

## ITEM 5.5

### **CITY MANAGER'S REPORT MAY 11, 2026 CITY COUNCIL REGULAR MEETING**

**ITEM:** **PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE TO AMEND LATHROP MUNICIPAL CODE, TITLE 9 PEACE AND WELFARE, CHAPTER 9.28 BICYCLES USED IN VIOLATION OF THE CALIFORNIA VEHICLE CODE**

**RECOMMENDATION:** **City Council to Consider the following:**

- 1. Hold a Public Hearing**
- 2. Introduction and First Reading of an Ordinance of the City Council of the City of Lathrop to Amend Chapter 9.28 "Bicycles Used in Violation of the California Vehicle Code" of the Lathrop Municipal Code**

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#### **SUMMARY:**

Staff recommends Council adopt an Ordinance to amend Chapter 9.28 of the Lathrop Municipal Code by revising Sections 9.28.010 through 9.28.030 to include electric bicycles (e-bikes) and add Sections 9.28.040 and 9.28.050 to address evolving public safety concerns and provide specific enforcement authority related to electric bicycles (e-bikes), motorized scooters, motorized bicycles, pocket bikes, and similar devices. These amendments are intended to reduce unsafe operation, improve compliance with the California Vehicle Code, protect pedestrians and motorists, and provide law enforcement with clearer authority to address violations through appropriate enforcement actions, including citations and other legally authorized measures.

As the use of electric bicycles, motorized scooters, and other similar devices has increased, the City has received complaints of unsafe electric bicycle and motorized scooter riders, particularly on sidewalks, pedestrian pathways, and trails. The complaints include excessive speed, reckless riding, sidewalk obstruction, failure to wear helmets, and unlawful operation of the devices.

The proposed amendments provide additional education and enforcement options, allow first-time violators to complete an agency-approved safety course in lieu of penalties, and clarify usage restrictions on unsafe operation in pedestrian areas.

These amendments align with the City's commitment to safeguard pedestrians, riders, and motorists and encourage responsible use of electric bicycles, motorized scooters, and other similar devices through education and enforcement.

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**CHAPTER 9.28 BICYCLES USED IN VIOLATION OF THE CALIFORNIA VEHICLE**  
**CODE**

**BACKGROUND:**

Chapter 9.28 of the Lathrop Municipal Code currently provides authority for the impoundment and temporary prohibition of operation for bicycles used in violation of the California Vehicle Code.

As the use of electric bikes, scooters and similar devices continues to increase, additional enforcement measures are necessary to address repeated safety concerns and protect pedestrians using sidewalks, parks, and trails.

Residents have reported concerns involving:

- E-Bike and motorized scooter operators riding at speeds above 15 mph on sidewalks
- Near collisions between pedestrians and riders
- Motorized scooter riders operating without a helmet or driver's license/learner's permit
- Electric bikes, motorized bicycles and pocket bikes being operated on public pathways and trails
- Riders who repeatedly exhibit unsafe behaviors, where the issuance of a citation does not discourage the behaviors

Existing sections of the California Vehicle Code and the Lathrop Municipal Code do not prohibit bicyclists from riding on sidewalks or allow officers to impound motorized scooters and similar devices. These amendments will update enforcement authority to include prohibiting electric and motorized devices on pedestrian areas like sidewalks, pathways, and trails; provide an educational alternative to citations for first-time violators; and authorize impoundment of devices used by riders who repeatedly exhibit prohibited and unsafe behaviors.

**REASON FOR RECOMMENDATION:**

The recommended action is necessary to enhance public safety and address the increasing number of complaints and collisions involving the unsafe operation of bicycles, electric bicycles, motorized scooters, motorized bicycles, pocket bikes, and similar devices throughout the City. While Chapter 9.28 currently provides authority for impoundment and temporary prohibition of operation of traditional bicycles, additional provisions specifically addressing electric devices are needed to improve compliance and strengthen pedestrian protections.

**MAY 11, 2026 CITY COUNCIL REGULAR MEETING****PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER AN ORDINANCE TO AMEND LATHROP MUNICIPAL CODE, TITLE 9 PEACE AND WELFARE, CHAPTER 9.28 BICYCLES USED IN VIOLATION OF THE CALIFORNIA VEHICLE CODE**

The addition of Section 9.28.040 provides an educational alternative for first-time violators by allowing participation in an agency-approved bicycle, scooter, or traffic safety course in lieu of penalties or formal court proceedings. This approach promotes long-term compliance by emphasizing education and responsible operation rather than solely punitive enforcement.

The addition of Section 9.28.050 establishes restrictions on the operation of these devices on sidewalks, park pathways, trails, and other pedestrian areas where unsafe riding poses safety risks. These provisions are intended to reduce conflicts between riders and pedestrians, prevent injuries, and provide the Police Department with enforcement authority not provided by the California Vehicle Code.

Overall, these amendments support safer neighborhoods, improved quality of life, and proactive public safety efforts throughout the City of Lathrop.

**FISCAL IMPACT:**

Minimal fiscal impact is anticipated.

Implementation of these amendments will be managed through existing Police Department staffing and resources. Educational alternatives may reduce citation processing and improve compliance outcomes, while improved enforcement authority may reduce repeat service calls and enhance operational efficiency.

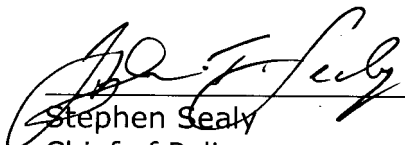
No additional General Fund appropriation is requested.

**ATTACHMENTS:**

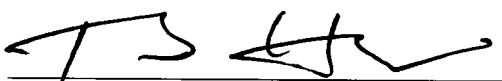
- A. Ordinance to Amend Lathrop Municipal Code (LMC) sections 9.28.010 through 9.28.030 and add sections 9.28.040 and 9.28.050 relating to enforcement alternatives and prohibited use of bicycles, electric bicycles, motorize scooters, motorized bicycles, pocket bikes, and similar devices.
- B. Recommended Amendments to Chapter 9.28

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**CODE**


**APPROVALS:**

  
\_\_\_\_\_  
Stephen Sealy  
Chief of Police

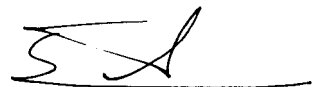
4/30/2026  
Date

 FOR C.S.  
\_\_\_\_\_  
Cari James  
Finance Director

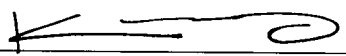
4/30/2024  
Date

  
\_\_\_\_\_  
Thomas Hedegard  
Deputy City Manager

4/30/2026  
Date

  
\_\_\_\_\_  
Salvador Navarrete  
City Attorney

4.30-2026  
Date

 FOR  
\_\_\_\_\_  
Stephen J. Salvatore  
City Manager

5.4.2026  
Date

**ORDINANCE NO. 26 -**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP TO AMEND LATHROP MUNICIPAL CODE (LMC) SECTIONS 9.28.010 THROUGH 9.28.030 AND ADD SECTIONS 9.28.040 AND 9.28.050 RELATING TO ENFORCEMENT ALTERNATIVES AND PROHIBITED USE OF BICYCLES, ELECTRIC BICYCLES, MOTORIZED SCOOTERS, MOTORIZED BICYCLES, POCKET BIKES, AND SIMILAR DEVICES**

**WHEREAS**, the City of Lathrop adopted Lathrop Municipal Code Chapter 9.28 regulating bicycles used in violation of the California Vehicle Code; and

**WHEREAS**, the City Council finds it necessary to update and expand Chapter 9.28 to reflect the increased use of electric bicycles, motorized scooters, motorized bicycles, pocket bikes, and similar devices within the City; and

**WHEREAS**, these devices are increasingly being operated on sidewalks, pedestrian pathways, parks, and other public areas in a manner that creates safety concerns for pedestrians and other users of public space; and

**WHEREAS**, the City has experienced ongoing concerns involving pedestrian safety, including conflicts between device operators and pedestrians, reckless riding, and unsafe speeds in residential and public spaces; and

**WHEREAS**, Chapter 9.28 requires updated definitions consistent with the California Vehicle Code to ensure proper enforcement and clarity; and

**WHEREAS**, the City Council finds it necessary to expand enforcement authority to include electric bicycles, motorized scooters, motorized bicycles, pocket bikes, and similar devices when used in violation of State law or City regulations; and

**WHEREAS**, the City Council further finds that educational alternatives for first-time offenders may promote compliance and reduce repeat violations; and

**WHEREAS**, these amendments will provide the Police Department with enhanced tools to enforce safe operation standards while encouraging education and voluntary compliance; and

**WHEREAS**, the City Council desires to establish clear prohibitions on unsafe operation of these devices on sidewalks and pedestrian pathways to protect public safety; and

**WHEREAS**, these amendments are intended to protect the health, safety, and welfare of residents, visitors, and pedestrians within the City of Lathrop.

**NOW THEREFORE, BE IT ORDAINED**, that the City Council of the City of Lathrop hereby AMEND Chapter 9.28 as Follows:

## Section 1. Amendment of LMC Chapter 9.28

Lathrop Municipal Code Chapter 9.28 is hereby amended in its entirety to read as follows:

### CHAPTER 9.28

#### BICYCLES, ELECTRIC BICYCLES, MOTORIZED SCOOTERS, MOTORIZED BICYCLES, POCKET BIKES, AND SIMILAR DEVICES USED IN VIOLATION OF THE CALIFORNIA VEHICLE CODE

##### **9.28.010. Definitions.**

"Bicycle" means a device upon which any person may ride, propelled exclusively by human power through a belt, chain, or gears, having one or more wheels. An electric bicycle is a bicycle.

"Electric bicycle" shall have the same meaning as provided in California Vehicle Code Section 312.5, as may be amended from time to time, and means a bicycle equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts.

"Motorized scooter" shall have the same meaning as provided in California Vehicle Code Section 407.5, as may be amended from time to time, and means any two-wheeled device with handlebars, a floorboard designed to be stood upon when riding, and powered by an electric motor.

"Motorized bicycle" shall have the same meaning as provided in California Vehicle Code Section 406, as may be amended from time to time.

"Pocket bike" means a miniature motorcycle or similar motor-driven device, whether gas-powered or electric-powered, designed to resemble a motorcycle and not manufactured for lawful operation on public streets or highways unless otherwise compliant with the California Vehicle Code.

"Similar device" means any wheeled transportation device powered by human power, electric power, or motorized propulsion that is substantially similar in operation to the devices identified in this Chapter.

##### **9.28.020. Bicycle, electric bicycle, motorized scooter, motorized bicycle, pocket bike, or similar device violations – Punishment.**

Where the provisions of the California Vehicle Code have been violated by any individual, the Chief of Police or their designee may prohibit the operation of a bicycle, electric bicycle, motorized scooter, motorized bicycle, pocket bike, or similar device used in such violation upon the streets, alleys, and public places in the City for a period not to exceed 30 days. Such bicycle, electric bicycle, motorized scooter, motorized bicycle, pocket bike, or similar device shall be impounded by the Chief of Police or their designee and retained during the period for which the operation is prohibited.

**9.28.030. Impounding authorized when.**

The Chief of Police or their designee may impound and retain possession of any bicycle, electric bicycle, motorized scooter, motorized bicycle, pocket bike, or similar device operated, parked or used in violation of any of the provisions of the California Vehicle Code or this Chapter, and may retain possession of any such bicycle, electric bicycle, motorized scooter, motorized bicycle, pocket bike, or similar device until criminal proceedings are completed or for a period not to exceed 30 days. The Chief of Police or their designee are hereby authorized to store any bicycles, electric bicycles, motorized scooters, motorized bicycles, pocket bikes, or similar devices impounded under this authority.

**9.28.040. Enforcement**

In lieu of the imposition of penalties authorized by this Title and/or the filing of charges in a court of competent jurisdiction, the Chief of Police or Chief of Police designee may allow a first-time violator of this Chapter to complete an agency-approved bicycle, electric bicycle, scooter, or traffic safety course, if and when such a program is available.

**9.28.050. Prohibited Use on Sidewalks to Interfere with Pedestrians**

No person shall ride or operate any bicycle, electric bicycle, motorized scooter, motorized bicycle, pocket bike, or similar device upon any sidewalk within the City in a manner that endangers the safety of any pedestrian or interferes with the reasonable use of the sidewalk by pedestrians. No person shall ride or operate any motorized scooter upon any sidewalk except as otherwise permitted by the California Vehicle Code. No person shall ride or operate any pocket bike upon any sidewalk, park pathway, trail, or other public pedestrian way within the City. The Chief of Police or their designee may enforce the provisions of this section consistent with this Chapter and applicable provisions of the California Vehicle Code.

Section 2. Severability.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more provisions may be declared invalid.

Section 3. Effective Date.

This ordinance shall take legal effect 30 days from and after the date of its passage.

Section 4. Publication.

Within fifteen days of the adoption of this Ordinance, the City clerk shall cause a copy of this Ordinance to be published in full accordance with Section 36933 of the Government Code.

**THIS ORDINANCE** was introduced at a regular meeting of the City Council of the City of Lathrop on the 11<sup>th</sup> day of May 2026, and was PASSED AND ADOPTED at a regular meeting of the City Council of the City of Lathrop on the \_\_\_\_ day of \_\_\_\_ 2026, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSENT:

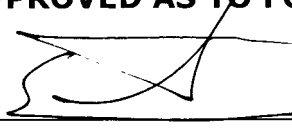
ABSTAIN:

\_\_\_\_\_  
PAUL AKINJO, Mayor

**ATTEST:**

\_\_\_\_\_  
Teresa Vargas, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Salvador Navarrete, City Attorney

**CHAPTER 9.28****BICYCLES, ELECTRIC BICYCLES, MOTORIZED SCOOTERS, MOTORIZED BICYCLES, POCKET BIKES, AND SIMILAR DEVICES USED IN VIOLATION OF THE CALIFORNIA VEHICLE CODE**

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**§ 9.28.030. Impounding authorized when.**

The Chief of Police or their designee may impound and retain possession of any bicycle, electric bicycle, motorized scooter, motorized bicycle, pocket bike, or similar device operated, parked or used in violation of any of the provisions of the California Vehicle Code or this Chapter, and may retain possession of any such bicycle, electric bicycle, motorized scooter, motorized bicycle, pocket bike, or similar device until criminal proceedings are completed or for a period not to exceed 30 days. The Chief of Police or their designee are hereby authorized to store any bicycles, electric bicycles, motorized scooters, motorized bicycles, pocket bikes, or similar devices impounded under this authority.

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**§ 9.28.040. Enforcement.**

In lieu of the imposition of the penalties authorized by this Title and/or the filing of charges in a court of competent jurisdiction, the Chief of Police or Chief of Police designee may allow a first-time violator of this Chapter to complete an agency-approved bicycle, electric bicycle, scooter, or traffic safety course, if and when such a program is available.

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**§ 9.28.050. Prohibited use on sidewalks to interfere with pedestrians.**

No person shall ride or operate any bicycle, electric bicycle, motorized scooter, motorized bicycle, pocket bike, or similar device upon any sidewalk within the City in a manner that endangers the safety of any pedestrian or interferes with the reasonable use of the sidewalk by pedestrians.

No person shall ride or operate any motorized scooter upon any sidewalk except as otherwise permitted by the California Vehicle Code.

No person shall ride or operate any pocket bike upon any sidewalk, park pathway, trail, or other public pedestrian way within the City.

The Chief of Police or their designee may enforce the provisions of this section consistent with this Chapter and applicable provisions of the California Vehicle Code.