

**ORDINANCE NO. 7642-20**

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 10 BICYCLES, MOTORIZED SCOOTERS, OR ELECTRIC POWER-ASSISTED BICYCLES AND MOPEDS, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE I., IN GENERAL, SECTION 10-1 DEFINITIONS, AND ARTICLE II., EQUIPMENT AND OPERATING RULES, SECTION 10-23, HELMETS REQUIRED.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia:

1. That Chapter 10 Bicycles, Motorized Scooters, or Electric Power-Assisted Bicycles and Mopeds, of the Code of the City of Newport News, Virginia, Article I., In General, Section 10-1, Definitions, and Article II., Equipment and Operating Rules, Section 10-23, Helmets required, be, and the same hereby is, amended and reordained as follows:

**CHAPTER 10**

**BICYCLES, MOTORIZED SKATEBOARDS OR SCOOTERS, OR ELECTRIC POWER-ASSISTED BICYCLES AND MOPEDS**

**ARTICLE I. IN GENERAL**

**Sec. 10-1. Definitions.**

For the purposes of this chapter, the terms "bicycle," "electric personal assistive mobility device," "moped," "motorized skateboard or scooter," "owner," "roadway," "toy vehicle," and "vehicle" are defined as set forth in Section 46.2-100 of the Code of Virginia, 1950, as amended.

*Electric power-assisted bicycle* means a vehicle that travels on not more than three wheels in contact with the ground and is equipped with (i) pedals that allow propulsion by human power, (ii) a seat for the use of the rider, and (iii) an electric motor with an input of no more than 750 watts. Electric power-assisted bicycles shall be classified as follows:

1. "Class one" means an electric power-assisted 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 20 miles per hour;
2. "Class two" means an electric power-assisted bicycle equipped with a motor that may be used exclusively to propel the bicycle and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour; and

3. "Class three" means an electric power-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour.

## ARTICLE II. EQUIPMENT AND OPERATING RULES

### Sec. 10-23. Helmets required.

(a) Every person fourteen (14) years of age or younger shall wear a protective helmet that at least meets the Consumer Product Safety Commission standard whenever riding or being carried on a bicycle, electric personal assistive mobility device, or class one or class two electric power-assisted bicycle on any roadway, sidewalk or bicycle path. Violation of this subsection shall be punishable by a fine of twenty-five dollars (\$25.00). However such fine shall be suspended (i) for first-time violators and (ii) for any violator who, subsequent to the violation but prior to imposition of the fine, purchases a helmet of the type required by this subsection.

(b) Every person fourteen (14) years or younger shall wear a properly fitted and fastened bicycle helmet that meets the U.S. Consumer Product Safety Commission or the American Society for Testing and Materials International whenever riding or being carried on a class three electric power-assisted bicycle on any roadway, sidewalk, or bicycle path. Violation of this subsection shall be punishable by a fine of twenty-five dollars (\$25.00). However such fine shall be suspended (i) or first time violators and (ii) for any violator who, subsequent to the violation but prior to imposition of the fine, purchases a helmet of the type required by this subsection.

2. That this ordinance shall be in effect on and after August 11, 2020.

PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON AUGUST 11, 2020

Mabel Washington Jenkins, MMC  
City Clerk

McKinley L. Price, DDS  
Mayor

A true copy, teste:

City Clerk