ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 74-64 - BICYCLES, SECTION 74-145 - PROHIBITED AND RESTRICTED ACTIVITIES, AND SECTION 74-259 - BICYCLES, OF CHAPTER 74 PARKS AND RECREATION, AND CHAPTER VII. BICYCLES, MOTORCYCLES AND CERTAIN RECREATIONAL VEHICLES OF CHAPTER 98 TRAFFIC AND VEHICLES OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, REPEAL CONFLICTING ORDINANCES, AND PRESCRIBE A PENALTY FOR VIOLATIONS.

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. Section 74-64 of Article II City Parks of Chapter 74 Parks and Recreation of the Code of Ordinances of the City of Rochester Hills shall be amended as follows:

Sec. 74-64. - Reserved.

Section 2. Section 74-145 of Article II City Parks of Chapter 74 Parks and Recreation of the Code of Ordinances of the City of Rochester Hills shall be amended as follows:

Sec. 74-145. - Prohibited and restricted activities.

(a) *Prohibited activities*. There shall be no commercial enterprise, permanent road, temporary road or use of motor vehicles, motorized equipment, or any form of motorized transport within a conservation area, except as may be necessary for maintenance or in emergencies.

(b) *Pets.* Pets shall not be allowed in a conservation area.

(c) *Disturbing the peace.* It shall be unlawful to use a loudspeaker, public address system, bullhorn, or amplifier within a conservation area.

Section 3. Section 74-259 of Article IV Green Space of Chapter 74 Parks and Recreation of the Code of Ordinances of the City of Rochester Hills shall be amended as follows:

Sec. 74-259. -. Reserved.

Section 4. Article VII. - Bicycles, Motorcycles And Certain Recreational Vehicles of Chapter 98 Traffic and Vehicles of the Code of Ordinances of the City of Rochester Hills shall be amended as follows:

ARTICLE VII. - BICYCLES, MOTORCYCLES, MICROMOBILITY AND CERTAIN RECREATIONAL VEHICLES

Sec. 98-201. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bicycle (Bike). A device, with operable pedals, propelled by human power upon which a person may ride, equipped with a seat or saddle, having either two or three wheels in a tandem or tricycle arrangement, all of which are over 14 inches in diameter.

Electric bicycle (E-bike). A bicycle upon which any person may ride, equipped with a seat or saddle, fully operable pedals for human propulsion, and an electric motor of not more than 750 watts (1 horsepower) that meets one of the following classifications:

(a) *Class 1 E-bike.* An electric bicycle that is equipped with an electric motor that provides assistance only when the rider is pedaling and that disengages or ceases to function when the electric bicycle reaches a speed of 20 miles per hour.

(b) *Class 2 E-bike.* An electric bicycle that is equipped with a motor that propels the electric bicycle to a speed of no more than 20 miles per hour, whether the rider is pedaling or not, and that disengages or ceases to function when the brakes are applied.

(c) *Class 3 E-bike.* An electric bicycle that is equipped with a motor that provides assistance only when the rider is pedaling and that disengages or ceases to function when the bicycle reaches a speed of 28 miles per hour.

Electric skateboard (E-skateboard), also includes *electric scooter (E-scooter) and one wheel*. A one or two wheeled device that has a floorboard designed to be stood upon when riding that is no more than 60 inches long and 18 inches wide, is designed to transport only 1 person at a time, has an electrical propulsion system with power of no more than 2,500 watts, and has a maximum speed on a paved level surface of not more than 25 miles per hour. May have handlebars and be designed to also be powered by human propulsion.

Michigan Vehicle Code. All definitions that appear in the Michigan Vehicle Code, Public Act No. 300 of 1949 (MCL 257.1 et seq., MSA 9.1801 et seq.), shall be applicable to such terms when used in this article.

Micromobility. Light-weight, low-speed transportation devices—both human-powered and electric—typically designed for single occupants and short-distance travel.

Moped. A two or three wheeled vehicle equipped with a motor that does not exceed 100 cubic centimeters piston displacement, cannot propel the vehicle at a speed greater than 30 miles per hour on a level surface, and its power drive system does not require the operator to shift gears.

Motorcycle. A motor vehicle that has a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, that does not meet the statutory definition

of a Class 1, 2, or 3 e-bike, or a moped. A motorcycle is considered an e-motorcycle (e-moto) if it meets any of the following criteria:

(a) Can exceed 30 mph under electric motor assist.
(b) Functions primarily as a throttle-powered vehicle above 30 mph.
(c) Lacks fully operable pedals.

The term does not include tractors, motor-powered lawn mowers, special mobile equipment as defined in the Michigan Vehicle Code, Public Act No. 300 of 1949 (MCL 257.1 et seq., MSA 9.1801 et seq.), or similar vehicles.

Sec. 98-202. - Purpose.

The purpose of this article is to promote the public health, safety, and general welfare of the residents, visitors, and property owners of the City of Rochester Hills through the reasonable regulation of bicycles, motorcycles, and certain recreational vehicles as defined in this Article.

The City Council finds that technological advancements have introduced a diverse array of micromobility options to local infrastructure, including Class 1, Class 2, and Class 3 electric bicycles, as well as electric skateboards. The City Council further finds that the unregulated or negligent operation of these devices—particularly high-speed or out-of-class electric vehicles that blur the line between traditional bicycles and motor vehicles—poses escalating risks to pedestrian safety, sidewalk accessibility, and traffic flow on public rights-of-way. Accordingly, this article is intended to:

(a) *Ensure public safety.* Protect pedestrians, bicyclists, motorists, and operators of recreational vehicles from hazardous interactions and collisions.
(b) *Clarify vehicle classifications.* Harmonize local enforcement with state definitions by clearly distinguishing between state-regulated and unregulated e-bikes, e-skateboards, e-motorcycles, and mopeds.
(c) *Standardize traffic flow.* Establish clear rules of the road, pathways, sidewalks, trails, rights-of-way, public property, and parking lots to harmonize the multi-modal use of public infrastructure.
(d) *Preserve public property.* Mitigate damage to public parks, natural trailways, and sensitive ecological zones from motorized or off-road vehicle use.
(e) *Assign accountability.* Establish accountabilities for all users, including parental responsibility for minor operators and define appropriate penalties for violations of these provisions.
(f) *ADA and Universal Accessibility.* It is not the intent of this Ordinance to preclude the use of any bicycle, electric bicycle, electric moped, electric motorcycle, electric personal assistive mobility device as defined under MCL 257.660, or other vehicle necessary for those with mobility impairments.

Sec. 98-203. - Location restrictions.

(a) *Motor vehicle travel areas.* Mopeds and motorcycles shall be operated only upon the city streets and highways or other areas open to public motor vehicle travel in accordance with the Michigan Vehicle Code, Public Act No. 300 of 1949 (MCL 257.1 et seq., MSA 9.1801 et seq.). E-bikes and e-skateboards may be operated on public roads, shoulders, and bike lanes subject to applicable traffic laws.

(b) *Sidewalks, pathways, and trails.* Bicycles, Class 1 and 2 e-bikes, and E-skateboards are permitted on sidewalks, pathways, and trails unless otherwise posted. Motorcycles, mopeds, and class 3 E-bikes are prohibited on sidewalks, pathways, and trails.

(c) *Parking lots.* Motorcycles, mopeds, E-bikes, and E-skateboards shall not be operated in parking lots except for the sole purpose of normal ingress and egress.

(d) *Public property.*

(1) Bicycles, Class 1 and 2 E-bikes and E-skateboards are permitted on paved sidewalks and pathways and groomed trails on public property unless otherwise posted.

(2) Motorcycles, mopeds, and class 3 E-bikes shall not be operated upon any city property except in designated parking lots and for the sole purpose of normal ingress and egress, unless express written authorization from the city is granted.

(3) All vehicles regulated in this section are prohibited in dedicated conservation areas and green spaces.

(e) *Private property.* All vehicles regulated in this section shall not be operated upon any private property in violation of municipal trespassing codes.

Sec. 98-204. - Operator restrictions.

(a) *Compliance with state law.* Operators and passengers of any vehicle regulated in this section shall follow all applicable state laws including age restrictions and helmet usage.

(b) *Right-of-way.* Bicycles, Class 1 and 2 E-bikes and E-skateboards operating on sidewalks, pathways and trails shall yield the right-of-way to pedestrians, give an audible signal before overtaking, and maintain a speed safe and reasonable and proper for conditions.

(c) *Prohibitions.* Motorcycles, mopeds, E-bikes, and E-skateboards shall not be operated on public or private property in accordance with the following:

(1) While under the influence of alcohol, controlled substances, and/or intoxicating drugs;

(2) When ability to operate is visibly impaired due to alcohol and/or drug consumption;

(3) In a manner that obstructs public right-of-way, accessibility, fire lanes, entrances and/or exits;

(4) In willful or wanton disregard for the safety of persons, and/or property;

(5) In a careless or negligent manner likely to endanger any person and/or property;

(6) In a manner as to create excessive, unusual, or unnecessary noise;

(7) In any speed or acceleration contests, drag race, repeated circuits, or abrupt or violent acceleration, including acceleration which causes the front wheel to lose contact with the ground; or

(8) While carrying more passengers than the vehicle is designed and equipped by the manufacturer to carry.

Sec. 98-205. - Vehicle restrictions.

(a) *Muffler equipment.* Every internal combustion motorcycle or moped shall be equipped with an efficient muffler ensuring noise levels comparable to a private passenger automobile. A person shall not modify an exhaust system to amplify noise.

(b) *Electric powertrain tampering.* A person shall not modify an E-bike or E-skateboard in a manner that alters the motor wattage or speed capability beyond the statutory definitions set forth in Sec. 98-201, unless such vehicle is properly registered as a motor vehicle or motorcycle under state law.

Sec.98-206 - Violations.

(a) *In general.* All violations of this chapter shall be municipal civil infractions and upon a determination of responsibility shall be punishable by a civil fine of not more than $500.00.

(b) *Minors.* It shall be unlawful for the parent(s) and/or legal guardian(s) of a minor to knowingly permit, or by insufficient control allow the minor to violate any provision of this article. The parent(s) and/or legal guardian(s) shall be held responsible for the violations of the minor in accordance with (a) above.

Secs. 98-207—98-230. - Reserved.

Section 5. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word, and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by

a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected.

Section 6. Penalty. Except as otherwise provided therein, all violations of this ordinance shall be municipal civil infractions and upon a determination of responsibility therefore shall be punishable by a civil fine of $500.

Section 7. Repeal, Effective Date, Adoption.

(1) Repeal. All regulatory provisions contained in other City ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.

(2) Effective Date. This ordinance shall become effective on _____, 2026 following its publication in the Oakland Press on _____, 2026.

(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on _____, 2026.

_____

Bryan K. Barnett, Mayor

City of Rochester Hills

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF ROCHESTER HILLS AT A MEETING THEREOF ON _____, 2026.

_____

Leanne Scott, Clerk

City of Rochester Hills