

ORDINANCE NO. 2026-1648

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AMENDING GOODYEAR CITY CODE, CHAPTER 13, TRAFFIC TO ENACT A NEW ARTICLE, 13-7, TITLED E-BIKE / E-SCOOTER REGULATIONS.

WHEREAS, the Mayor and Council of the City of Goodyear, Arizona find it necessary to provide for the regulation of electric bicycles, electric stand-up scooters and electric miniature scooters, to establish safety guidelines for protective equipment to minimize injury;

WHEREAS, in the interest of protecting the safety of pedestrians and operators of motor vehicles, these regulations are necessary to establish regulations for the safe operation of electric bicycles and scooters within the City of Goodyear, Arizona; and

WHEREAS, the Mayor and Council of the City of Goodyear, Arizona find that the interests of the City of Goodyear and its citizens are best served by the adoption of the proposed City of Goodyear Code Amendment to establish the proposed regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. DECLARATION OF PUBLIC RECORDS

That certain document titled "Amendment to Goodyear City Code, Chapter 13, Traffic to Enact a New Article 13-7, E-Bike / E-Scooter Regulations," a copy of which is attached hereto as Exhibit A and is hereby declared a public record and incorporated herein by this reference.

Either three paper copies or one paper copy and one electronic copy maintained in compliance with section A.R.S. 44-7041 of each of the aforementioned documents being declared public records herein are ordered to remain on file with the City Clerk and to be available for public use and inspection during regular business hours.

SECTION 2. AMENDMENT TO GOODYEAR CITY CODE CHAPTER 13

Goodyear City Code, Chapter 13, Traffic is hereby amended to enact a new Article, 13-7, E-Bike / E-Scooter Regulations, pursuant to Exhibit A, attached hereto and declared as a public record.

SECTION 3. CORRECTIONS

The City Clerk, and the codifiers of this Ordinance are authorized to make necessary clerical corrections to this Ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 4. SEVERABILITY

If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of the Ordinance or parts thereof.

SECTION 4. VIOLATIONS AND PENALTIES

(A) Notwithstanding the provisions of subsection (B), any person who is found responsible for a violation of Goodyear City Code Article 13-7, whether by admission, default, or after a hearing, shall be issued a civil sanction as follows:

(1) *First violation.* A person found responsible for a violation of this Article, without being held responsible for any other violations of this Article within the prior twelve months, shall be responsible for a civil offense and fined a penalty of fifty dollars (\$50.00) per violation of this Article.

(2) *Second violation.* A person found responsible for a second violation of this Article within twelve months of being held responsible for a violation of this Article, shall be fined two hundred and fifty dollars (\$250.00) per violation of this Article.

(3) *Third violation.* A person found responsible for a third violation of this Article within twelve months of being held responsible for two prior violations of this Article shall be fined a penalty of five hundred dollars (\$500.00) per violation of this Article.

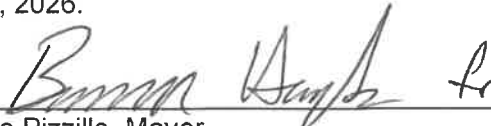
(B) Any person found guilty for a violation of §13-7-10 or §13-7-11 is guilty of a class 1 misdemeanor.

SECTION 4. EFFECTIVE DATE

This Ordinance shall become effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a ~~6-0~~ vote, this 27th day of April, 2026.

6-0


Joe Pizzillo, Mayor

Date: 4/27/26

ATTEST:


Jasmine Pernicano, City Clerk

APPROVED AS TO FORM:


Roric Massey, City Attorney



EXHIBIT A
AMENDMENT TO GOODYEAR CITY CODE, CHAPTER 13, TRAFFIC, TO ENACT A
NEW ARTICLE 13-7, E-BIKE / E-SCOOTER REGULATIONS

GOODYEAR CHAPTER 13, TRAFFIC, IS HEREBY AMENDED TO ENACT A NEW ARTICLE 13-7, TO READ AS FOLLOWS:

CHAPTER 13
TRAFFIC

Articles:

- 13-1 Administration**
- 13-2 Traffic Control**
- 13-3 Standing and Parking**
- 13-4 Street Repairs**
- 13-5 Motorized Skateboards**
- 13-6 Shared Mobility Devices**
- 13-7 E-BIKE / E-SCOOTER REGULATIONS**

§13-7-1 Purpose and definitions.

Purpose. To provide for the regulation of electric bicycles, motorized bicycles, electric stand-up scooters, and electric miniature scooters, and establish safety guidelines for protective equipment to minimize injury.

Definitions. Whenever any words or phrases used in this article are not defined in this article, but are defined in Title 28, Arizona Revised Statutes, as amended, such definitions shall apply to the words and phrases used herein.

BICYCLE means any two-wheeled vehicle having a tandem arrangement of the wheels and having cranks, levers, or pedals for its propulsion by the feet.

ELECTRIC BICYCLE means the definition in A.R.S. § 28-101.

ELECTRIC MINIATURE SCOOTER means the definition in A.R.S. § 28-101.

ELECTRIC STAND-UP SCOOTER means the definition in A.R.S. § 28-101.

MOTORIZED BICYCLE means the definition in A.R.S. § 28-101 and § 28-2516.

RIDER means any person operating, or in actual physical control of, an electric bicycle, electric stand-up scooter, electric miniature scooter, or shared mobility device on a right-of-way.

RIGHT-OF-WAY means a public roadway, highway, street, sidewalk, alley or utility easement. Right-of-way does not include a Federal Interstate Highway, a state highway

or state route under the jurisdiction of the Arizona Department of Transportation, county-owned highway, a private easement, property that is owned by a special taxing district, or a utility easement.

ROADWAY means that portion of a road that is improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder.

SHARED MOBILITY DEVICE means a self-propelled device that has a motor, gas or electric, a deck or seat on which a person may ride and at least two tandem wheels in contact with the ground, as defined in A.R.S. Title 28, as a "Class 1 electric bicycle," "Class 2 electric bicycle," or "electric stand up scooter" and is leased or rented by shared transportation company to an operator for monetary exchange from time to time.

SIDEWALK means the portion of a street that is between the curb lines or the lateral lines of a roadway and the adjacent property lines and that is intended for the use of pedestrians.

§13-7-2 Applicability of Laws.

(A) Every person riding an electric bicycle, electric stand-up scooter, or electric miniature scooter upon a roadway, on a shoulder adjoining a roadway, in a public parking lot, or other public vehicular right-of-way in the City, shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this State declaring rules of the road applicable to vehicles.

(B) Every person riding an electric bicycle, electric stand-up scooter, or electric miniature scooter in the City is granted all the rights and privileges and shall be subject to all the duties of a person riding a bicycle in accordance with Arizona Revised Statutes (as amended). Except as otherwise provided in this article, an electric bicycle or an electric stand-up scooter is subject to the same provisions of A.R.S. Title 28 as a bicycle.

§13-7-3 Age Requirements.

(A) No person may operate a Class 3 electric bicycle, as defined by A.R.S. § 28-101(28)(c), who is less than sixteen years old.

(B) No person may operate a Class 1 or 2 electric bicycle, as defined by A.R.S. § 28-101(28)(a) and (b), who is less than fourteen years old.

(C) No person may operate an electric stand-up scooter who is less than twelve years old.

(D) Passengers on e-bicycles, e-scooters and motorized bicycles are prohibited when the operator is under the age of 16.

§13-7-4 Adherence to Speed Limits and Exercising Reasonable Care.

(A) A person who uses, operates, or rides an electric bicycle, electric stand-up scooter, or electric miniature scooter on any public property, or private property open to public use, shall obey all posted speed limits. Notwithstanding any posted speed limit, no person shall use, operate, or ride an electric bicycle, electric stand-up scooter, or electric miniature scooter at a speed greater than is reasonable and prudent under the circumstances, conditions, and actual and potential hazards then existing.

(B) A person who uses, operates, or rides an electric bicycle, electric stand-up scooter, or electric miniature scooter on any public property, or private property open to public use, shall control the speed of the electric bicycle or electric stand-up scooter as necessary to avoid colliding with any object, person, vehicle, or other conveyance in compliance with legal requirements and the duty of all people to exercise reasonable care for the protection of others.

§13-7-5 Obedience to Traffic Control Devices.

(A) Any person operating or riding on an electric bicycle, electric stand-up scooter, or electric miniature scooter shall obey the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles unless otherwise directed by a police officer.

§13-7-6 Riding on Roadways and Bicycle Paths.

(A) The operator of an electric bicycle, electric stand-up scooter, or electric miniature scooter upon a roadway, shall ride as near as practicable to the right-hand side of the roadway, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(B) The operator of an electric bicycle, electric stand-up scooter, or electric miniature scooter upon a roadway shall not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles.

(C) Wherever a bicycle lane is present upon a roadway, the operator of an electric bicycle, electric stand-up scooter, or electric miniature scooter shall use the bicycle lane, except that the operator shall not be required to use or remain in a bicycle lane:

- (1) When the bicycle lane is of insufficient width to permit safe electric bicycle, electric stand-up scooter, or electric miniature scooter operation;
- (2) When the condition of the bicycle lane, including hazards then existing, prevents safe electric bicycle, electric stand-up scooter, or electric miniature scooter operation; or

(3) When moving into position to make a left turn.

(D) When a bicycle lane is not present, or when an exception exists as outlined in subsection (A) above which prevents the use of the bicycle lane, an electric bicycle, electric stand-up scooter, or electric miniature scooter may be operated on the portion of a roadway used normally for vehicle traffic, subject to the following:

(1) No person shall operate an electric stand-up scooter or electric miniature scooter on the roadway if the posted speed limit is greater than twenty-five miles per hour.

(2) A person riding an electric bicycle, electric stand-up scooter, or electric miniature scooter device on a roadway shall ride as close as practicable to the right-hand curb or edge of the roadway, except under any of the following situations:

(a) If overtaking and passing another bicycle, electric bicycle, electric stand-up scooter, electric miniature scooter, or vehicle proceeding in the same direction; or

(b) If preparing for a left turn at an intersection or into a private road or driveway; or

(c) If reasonably necessary to avoid hazards then existing; or

(d) If the lane in which the person is operating the electric bicycle, electric stand-up scooter, or electric miniature scooter is too narrow for an electric bicycle, electric stand-up scooter, or electric miniature scooter and a vehicle to travel safely side-by-side within the lane.

§13-7-7 Riding upon sidewalks and crosswalks.

(A) An electric miniature scooter may be operated within a crosswalk, except where prohibited by official traffic control devices or when it is unsafe, in which case the operator of an electric miniature scooter must dismount and walk the electric miniature scooter to an area where safe riding may resume.

(B) An operator of an electric miniature scooter may use the sidewalk when no bike lane is present and if the road speed is greater than 25 MPH.

(C) An operator of an electric miniature scooter riding upon a sidewalk, or across a roadway within a crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible warning before overtaking and passing such pedestrian.

(D) An operator of an electric miniature scooter riding upon a sidewalk, or across a roadway within a crosswalk, shall have all of the rights and is subject to all of the duties applicable to a pedestrian under the same circumstances.

(E) An operator of an electric miniature scooter riding on the sidewalk shall not suddenly leave a curb or other place of safety and move into the path of a vehicle that is so close as to constitute an immediate hazard.

(F) Electric bicycles, electric stand-up scooters, and any other electric or gas-powered method of conveyance capable of exceeding ten miles-per-hour (10 MPH) shall not be operated on a sidewalk.

§13-7-8 Prohibited Operation.

(A) No person shall operate an electric bicycle, electric stand-up scooter, or electric miniature scooter in any of the following manners:

- (1) In violation of any City of Goodyear Municipal Code, Arizona Revised Statute, or other existing law.
- (2) In disobedience to any official posted signs or signals.
- (3) Against the flow of traffic or on other than the right-hand edge of the roadway, except an electric miniature scooter operated on a sidewalk.
- (4) Failing to yield to vehicles or pedestrians when required.
- (5) While carrying more persons than for which the electric bicycle, electric stand-up scooter, or electric miniature scooter was designed to carry.
- (6) Without a properly fitted and fastened helmet if the rider is less than sixteen years old.
- (7) Riding a class 3 electric bicycle with the power assist motor engaged while in excess of twenty miles per hour on a bicycle path, trail, or multi-use path.

§13-7-9 Parking.

(A) No person shall park a bicycle, electric bicycle, electric stand-up scooter, or electric miniature scooter upon a roadway or sidewalk.

§13-7-10 Reckless Riding.

(A) It is unlawful for a person to ride or operate, while on a public roadway, right-of-way, or sidewalk, or while on private property, an electric bicycle, motorized bicycle, electric stand-up scooter, or electric miniature scooter with reckless disregard for the safety of persons or property.

§13-7-11 Riding Under the Influence.

Riding, operating or actual physical control while under the influence; presumptions; admissible evidence; sentencing.

(A) It is unlawful for a person to ride or operate while in actual physical control of an electric bicycle, motorized bicycle, electric stand-up scooter, or electric miniature scooter under any of the following circumstances:

(1) While under the influence of intoxicating liquor, any drug, a vapor-releasing substance containing a toxic substance, or any combination of liquor, drugs or vapor-releasing substances if the person is impaired to the slightest degree.

(2) If the person has an alcohol concentration of 0.08 or more within two hours of riding or operating, while being in actual physical control of the electric bicycle, motorized bicycle, electric stand-up scooter, or electric miniature scooter, and the alcohol concentration results from alcohol consumed either before or while riding or being in actual physical control of the electric bicycle, motorized bicycle, electric stand-up scooter, or an electric miniature scooter.

(3) While there is any drug defined in Arizona Revised Statutes Section 13-3401 or its metabolite in the person's body.

(B) It is not a defense to a charge of a violation of subsection (A), paragraph 1 of this section that the person is or has been entitled to use the drug under the laws of this state.

(C) A person using a drug as prescribed by a medical practitioner who is licensed pursuant to Arizona Revised Statutes Title 32 and who is authorized to prescribe the drug is not guilty of violating subsection (A), paragraph (3) of this section.

(D) In a trial, action, or proceeding for a violation of this section, the defendant's alcohol concentration within two hours of the time of riding, operating, or being in actual physical control as shown by analysis of the defendant's blood, breath, or other bodily substance gives rise to the following presumptions:

(1) If there was at that time 0.05 or less alcohol concentration in the defendant's blood, breath or other bodily substance, it may be presumed that the defendant was not under the influence of intoxicating liquor.

(2) If there was at that time in excess of 0.05 but less than 0.08 alcohol concentration in the defendant's blood, breath or other bodily substance, that fact shall not give rise to a presumption that the defendant was or was not under the

influence of intoxicating liquor, but that fact may be considered with other competent evidence in determining the guilt or innocence of the defendant.

(3) If there was at that time 0.08 or more alcohol concentration in the defendant's blood, breath or other bodily substance, it may be presumed that the defendant was under the influence of intoxicating liquor.

(E) Subsection (D) of this section does not limit the introduction of any other competent evidence bearing on the question of whether or not the defendant was under the influence of intoxicating liquor.

(F) A person who is convicted of a violation of this section:

(1) Shall be sentenced to serve not less than one (1) day in jail and is not eligible for probation or suspension of execution of sentence unless the entire sentence is served.

(2) Shall pay a fine of not less than two-hundred fifty (\$250) dollars.

(3) May be ordered by a court to perform community restitution.

(G) Notwithstanding subsection (F)(1) of this section, at the time of sentencing the judge may suspend the sentence if the person completes a court-ordered alcohol or other drug screening, education, or treatment program. If the person fails to complete the court ordered alcohol or other drug screening, education, or treatment program, and has not been placed on probation, the court shall issue an order to show cause to the defendant as to why the remaining jail sentence should not be served.

§13-7-12 *Violations.*

(A) Notwithstanding the provisions of subsection (B), any person who is found responsible for a violation of Goodyear Municipal Code Article 13-7, whether by admission, default, or after a hearing, shall be issued a civil sanction as follows:

(1) *First violation.* A person found responsible for a violation of this Article, without being held responsible for any other violations of this Article within the prior twelve months, shall be responsible for a civil offense and fined a penalty of fifty dollars (\$50.00) per violation of this Article.

(2) *Second violation.* A person found responsible for a second violation of this Article within twelve months of being held responsible for a violation of this Article, shall be fined two hundred and fifty dollars (\$250) per violation of this Article.

(3) *Third violation.* A person found responsible for a third violation of this Article within twelve months of being held responsible for two prior violations of this Article shall be fined a penalty of five hundred dollars (\$500.00) per violation of this Article.

(B) Any person found guilty for a violation of §13-7-10 or §13-7-11 is guilty of a class 1 misdemeanor.