

ORDINANCE 2026-11

AN ORDINANCE TO CREATE ARTICLE VI (BICYCLES, ELECTRIC BICYCLES, SCOOTERS, AND ELECTRIC SCOOTERS) OF CHAPTER 264 (VEHICLES AND TRAFFIC) OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN

Purpose: The purpose of this Ordinance is to promote the safe and lawful operation of bicycles, electric bicycles, scooters, and electric scooters upon public streets, sidewalks, trails, parks, parking lots, and other public property; to protect pedestrians and other lawful users of public ways; to reduce conflicts between users of public facilities; and to supplement applicable provisions of the Wisconsin Statutes.

The Village Board of the Village of Hobart, Brown County, Wisconsin, does ordain as follows:

Section 1: Article VI (Bicycles, Electric Bicycles, Scooters and Electric Scooters) of Chapter 264 (Vehicles and Traffic) is hereby created to read as follows:

§ 264-21. Purpose and Intent.

The purpose of this chapter is to promote the safe and lawful operation of bicycles, electric bicycles, scooters, and electric scooters upon public streets, sidewalks, trails, parks, parking lots, and other public property; to protect pedestrians and other lawful users of public ways; to reduce conflicts between users of public facilities; to reduce the risk and severity of injuries to minors through the use of appropriate protective equipment during operation; and to supplement applicable provisions of the Wisconsin Statutes. This chapter shall be construed to supplement, and not to conflict with, the Wisconsin Statutes. Nothing contained herein shall be interpreted as authorizing conduct prohibiting by state law.

§ 264-22. Applicability.

This chapter shall apply to the operation, use, and parking of bicycles, electric bicycles, scooters, and electric scooters on all public streets, highways, roadways, sidewalks, bicycle ways, trails, parks, parking lots open to public use, rights-of-way, and other public property within the Village of Hobart.

§ 264-23. Definitions.

A. State Law Definitions Adopted. The definitions contained in Wis. Stat. § 340.01 and any successor provisions are hereby adopted by reference and incorporated into this chapter.

B. Additional Definitions.

BICYCLE

Every vehicle propelled by feet or hands acting upon pedals or cranks and having wheels any 2 of which are not less than 14 inches in diameter.

ELECTRIC BICYCLE

A bicycle that is equipped with fully operative pedals for propulsion by human power and an electric motor of 750 watts or less and that meets the requirements of any of the following classifications:

- (1) Class 1 electric bicycle is an 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 the speed of 20 miles per hour.
- (2) Class 2 electric bicycle is an electric bicycle that may be powered solely by the motor and is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.
- (3) Class 3 electric bicycle is an 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 the speed of 28 miles per hour

ELECTRIC SCOOTER

A device weighing less than 100 pounds that has handlebars and an electric motor, is powered solely by the electric motor and human power, and has a maximum speed of not more than 20 miles per hour on a paved level surface when powered solely by the electric motor. "Electric scooter" does not include an electric personal assistive mobility device, motorcycle, motor bicycle, electric bicycle, or moped.

MOPED

Any of the following motor vehicles capable of speeds of not more than 30 miles per hour with a 150-pound rider on a dry, level, hard surface with no wind, excluding a tractor, a power source as an integral part of the vehicle and a seat for the operator, but not including a motor bicycle or electric bicycle:

- (1) A bicycle-type vehicle with fully operative pedals for propulsion by human power and an engine certified by the manufacturer at not more than 130 cubic centimeters or an equivalent power unit.
- (2) A motorcycle with an automatic transmission and an engine certified by the manufacturer at not more than 50 cubic centimeters or an equivalent power unit.

MOTORCYCLE

A motor vehicle originally manufactured with motive power, a seat or saddle requiring the rider to sit astride, not more than 3 wheels in contact with the ground, steering controlled by handlebars, and acceleration and braking controlled with handlebar and foot controls and that is capable of speeds in excess of 30 miles per hour.

MOTOR BICYCLE

A bicycle to which a power unit that is not an integral part of the vehicle has been added to permit the vehicle to travel at a speed of not more than 30 miles per hour with a 150-pound rider on a dry, level, hard surface with no wind and having a seat for the operator. "Motor bicycle" does not include an electric bicycle.

MOTOR VEHICLE

A vehicle, including a combination of 2 or more vehicles or an articulated vehicle, which is self-propelled, except a vehicle operated exclusively on a rail. "Motor vehicle" includes, without limitation, a commercial motor vehicle or a vehicle which is propelled by electric power obtained from overhead trolley wires but not operated on rails. A snowmobile, an all-terrain vehicle, a utility terrain vehicle, an electric scooter, and an electric personal assistive mobility device shall be considered motor vehicles only for purposes made specifically applicable by Wisconsin State Statute. "Motor vehicle" does not include an electric bicycle.

OPERATOR

Any person who rides, drives, or is in actual physical control of a bicycle, electric bicycle, scooter, or electric scooter. Coaster, skateboard, roller skates, sled, toboggan, unicycle, or toy vehicle upon which a person may ride.

PLAY VEHICLE

A coaster, skateboard, roller skates, sled, toboggan, unicycle, or toy vehicle upon which a person may ride, consistent with the definition set forth in Wis. Stat. § 340.01(43m), as amended from time to time. For purposes of this chapter, the term does not include a bicycle, electric bicycle, motor bicycle, moped, scooter, electric scooter, or any other device separately defined or regulated by this chapter or by the Wisconsin Statutes.

PUBLIC PROPERTY

Any street, highway, roadway, sidewalk, bicycle way, trail, park, parking lot, right-of-way, municipal facility, or other property owned, leased, maintained, controlled, or operated by the Village and open to public use.

PUBLIC TRAIL

Any bicycle path, shared-use path, recreational trail, park pathway, nature trail, or similar facility owned, maintained, controlled, or designated by the Village for public use.

§ 264-24. Adoption of Wisconsin Statutes.

A. Except as otherwise specifically provided herein, the provisions of Wis. Stat. §§ 340.01(15ph), 340.01(29m), 340.01(30), 346.77, 346.78, 346.79, 346.80, 346.803, 346.804, 346.805, 346.806, 346.94, 347.489, and all other applicable provisions of Chapters 340, 346, and 347 of the Wisconsin Statutes governing the definition, equipment, and operation of bicycles, electric bicycles, motor bicycles, mopeds, scooters, electric scooters, and similar devices, as amended from time to time, are hereby adopted by reference and made a part of this Code as though fully set forth herein.

B. Any act required to be performed or prohibited by the statutes adopted herein shall likewise be required or prohibited under this chapter.

§ 264-25. Helmet Requirement For Minors.

A. No person under sixteen (16) years of age may operate or ride as a passenger upon a bicycle, electric bicycle, scooter, or electric scooter upon any public street, sidewalk, trail, park, bicycle way, parking lot open to public use, or other public property unless wearing a properly fitted and securely fastened protective helmet meeting the standards established by the U.S. Consumer Product Safety Commission (16 C.F.R. Part 1203) or any successor federal safety standard.

B. No parent, guardian, or person having legal custody of a child under sixteen (16) years of age shall knowingly permit such child to operate or ride in violation of this section.

§ 264-26. Equipment Requirements.

A. No person shall operate a bicycle, electric bicycle, scooter, or electric scooter upon any public roadway, sidewalk, bicycle way, shared-use path, trail, park, parking lot open to public use, or other public property unless the device is equipped as required by applicable provisions of Chapters 346 and 347 of the Wisconsin Statutes, including but not limited to lighting, reflector, and braking requirements under Wis. Stat. § 347.489.

B. Class 3 electric bicycles shall be equipped with a speedometer that with reasonable accuracy registers the speed of the electric bicycle in miles per hour, consistent with Wis. Stat. § 347.489.

C. No person shall operate a bicycle, electric bicycle, scooter, or electric scooter upon any public property if the device is in such condition as to render its operation unsafe, including but not limited to:

- (1) Inoperative or ineffective brakes;
- (2) Defective or insecure steering components;
- (3) Tires that are flat, damaged, or otherwise unsafe for operation;
- (4) Required lighting or reflectors that are missing or inoperative; or
- (5) Any other mechanical defect that materially impairs the operator's ability to safely control or stop the device.

D. Nothing in this section shall be construed to authorize the operation of any device that fails to comply with applicable equipment requirements established by Wisconsin law.

§ 264-27. Passengers.

A. No operator shall carry any passenger upon a bicycle, electric bicycle, scooter, or electric scooter unless the device is specifically designed and equipped by the manufacturer for the transportation of passengers.

B. No passenger shall be carried in a manner contrary to the manufacturer's design or intended use.

§ 264-28. Modified, Misclassified, Or Unlawful Devices.

A. No person shall operate upon any public street, sidewalk, trail, park, parking lot open to public use, or other public property any bicycle, electric bicycle, scooter, or electric scooter that has been modified, altered, equipped, or operated in a manner that exceeds the performance limitations established by Wisconsin law for its classification.

B. Any device represented, marketed, labeled, sold, modified, or operated as an electric bicycle that does not meet the definition of an electric bicycle under Wis. Stat. § 340.01(15ph), as amended from time to time, shall not be considered an electric bicycle for purposes of this Code.

C. Any device described in subsection (B) shall be subject to all applicable provisions of Wisconsin law governing its actual classification, including but not limited to registration, titling, operator licensing, equipment requirements, insurance requirements, and operational restrictions, where applicable.

D. The determination of a device's classification shall be based upon its actual design, equipment, performance characteristics, and manner of operation, and not solely upon the manufacturer's description, advertising, labeling, or representations made by the owner or operator.

E. Nothing in this chapter shall be construed to authorize the operation of any motorcycle, motor bicycle, moped, motor vehicle, all-terrain vehicle, utility terrain vehicle, mini-bike, dirt bike, off-road motorcycle, or other motorized vehicle upon any sidewalk, trail, park, bicycle way, or other public property where prohibited by Wisconsin law or municipal ordinance.

§ 264-29. Operation on Roadways.

A. Operators shall comply with all applicable traffic laws and official traffic control devices.

B. Operators shall ride as near to the right-hand edge of the roadway as practicable except when:

- (1) Passing another vehicle;
- (2) Preparing for a lawful left turn;
- (3) Avoiding hazards;
- (4) Lane conditions make such positioning unsafe; or
- (5) Otherwise authorized by Wisconsin law.

C. Operators shall comply with all applicable Wisconsin statutory speed limitations governing the classification of the device being operated.

D. Operators shall at all times maintain reasonable control of their device and shall operate in a manner consistent with existing roadway, weather, traffic, and surface conditions.

§ 264-30. Operation on Sidewalks and Trails.

A. Bicycles, Class 1 electric bicycles, Class 2 electric bicycles, scooters, and electric scooters may be operated upon sidewalks and public trails unless prohibited by official signage, regulation, or lawful order of the Village Board or its designee.

B. Class 3 electric bicycles shall not be operated upon any sidewalk, public trail, shared-use path, park pathway, recreational trail, or other public property designated primarily for pedestrian or shared-use recreational purposes unless specifically authorized by official signage or designation of the Village Board, consistent with the restrictions authorized under Wis. Stat. § 349.18(4).

C. No operator shall unreasonably obstruct the normal use of a sidewalk, trail, bicycle way, or public pathway.

D. No operator shall operate a bicycle, electric bicycle, scooter, or electric scooter upon any sidewalk, trail, shared-use path, park pathway, or other public property at a speed greater than is reasonable and prudent under the conditions then existing, having regard for pedestrians, visibility, traffic, surface conditions, and other actual or potential hazards. In no event shall the speed on any sidewalk, public trail, shared-use path, or park pathway exceed 15 miles per hour unless a different speed is posted by official signage.

E. Operators shall reduce speed whenever necessary to safely approach, overtake, pass, or avoid pedestrians, children, animals, or other lawful users of public property.

F. Operators shall maintain a safe lateral distance while passing pedestrians and shall provide an audible warning whenever reasonably necessary to avoid a collision.

G. Pedestrians shall have the right-of-way upon sidewalks, trails, shared-use paths, and other pedestrian facilities. Operators shall yield the right-of-way and shall slow or stop when necessary to avoid endangering pedestrians.

§ 264-31. Reckless, Careless, Or Unsafe Operation Prohibited.

A. No person shall operate a bicycle, electric bicycle, scooter, or electric scooter in a careless, reckless, negligent, imprudent, or unsafe manner, or at a speed greater than is reasonable and prudent under the conditions then existing, so as to endanger or be likely to endanger any person or property.

B. In determining whether operation was unsafe, consideration may be given to all surrounding circumstances including, but not limited to:

- 1) Pedestrian density;
- 2) Traffic volume;
- 3) Weather;
- 4) Visibility;
- 5) Roadway or trail conditions;
- 6) Speed;
- 7) Proximity to intersections;

- 8) Operator control;
- 9) Any other circumstance affecting public safety

C. Examples of conduct constituting evidence of unsafe operation include, but are not limited to:

- 1) Weaving
- 2) Towing
- 3) Failing to yield
- 4) Excessive speed

D. Compliance with a posted or statutory speed limit shall not relieve an operator from the duty to reduce speed when necessary to avoid endangering persons or property.

E. The fact that an operator is traveling below a posted or statutory speed limit shall not constitute a defense to a violation of this section.

§ 264-32. Stunt Riding and Exhibitions of Speed and Acceleration.

A. No operator shall intentionally operate a bicycle, electric bicycle, scooter, or electric scooter in a manner that substantially interferes with the operator's ability to safely control the device or that unnecessarily endangers persons or property, including but not limited to wheelies, jumps, trick riding, drifting, acrobatic maneuvers, or similar exhibitions of skill.

B. No person shall operate a bicycle, electric bicycle, scooter, or electric scooter for the purpose of demonstrating speed, acceleration, or performance in a manner that endangers persons or property.

§ 264-33. Class 3 Electric Bicycles.

A. No person under sixteen (16) years of age may operate a Class 3 electric bicycle. A person under sixteen (16) years of age may ride as a passenger on a Class 3 electric bicycle that is designed and equipped by the manufacturer to accommodate passengers, consistent with Wis. Stat. § 346.806(4).

B. Class 3 electric bicycles shall not be operated upon any sidewalk, public trail, shared-use path, park pathway, recreational trail, or other public property designated primarily for pedestrian or shared-use recreational purposes unless specifically authorized by official signage or designation of the Village Board.

C. Class 3 electric bicycles may be operated upon public roadways in accordance with Wisconsin law and this chapter.

D. The restrictions in this section apply to the operation of a Class 3 electric bicycle whether or not the power unit is engaged, except that the Village Board may, by signage or designation, authorize limited operation with the power unit disengaged on specific facilities where appropriate for public safety.

§ 264-34. Authority to Restrict Operation.

The Village Board of Trustees, or its designee, may restrict, prohibit, or regulate the operation of bicycles, electric bicycles, scooters, or electric scooters upon designated public property, trails, parks, sidewalks, facilities, or other locations when necessary for public safety, maintenance, environmental protection, special events, or other legitimate governmental purposes.

§ 264-35. Parking and Obstruction.

No bicycle, electric bicycle, scooter, or electric scooter shall be parked or left standing in a manner that obstructs pedestrian travel, accessibility ramps, building entrances, fire lanes, sidewalks, trails, public pathways, or other public rights-of-way.

§ 264-36. Abandoned Property.

Any bicycle, electric bicycle, scooter, or electric scooter abandoned upon public property may be impounded and disposed of in accordance with Wisconsin law and departmental procedures governing abandoned or unclaimed property.

§ 264-37. Responsibility of Parents and Guardians.

A. No parent, guardian, or person having legal custody of a minor shall knowingly permit or authorize a violation of this chapter.

B. Additionally, this section shall be construed consistently with Wis. Stat. §346.77.

§ 264-38. Penalties.

A. Any person violating any provision of this chapter shall be subject to the penalties provided in the general penalty provisions of the Municipal Code.

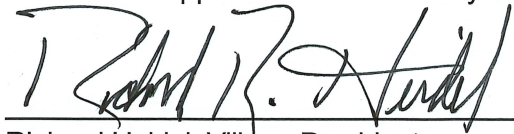
B. Each violation and each day a violation continues shall constitute a separate offense.

C. Nothing herein shall prohibit a law enforcement officer from issuing a warning in lieu of a citation when deemed appropriate under the circumstances.

Section 2: Any Ordinance or parts thereof, inconsistent herewith are hereby repealed.

Section 3: This Ordinance shall be effective from and after its passage by the Village Board and publication as required by law.

Passed and approved on this 18th day of August, 2026.



Richard Heidel, Village President

Attest:



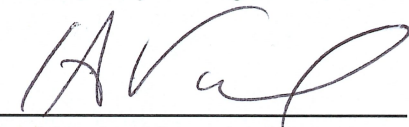
Aaron Kramer, Village Administrator

CERTIFICATION

The undersigned, being the duly appointed Clerk of the Board of the Village of Hobart, certifies that the aforementioned is the original ordinance adopted by the Village Board.

IN WITNESS WHEREOF, I have executed this Certificate in my official capacity on August 18, 2026.





Lisa Vanden Heuvel, Village Clerk