



51 TRAILS mapS. The substitution of maps and incorporation thereof by reference shall  
52 not necessitate re-adoption of this chapter.

53

54 12.08.140 Regulations relating to TRAILS ~~riverfront trails~~, lands and waters.

55

56 (b) No person shall:

57 (1) Operate any motor vehicle OR OTHER POWER DRIVEN MOBILITY DEVICE(S)  
58 (OPDMD) on any ~~of the riverfront~~ CITY trail(s) or land(s) ~~of the riverfront~~ AS THOSE  
59 ARE DEPICTED AND DESCRIBED ON THE "TRAILS MAP(S)" except MAINTENANCE  
60 OR EMERGENCY VEHICLE(S) OR as may be authorized by the City or by signs AND  
61 ~~or~~ except for A "COMMON WHEELCHAIR" WHICH IS DEFINED AS A MANUALLY  
62 OPERATED OR POWER DRIVEN DEVICE DESIGNED PRIMARILY FOR USE BY A  
63 PERSON WITH A MOBILITY DISABILITY FOR THE PURPOSE OF INDOOR, OR OF  
64 BOTH INDOOR AND OUTDOOR LOCOMOTION. AN ELECTRIC MOTORIZED  
65 SCOOTER/POWER CHAIR MEETS THIS DEFINITION, PROVIDED IT MEETS  
66 SECTION 37.3 OF THE U.S. DEPARTMENT OF TRANSPORTATION'S  
67 REGULATIONS IMPLEMENTING THE ADA (49 CFR PARTS 27, 37, AND 38).

68

69 AN OPDMD IS DEFINED AS ANY MOBILITY DEVICE POWERED BY BATTERIES,  
70 FUEL, OR OTHER ENGINE(S), WHETHER OR NOT DESIGNED PRIMARILY FOR  
71 USE BY PERSONS WITH MOBILITY DISABILITIES THAT IS USED BY PERSONS  
72 WITH MOBILITY DISABILITIES FOR THE PURPOSE OF LOCOMOTION, INCLUDING  
73 GOLF CARS, ELECTRIC PERSONAL ASSISTANCE MOBILITY DEVICES (EPAMDS),  
74 SUCH AS THE SEGWAY PT® OR ANY MOBILITY DEVICE DESIGNED TO OPERATE  
75 IN AREAS WITHOUT DEFINED PEDESTRIAN ROUTES, BUT THAT IS NOT A  
76 COMMON WHEELCHAIR WITHIN THE MEANING OF THIS SECTION.

77

78 ~~motorized wheelchairs, maintenance or emergency vehicles.~~ Motor vehicle shall be as  
79 defined in § 42-1-101, 42-1-102(58) C.R.S. et seq. EPAMDS SHALL BE AS DEFINED  
80 IN §42-1-102(28.7).

81

82 (C) WITH THE EXCEPTION OF A COMMON WHEELCHAIR, AN ELECTRIC  
83 MOTORIZED SCOOTER AND CLASS I AND CLASS II E-BIKES, NO MOTOR  
84 VEHICLE OR OPDMD IS ALLOWED ON THE TRAILS, AS THE SAME ARE  
85 DEPICTED AND DESCRIBED BY ORDINANCE 2606 AND THESE ADOPTED  
86 REGULATIONS.

87

88 (1) A CLASS I ELECTRICAL ASSISTED BICYCLE OR LOW-SPEED PEDAL-  
89 ASSIST ELECTRIC BICYCLE IS A TWO-WHEELED BICYCLE EQUIPPED  
90 WITH A MOTOR THAT PROVIDES ASSISTANCE ONLY WHEN THE RIDER  
91 IS PEDALING, AND THAT CEASES TO PROVIDE ASSISTANCE WHEN  
92 THE BICYCLE REACHES THE SPEED OF 20 MILES PER HOUR. A  
93 CLASS I ELECTRICAL ASSISTED BICYCLE MOTOR SHALL NOT EXCEED  
94 750 WATTS OF POWER;

95

96 (2) A CLASS II ELECTRICAL ASSISTED BICYCLE OR LOW-SPEED  
97 THROTTLE-ASSISTED ELECTRIC BICYCLE IS A BICYCLE EQUIPPED

98 WITH A MOTOR THAT MAY BE USED EXCLUSIVELY TO PROPEL THE  
99 BICYCLE AND IS NOT CAPABLE OF PROVIDING ASSISTANCE WHEN  
100 THE BICYCLE REACHES THE SPEED OF 20 MILES PER HOUR;

101  
102 (3) A CLASS III ELECTRICAL ASSISTED BICYCLE IS A BICYCLE EQUIPPED  
103 WITH A MOTOR THAT PROVIDES ASSISTANCE ONLY WHEN THE RIDER  
104 IS PEDALING AND THAT CEASES TO PROVIDE ASSISTANCE WHEN  
105 THE BICYCLE REACHES A SPEED OF 28 MILES PER HOUR.

106  
107 (A) CLASS III ELECTRICAL ASSISTED BICYCLES ARE ALLOWED  
108 ONLY ON STREETS/BIKE LANES ADJACENT TO STREETS (NOT  
109 TRAILS, PATHS OR SIDEWALKS.)

110  
111 (B) CLASS III ELECTRICAL ASSISTED BICYCLES MAY NOT BE  
112 OPERATED BY A PERSON UNDER 16 YEARS OF AGE; A PERSON  
113 UNDER 16 YEARS OF AGE MAY RIDE AS A PASSENGER ON A  
114 CLASS III ELECTRICAL ASSISTED BICYCLE THAT IS  
115 MANUFACTURED TO ACCOMMODATE A PASSENGER(S).

116  
117 (4) ANY PERSON UNDER 18 YEARS OF AGE RIDING OR A PASSENGER ON  
118 A CLASS III ELECTRICAL ASSISTED BICYCLE SHALL WEAR AN  
119 AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM) OR  
120 UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION  
121 (USCPS) APPROVED HELMET OF A TYPE AND DESIGN MANUFACTUED  
122 FOR USE BY RIDERS OF BICYCLES. THE PROTECTIVE HELMET SHALL  
123 BE PROPERLY SECURED ON THE PERSON'S HEAD WITH THE STRAP  
124 FASTENED WHILE THE CLASS III ELECTRICAL ASSISTED BICYCLE IS IN  
125 MOTION.

126  
127 (5) NO PERSON SHALL OPERATE AN ELECTRICAL ASSISTED BICYCLE IN  
128 ANY PLACE WHERE THERE ARE ONE OR MORE SIGNS POSTED  
129 PROHIBITING SUCH ACTIVITY. NO PERSON SHALL OPERATE AN  
130 ELECTRICAL ASSISTED BICYCLE IN ANY PUBLIC PLACE IN A MANNER  
131 WHICH CAUSES INJURY TO ANY PERSON OR DAMAGE TO PUBLIC OR  
132 PRIVATE PROPERTY.

133  
134 (6) A PERSON USING AN ELECTRICAL ASSISTED BICYCLE IN ANY PUBLIC  
135 PLACE WITHIN THE CITY SHALL USE THE SAME IN A CAREFUL AND  
136 PRUDENT MANNER AND AT A RATE OF SPEED NO GREATER THAN IS  
137 REASONABLE AND PRUDENT UNDER THE CONDITIONS EXISTING AT  
138 THE PLACE AND TIME OF OPERATION, TAKING INTO ACCOUNT THE  
139 AMOUNT AND CHARACTER OF PEDESTRIAN TRAFFIC, GRADE AND  
140 WIDTH OF THE PATH, TRAIL OR RIGHT-OF-WAY AND CONDITION OF

141 THE SURFACE THEREOF AND SHALL OBEY ALL TRAFFIC CONTROL  
142 DEVICES.

143  
144 (7) EVERY PERSON RIDING AN ELECTRICAL ASSISTED BICYCLE UPON A  
145 PUBLIC PATH, TRAIL OR OTHER RIGHT-OF-WAY SHALL YIELD THE  
146 RIGHT-OF-WAY TO ANY PEDESTRIAN THEREON.

147  
148 (8) TO THE EXTENT NOT INCONSISTENT HEREWITH, HOUSE BILL 17-1151  
149 AMENDING VARIOUS SECTIONS OF THE COLORADO REVISED  
150 STATUTES IS INCORPORATED BY THIS REFERENCE.

151  
152 (9) WITHIN SIXTY DAYS OF THE THIRD ANNIVERSARY OF THE ADOPTION  
153 OF THIS ORDINANCE THE CITY COUNCIL SHALL CONSIDER THE  
154 EFFECTIVENESS OF THE ORDINANCE AT ACHIEVING ITS STATED  
155 PURPOSES. WITHOUT FURTHER ACTION BY THE CITY COUNCIL, THE  
156 TERMS AND PROVISIONS OF THIS ORDINANCE SHALL EXPIRE ON THE  
157 THIRD ANNIVERSARY OF THE EFFECTIVE DATE HEREOF. THE CITY  
158 COUNCIL MAY DETERMINE THAT THE ORDINANCE IS EFFECTIVE AS  
159 WRITTEN AND REINSTATE IT OR MAY AMEND IT AS IT DETERMINES IN  
160 ITS SOUND DISCRETION.

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163  
164 Introduced on first reading this 17<sup>th</sup> day of January 2018.

165  
166  
167 PASSED and ADOPTED this \_\_\_ day of February 2018.

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169  
170 \_\_\_\_\_  
171 J. Merrick Taggart  
172 Mayor and President of the City Council

173  
174 ATTEST:

175  
176  
177 \_\_\_\_\_  
178 Wanda Winkelmann  
179 City Clerk