not have to result in an injury.

**Sidewalk:** The paved portion of a right-of-way between the curb line or the lateral line of a roadway and the adjacent property line, intended for pedestrian use.

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## **Sec. 70-511. Voluntary registration and inspection. Mandatory education requirement.**

~~Every owner of a bicycle residing in the city may file an application for registration thereof with the police department upon a form provided by the department, setting forth the name and address of the owner and a description of the bicycle by name and/or make, model and frame number thereof. Upon applying for such registration, such owner shall present his bicycle at the police department or any place designated by the chief of police as an official registration station, and such bicycle shall be stamped by the police department with an indelible, unremovable registration mark. It shall be the duty of the police department or person designated by the chief of police to copy the identifying mark on the application for registration form and the police department shall keep a permanent record of such registration.~~

~~(Code 1968, § 7-5; Code 1996, § 70-511)~~

Operators shall submit through the City's online portal documentation and/or certification that verifies satisfactory Illinois Rules of the Road training has been completed. A list of qualifying educational programs, trainings, and exams or quizzes, shall be provided on the City's website.

## **Sec. 70-512. Registration fee. Operating standards.**

~~Owners of bicycles wishing to register under section 70-511 shall pay the fees set forth in Appendix B to this Code.~~

~~(Code 1968, § 7-6; Code 1996, § 70-512)~~

(a) Age and license restrictions.

- (1) Operators of class 3 low-speed electric bicycles must be at least sixteen (16) years of age.
- (2) Operators of out-of-class electric vehicles must be at least (16) years of age, have a valid driver's license, and must be able to safely operate the device.

(b) Locations of operation. These are the following locations where bicycles and electric devices may be operated.

- (1) Roadways. Bicycles and electric devices, except for low-speed electric scooters, may be operated in the roadway. Operators of bicycles and electric devices must adhere to the rules of the road.
- (2) Sidewalks. Bicycles and electric scooters may be operated on sidewalks, unless expressly prohibited by official City of Wheaton signage. No person may operate an out-of-class electric vehicle on a sidewalk.
- (3) Multi-use paths. Bicycles and electric devices, except for out-of-class electric vehicles, may be operated on multi-use paths unless prohibited or otherwise regulated by official City of Wheaton signage. Out-of-class electric vehicles are prohibited from operation on multi-use paths.

- (4) Central business district. No bicycle, electric device, or any other wheeled device shall be operated by any person upon any sidewalk within the Central Business District of the city, as defined in section 42-21.

- (5) Municipal parking areas. No bicycle, electric device, or any other wheeled device shall be operated by any person upon any municipal parking area.

(c) Speed limit.

- (1) Bicycles and electric devices operating on public roadways shall not exceed posted speed limits.

(2) Bicycles, low-speed electric bicycles and electric scooters shall maintain a speed of no more than fifteen (15) miles per hour on multi-use paths.

(d) Parking.

(1) Bicycles and electric devices, when parked in the Central Business District, shall be parked in zones officially designated for that purpose, i.e., bicycle racks.

(2) No bicycle or electric device shall be parked in a manner that obstructs pedestrian pathways, Americans with Disabilities Act accessibility, or emergency access routes.

(e) Equipment required. Bicycles and electric devices are required to have the following equipment.

(1) A brake in good working condition which will enable the operator to make the braked wheel skid on a dry, level, clean pavement.

(2) When operating at night (between the hours of sunset and sunrise), a lamp which shall emit a white light, located on the front of the device, and a red reflector on the rear, both of which shall be visible from a distance of at least 500 feet.

(f) Penalties. The penalty for violation of this Section will result in a \$30.00 fine for the first offense and \$100.00 for each subsequent violation.

**Sec. 70-513. Mutilation of registration mark. Prohibited acts.**

~~It is unlawful for any person other than the owner of the bicycle to willfully or maliciously remove, destroy, mutilate or alter the registration mark placed on the bicycle under the provisions of this article.~~

~~(Code 1968, § 7-7; Code 1996, § 70-513)~~

(a) The following acts are prohibited:

(1) Operating an electric device without completing the mandatory education requirements outlined in Sec. 70-511;

(2) Operating a bicycle or electric device while obstructing or failing to yield to pedestrians;

(3) Reckless operation of a bicycle or electric device.

(b) Any person who violates a provision of this Section shall be punished by a fine of not less than thirty dollars (\$30.00) and no more than nine hundred and fifty dollars (\$950.00). A separate offense shall be deemed committed for each day on which a violation occurs or continues.

**Sec. 70-514. Operation on sidewalks in Central Business District prohibited. Parental and guardian responsibility.**

~~No bicycle shall be operated by any person upon any sidewalk in or upon any municipal parking area within the Central Business District of the city, as defined in section 42-21.~~

~~(Code 1968, § 7-12; Code 1996, § 70-514; Ord. No. F-0521, § 2, 9-18-2000)~~

(a) Parents and guardians of minors are responsible for the appropriate operation of electric devices owned by said parents and guardians or owned by minors under their direct control.

(b) Any violation of this Article committed by a minor under the direct control of, or with the consent of, their parent or guardian will subject said parent or guardian to a violation of this Article and the penalties provided herein.

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### **Sec. 70-515. ~~Parking~~. Exceptions.**

(a) ~~Bicycles, when parked in the Central Business District, shall be parked in zones officially designated for that purpose, i.e., bicycle racks.~~

(b) ~~No bicycle shall be parked within four feet of a plate glass window.~~

~~(Code 1968, § 7-13; Code 1996, § 70-515)~~

Sections 70-511 through 70-513 shall not apply to:

(1) Authorized public safety personnel operating electric devices in the course of their duties; and

(1)(2) Personal assistance mobility devices as defined under the Americans with Disabilities Act where necessary to provide a reasonable accommodation.

### **Sec. 70-516. ~~Bicycle equipment required when same is being operated within the city. City immunity.~~**

~~Bicycles operated in the city are required to have the following equipment:~~

~~(1) An operational bell or horn which is audible at a distance of 100 feet.~~

~~(2) A brake in good working condition which will enable the operator to make the braked wheel skid on a dry, level, clean pavement.~~

~~(3) A lamp which shall emit a white light, located on the front of the bicycle, which is visible on the front and from a distance of at least 500 feet. The lamp needs to be used during operation of the bicycle between the hours of sunset and sunrise.~~

~~(Code 1996, § 70-516; Ord. No. F-0027, § 2, 5-6-1996; Ord. No. O-2024-01, § 1, 2-5-2024)~~

Nothing in this Article designates the operation of bicycles, low-speed electric bicycles, electric scooters, or out-of-class electric vehicles as an intended or permitted use of property with respect to Section 3-102 of the Local Governmental and Governmental Employees Tort Immunity Act, 745 ILCS 10/3-102, as amended.

### **Sec. 70-517. – Sec. 70-540. Reserved. Schedule of fines.**

The penalty for violation of these sections will result in a \$30.00 fine.

~~(Code 1996, § 70-517; Ord. No. F-0027, § 2, 5-6-1996; Ord. No. F-0680, § 3, 2-4-2002; Ord. No. O-2022-16, § 4, 4-18-2022)~~