

**SUMMARY OF PROPOSED CHANGES TO
OLATHE MUNICIPAL CODE TITLE 10
(THE OLATHE TRAFFIC ORDINANCE)**

The proposed ordinance would amend four sections in the Olathe Traffic Ordinance to address concerns regarding and improve enforcement mechanisms for e-bikes, e-scooters, and similar devices. The ordinance also would repeal an existing section due to the merger of some provisions.

1. Changes to Section 10.01.001 (Definitions)

- Restore the three classes of electric-assisted bicycles (“e-bikes”) to align with state law (K.S.A. 8-1489) and specify how multi-class e-bikes or e-bikes with missing label information will be classified.
- Clarify, consistent with Kansas Department of Revenue (KDOR) interpretation, that “motor-driven cycle” includes any bicycle with an electric motor that does not fall within the definition of “electric-assisted bicycle.”
- Clarify that electric “bikes” that cannot be pedaled fall within the definition of “motorcycle.”
- Clarify, consistent with KDOR interpretation, that a “motorized bicycle” cannot be powered by an electric motor.
- Remove the definition of “motorized scooter” to avoid confusion with term “motor scooter” used in state law and elsewhere in the Olathe Traffic Ordinance.
- Remove a provision treating motorized skateboards as skateboards for certain purposes, because motorized skateboards will be considered to fall within the category of “micromobility devices” under other changes made by the ordinance.

2. Changes to Section 10.01.128.1 (Safe Operation of Bicycles Required – Duties of Operator Upon Accident)

- Require bicycle and e-bike riders to give an audible signal before overtaking and passing a pedestrian, consistent with requirements of micromobility device operators.
- Correct a typographical error.

3. *Changes to Section 10.01.135 (Electric-Assisted Bicycles – Traffic Law Application)*

- Prohibit the removal, defacing, or concealment of e-bike class labels and prohibit the operation of an e-bike without a class label.
- Allow e-bikes to be prohibited on paths and trails by official signage.
- In accordance with state law (K.S.A. 8-1592b), prohibit operation of class 3 e-bikes by anyone under 16 years of age.

4. *Changes to Section 10.01.135.1 (Electric-Assisted Scooters – Traffic Law Application)*

- Combine current provisions from Section 10.01.135.2 regarding motorized skateboards and similar devices into this section regarding electric-assisted scooters (“e-scooters”) and regulate them consistently as a new category called “micromobility devices.”
- Prohibit use of micromobility devices on all roadways except:
 - On a roadway with a speed limit of 20 miles per hour or less and where there is no sidewalk or path adjacent to the roadway;
 - When a roadway has been temporarily designated a play street; or
 - While crossing a street at a crosswalk.
- Allow micromobility devices to be prohibited on paths and trails by official signage.
- Establish a 15 mile per hour speed limit for operation on sidewalks and prohibit operation in a careless, reckless, or negligent manner. Require micromobility device operators to yield the right-of-way to a pedestrian on a sidewalk and to give an audible signal before overtaking and passing a pedestrian.
- Require a bicycle helmet be worn by anyone under the age of 18 who is operating or riding upon a micromobility device.
- Prohibit carrying more persons upon a micromobility device than the number for which it is designed or equipped.
- Apply existing provisions regarding leaving the scene of an accident involving injury or property damage to operators of micromobility devices.
- Prohibit parents from authorizing or knowingly permitting their child to violate any of the provisions in this section.

5. *Repeal of Section 10.01.135.2 (Motorized Skateboards)*

- Repeal this section because its provisions are being incorporated into Section 10.01.135.1.