

Scooter Laws

Clarifications on laws and regulations with Motorized Bicycles/Motor Scooters

The Police Department is receiving calls again in regards to the laws on motorized scooters. These have become very popular across the country, and are being sold at many locations in Grand Forks. There has been much confusion on what laws these fall under, so after conferring with the DMV in Bismarck, the local Highway Patrol, the city prosecutor, and reviewing the city ordinances, the following has been determined:

Street Legal:

-The scooters that have seats fall under the motorized bicycle definition. As long as they are under 50 cc's, they only have to have a headlight, taillight, and brakes to make them street legal. (8-1208) (If over 50 cc's, they fall under a motorcycle and must meet all motorcycle requirements.)

-If they are street legal, the driver must have a valid Driver's License or Permit (at least 14 years old), the vehicle has to be registered and insured, and if the driver is under 18 they must wear a motorcycle helmet, and are subject to all the traffic regulations. In order to be registered, they need to have a certificate of origin or a title, and then must be inspected by the ND Highway Patrol.

-They cannot be used on sidewalks or bike paths.

Not Street Legal:

-The motorized scooters that don't have seats, and those that don't have the proper equipment as listed above, **are not street legal.**

-These fall under the definition of recreational motor vehicles. **Therefore, these cannot be used in the city of Grand Forks, except for on the person's own private property or the private property of another with that person's consent. They cannot be used on public sidewalks, walkways or trails provided or used for pedestrian travel or bike paths. (8-1201)**

The following is directly from the Grand Forks Municipal Ordinances, and addresses laws that deal specifically with motor scooters:

(15) **Motor vehicle** shall include every vehicle which is self-propelled.

(17) **Motorized bicycle** shall mean a vehicle equipped with two (2) or three (3) wheels, foot pedals to permit muscular propulsion or footrests for use by the operator, a power source providing up to a maximum of two-brake horsepower having a maximum piston or rotor displacement of three and five hundredths (3.05) cubic inches (forty-nine and ninety-eight hundredths (49.98) milliliters) if a combustion engine is used, which will propel the vehicle, unassisted, at a speed not to exceed thirty (30) miles (forty-eight and twenty-nine hundredths (48.29) kilometers) per hour on a level road surface, and a power drive system that functions directly or automatically only, not requiring clutching or shifting by the operator after the drive system is engaged, and the vehicle may not have a width greater than thirty-two (32) inches (eighty-one and twenty-eight hundredths (81.28) centimeters).

(28) **Recreational motor vehicle** shall mean every vehicle which is self-propelled, upon, in, or by which any person or property may be transported and is designed for use for recreational purposes including but not limited to snowmobiles, motorcycles, **motor scooters**, trail bikes, other all-terrain vehicles, four-wheel drive motor vehicles, or **any other motor vehicle licensed or unlicensed, and used for recreational purposes.**

(52) **Vehicle** shall include every device in, or by which, any person or property may be transported or drawn upon a public roadway, whether powered mechanically, humanly, or otherwise.

8-1201. Use of recreational motor vehicles

It shall be unlawful for any person to operate a **recreational motor vehicle**, except as otherwise provided by this article, within the corporate limits of the City of Grand Forks, as follows:

- (1) On the private property of another without lawful authority or consent of the owner or the occupant, express or implied.
 - (2) **On public sidewalks, walkways or trails provided or used for pedestrian travel.**
 - (3) On or across any publicly owned lands, including but not limited to dikes, levees, parks, ice skating rinks, school grounds, recreational areas and playgrounds, unless a permit has been obtained from the proper public authorities, or unless such areas have been specifically designated for such use, nor shall such **vehicles** park on such areas unless a permit has been obtained from the proper public authorities.
 - (4) At any place while under the influence of intoxicating liquor or narcotics or habit forming drugs in violation of section 8-0202.
 - (5) In such a manner as to create or cause unnecessary engine noise or tire squeal, or that causes the tires to spin or slide upon the acceleration or stopping of said **vehicle**, or that causes the **vehicle** to unnecessarily turn abruptly or sway from side to side, or to operate said **vehicle** in such a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto.
 - (6) In any cemetery
 - (7) On any golf course, with the exception of any **vehicle** authorized by the park board.
 - (8) In any planting or tree nursery in a manner which damages or destroys growing stock.
 - (9) Unless equipped with a standard muffler or mufflers which are properly attached and which reduce the noise of operation of such **vehicle** to a noise level which shall not be a disturbance to residents of the area of operation and no person shall use a muffler cut-out, by-pass or similar device on said **vehicle**.
 - (10) The provisions of this section shall not apply to the use of any **recreational motor vehicle** by, or at the direction of, a law enforcement agency.
- (Ord. No. 3545, § 2, 9-18-95; Ord. No. 3833, § I, 1-3-2000)

8-1108. Operation of motor vehicles on bike paths prohibited.

No person shall operate any motor vehicle on or along any such **bike paths** which are so designated and posted, "**bike path**," by the City of Grand Forks. This section shall not apply to emergency and police vehicles or maintenance vehicles while on official duties, or motor vehicles crossing at a permanent or temporary driveway. For purposes of this section, the term "motor vehicle" shall include but not be limited to snowmobiles, go-carts, **mopeds, mini-bikes, and any and all conveyances driven by a motor.**

(Ord. No. 3545, § 2, 9-18-95)

8-302. Operation of motor vehicles by unqualified persons prohibited.

- (1) The driving or operating of **motor vehicles** within the city limits of Grand Forks by any person not qualified under the laws of the State of North Dakota is prohibited.
 - (2) No person shall authorize or knowingly permit a **motor vehicle** owned by such person or under such person's control to be driven within the city limits of Grand Forks by any person not authorized under the laws of the State of North Dakota to operate a **motor vehicle**, nor shall the parent or guardian of any minor not qualified under the laws of the State of North Dakota permit such minor to drive or operate a **motor vehicle** within the city limits of Grand Forks.
- (Ord. No. 3545, § 2, 9-18-95)

8-1204. Qualifications of operator-motorized bicycle.

No person shall operate a **motorized bicycle** within the City of Grand Forks unless such person is a holder of a valid North Dakota driver's license or a holder of a permit to operate a **motorized bicycle** pursuant to Section 39-06-14 of the North Dakota Century Code.

(Ord. No. 3545, § 2, 9-18-95; Ord. No. 3557, § 6, 1-2-96)

8-1205. Traffic laws applicable to motorized bicycle operator.

- (1) Every person operating a **motorized bicycle** shall be granted all the rights and shall be subject to all of the traffic regulations applicable to the driver of any motor vehicle and special regulations as set forth in this chapter and the North

Dakota Century Code.

(2) **Motorized bicycles** shall not be operated on sidewalks and/or bike paths.

(Ord. No. 3545, § 2, 9-18-95; Ord. No. 3557, § 6, 1-2-96)

8-1206. Riding on motorized bicycles.

A person operating a **motorized bicycle** shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any person nor shall any other person ride on a **motorized bicycle** unless such **motorized bicycle** is designed to carry more than one (1) person, in which event a passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the **motorized bicycle** at the rear of the operator.

(Ord. No. 3545, § 2, 9-18-95; Ord. No. 3557, § 6, 1-2-96)

8-1210. License required.

No person shall ride upon any street, alley, or public place, in the corporate city limits unless the **motorized bicycle** shall be licensed and registered as required by state law.

(Ord. No. 3545, § 2, 9-18-95; Ord. No. 3557, § 6, 1-2-96)

8-1211. Permitting unauthorized person to drive.

It shall be unlawful for any parent, guardian, or other person having legal custody of any minor child to allow or permit such child to operate a **motorized bicycle** within the City of Grand Forks unless such child shall be holder of a valid North Dakota driver's license or the holder of a valid permit to operate a **motorized bicycle** pursuant to Section 39-06-14 of the North Dakota Century Code.

(Ord. No. 3545, § 2, 9-18-95; Ord. No. 3557, § 6, 1-2-96)

8-1207. Footrests required

(1) Any **motorized bicycle** carrying a passenger shall be equipped with footrests for such passenger.

(2) A person shall ride upon a **motorized bicycle** only while sitting astride the seat facing forward, with one (1) leg on each side of the **motorized bicycle**.

(3) No person shall operate a **motorized bicycle** while carrying any package, bundle, or other article, which prevents the operator from keeping both hands on the handlebars.

(4) No person shall ride a **motorized bicycle** more than two (2) abreast in a single traffic lane.

(5) No person riding upon a **motorized bicycle** shall attach himself or herself to another **motorized bicycle** or a motor vehicle.

(Ord. No. 3545, § 2, 9-18-95; Ord. No. 3557, § 6, 1-2-96)

8-1208. Lamp and equipment required.

(1) Every **motorized bicycle** when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet (one hundred fifty-two and four tenths (152.4) meters) to the front and with a lamp emitting a red light visible from a distance of five hundred (500) feet (one hundred fifty-two and four tenths (152.4) meters) to the rear.

(2) Every **motorized bicycle** shall be equipped with brakes which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

(Ord. No. 3545, § 2, 9-18-95; Ord. No. 3557, § 6, 1-2-96)

8-1209. Helmets required.

No person under the age of eighteen (18) years shall operate or ride upon a **motorized bicycle** unless protective headgear, which complies with standards for protective headgear required of motorcycle riders established by the motor vehicle department of the State of North Dakota, is being worn on the head of the operator and rider, except when participating in a lawful parade. If the operator of the **motorized bicycle** is required to wear protective headgear, any passenger must also wear protective headgear regardless of the age of the passenger.

(Ord. No. 3545, § 2, 9-18-95; Ord. No. 3557, § 6, 1-2-96)