

Village of Akron, County of Erie

Local Law No. 2 of the year 2026

A local law adding E- Bike Legislation to the Village of Akron Code Book.

Be it enacted by the Village Board of the Village of Akron as follows:

Section 1 Legislative Intent

The Village finds and determines that the use of motorized scooters, all-terrain vehicles, electric scooters, motorized devices, and electric bicycles in public should be regulated as a matter of public health and safety as such operation pertains to the drivers of such devices, pedestrians, and also, users of our highways and streets. The use and operation of these devices also differs when they are for solely personal use as opposed to commercial operations. Regulation is also needed to control the proliferation of companies from simply leaving rental devices in areas of the Village not well suited for such devices which will detract from the picturesque community and village way of life. It is the intent of the Village that the use of these devices should be prohibited from use on the sidewalks, except in instances of proper and registered commercial operations, but not the public streets in the Village. Private personal use is also not generally prohibited on the streets of the Village provided that such operation is done safely and within the established rules of the road under the Vehicle and Traffic laws. Therefore, the purpose of this article is to establish reasonable regulations with regard to the use of motorized scooters, ATVs, motorized devices, electric scooters, and electric bicycles in the Village of Akron.

Section 2 Definitions

ALL TERRAIN CYCLE: Includes any human powered bicycle, without a motor and/or electric assist function with two or three wheels designed for off road use.

ALL TERRAIN VEHICLE: Includes any three or more wheeled vehicle powered by a motor and designed and manufactured for off-road use. It shall include, but not be limited to, a quad and a four-wheeler.

ELECTRIC BICYCLE: Includes any bicycle as defined under New York State Vehicle and Traffic Law § 102-c, and more specifically, a bicycle which is not more than thirty six (36) inches wide; has an electric motor that is less than 750 watts; is equipped with operable pedals; and complies with the Consumer Product Safety Commission under 16 CFR 1512.1, et seq. This shall include Class 1, 2, and 3 motorized bicycles.

ELECTRIC SCOOTER: Includes any scooter as defined under New York State Vehicle and Traffic Law § 114-e as a device weighing less than one hundred (100) pounds; has handlebars; has a floorboard or a seat that the operator can stand or sit upon; has an electric motor; can be powered by the electric motor and/or human power; and has a maximum speed of 20 m.p.h. on a paved level surface when powered solely by the electric motor.

HIGHWAY: Includes any public way as defined by New York State Vehicle and Traffic Law § 118.

LANE OF TRAFFIC: That portion of the paved surfaces of a highway or street normally and customarily used for vehicular traffic, but excluding any marked bike path.

MOTORIZED SCOOTER: A skateboard or **similar** device with **one**, two or more wheels and an upright steering mechanism attached to the front wheel or wheels, upon which a person or persons may ride propelled by other than muscular power, except that it shall not include an electrically driven mobility assistance device or wheelchair as those devices are defined in New York State Vehicle and Traffic Law § 130-a, nor shall it include any low-speed vehicle as such is defined in New York State Vehicle and Traffic Law § 121-f.

MOTORIZED DEVICE: A skateboard and/or dirt bike which operates by means other than muscular power of the rider and including any, single, double and/or more wheel transportation devices with or without handles which shall be considered a motorized device for purposes of this Code. This shall include home-made devices of any nature intended to operate without muscular power.

PARKING AREA OF A SHOPPING CENTER: Includes those areas defined by New York State Vehicle and Traffic Law § 129-a.

PARKING LOT: Includes those areas defined by New York State Vehicle and Traffic Law § 129-b.

SIDEWALK: Includes those areas defined by New York State Vehicle and Traffic Law § 144.

STREET: Includes those areas defined by New York State Vehicle and Traffic Law § 148.

Section 3 Prohibition

Except as provided herein, no person shall operate a motorized scooter, motorized device, ATV, electric scooter, or electric bicycle upon any sidewalk, parking area of a shopping center, except as may be permitted by the shopping center for individuals who are immediate customers of same. Such devices shall not be permitted within the lane of

traffic on any highway or street within the Village of Akron if the following regulations are not strictly adhered to at all times.

It shall be an exception to this local law with respect to the use of motorized scooters by disabled individuals who have properly obtained a permit from any local, state, or federal government or agency and/or any physician licensed in the State of New York.

Class 3 and higher electric bicycles are strictly prohibited.

Section 4 Electric Bicycles

Electric bicycles that meet the above requirements are further classified as follows:

"Class one bicycle with electric assist" - A bicycle with electric assist having **an electric motor that provides assistance only when the person operating the bicycle is pedaling**, and that ceases to provide assistance when such bicycle reaches a speed of 20 mph.;

"Class two bicycle with electric assist" - A bicycle with electric assist having **an electric motor that may be used exclusively to propel the bicycle**, and that is not capable of providing assistance when such bicycle reaches a speed of 20 mph. Such bicycles have a throttle;

"Class three bicycle with electric assist" - A bicycle with electric assist having **an electric motor that may be used exclusively to propel the bicycle**, and that is capable of reaching a speed of 28 mph. Such devices shall have a speedometer.

"Class four bicycle" - A bicycle with electric assist having **an electric motor that may be used exclusively to propel the bicycle**, and that is capable of speeds in excess of 28 mph with more than 750 watts of power.

Section 5 General Rules

Operators of electric scooters, motorized scooters, ATVs, electric devices, and electric bicycles under the age of eighteen must wear certified protective headgear and/or helmets at all times while operating such devices.

Operators of electric scooters, ATVs, motorized devices, motorized scooters, and electric bicycles must be at least sixteen (16) years of age at the time of the operation of such devices anywhere on public land.

Except as set forth in section 6, ATVs, motorized devices, electric scooters, motorized scooters, and electric bicycles are not permitted at any time on any public sidewalk within the Village of Akron.

Electric scooters, motorized devices, motorized scooters, and electric bicycles must, at all times, follow all local, State, and Federal Vehicle and Traffic laws, rules, and regulations when operating in the lane of traffic in the Village of Akron. ATVs and dirt bikes or

other motorized devices designed primarily for off-road use shall not be permitted on any highway and/or street within the Village of Akron.

Electric scooters, motorized scooters, motorized devices, dirt bikes, and electric bicycles are prohibited from exceeding 20 m.p.h. while operating in the Village.

Operators of electric scooters, motorized scooters, motorized devices, and electric bicycles must have lamps and lights, both front and rear, permanently affixed to the device which must be in full working order while the device is in operation or removable lamps which must be securely affixed at all times during operation.

All operators must also have permanently attached to their electric scooters, motorized devices, motorized scooters, and electric bicycles an audible warning device to alert pedestrians, drivers of motor vehicles, and bicycle riders of their presence in the event of an emergency.

Except as limited below with respect to Commercial Use, electric scooters, motorized devices, motorized scooters, and electric bicycles may not be parked on the public sidewalks unless appropriately placed within a bicycle rack that may be present. Same shall at no times be attached to any street signs, telephone and/or electric poles, or trees. At no time may electric scooters, motorized devices, motorized scooters, and electric bicycles be parked in a manner that interferes with pedestrian use of a sidewalk.

Electric scooters, motorized devices, motorized scooters, and electric bicycles must yield the right of way to pedestrians at all times.

Electric scooters, motorized devices, motorized scooters, and electric bicycles may only ride single file when on public streets and highways.

Electric scooters, motorized devices, motorized scooters, and electric bicycles shall not be operated by an individual in an impaired condition due to alcohol or drugs, whether prescription or otherwise.

Emergency Personnel and Department of Public Works Employees are exempt from the above regulations while operating in the course of their duties.

Section 6 Motorized and Electric Scooters, Motorized Devices, and Electric Bicycles

Motorized and Electric Scooter, Motorized Devices, and Electric Bicycle operators, in addition to the provisions above:

- May not carry more than one person at one time without an approved cart or seat. Children riding in such cart or seat shall wear, at all times, appropriate safety helmets;

- May not carry any package, bundle or article which prevents the operator from

keeping at least one hand upon the handlebars or which obstructs his or her vision in any direction;

May only operate on highways with a posted speed limit of 30 m.p.h. or less, including non-interstate public highways, private roads open to motor vehicle traffic, and designated bicycle or in-line skate lanes, except otherwise provided;

May not operate any such device in excess of 20 mph.;

Motorized and Electric scooter and/or motorized device operators and/or Electric Bicycle operators may not attach their scooter, or himself or herself, to any vehicle being operated upon a roadway. Moreover, vehicle operators may not permit any person to attach any motorized or electric scooter, or himself or herself, to such operator's vehicle in violation of this section.

Section 7 Penalties

In the event a child sixteen (16) years or younger operates any Motorized and Electric scooter, motorized device, and/or Electric Bicycle in violation of this Article and/or the Vehicle & Traffic law of the State of New York, such device shall be impounded by any police department authorized to operate within the Village of Akron. The parent(s)/guardians of such child shall be notified by such police department to appear before the police department in order to have such device released to the parent/guardian upon the payment of the civil penalty amounts set forth below. It shall not be a defense that the child operates such device owned by a third party or parties.

Violations of this Article shall be subject to a Fifty Dollar (\$50.00) civil penalty for the first violation, up to One Hundred Dollars (\$100.00) for a second violation, and up to Two Hundred Fifty Dollars (\$250.00) for each subsequent violation. Where there are more than three violations by the same individual, the motorized device may be permanently seized and sold by the Village with such proceeds placed into a safety program under the auspices of the Police Department. In the event that the violator is less than sixteen (16) years old, a civil notice shall be issued to the parent and/or guardian. Attendance at a driver improvement program may also be required. Such cumulative civil penalty shall apply regardless of the nature of the violation or the type of device used. All payments shall be made to the Village Clerk.

Section 8 Effective Date

This Local Law shall take effect immediately upon the filing with the Secretary of State in accordance with Section 27 of the New York State Municipal Home Rule Law.