

**ORDINANCE NO. 3920**

**AN ORDINANCE AMENDING THE BROKEN ARROW CODE OF ORDINANCES, CHAPTER 23 – TRAFFIC, ARTICLE I – IN GENERAL, SECTION 23-21 – USE OF MINI-BIKES, COASTERS, ROLLER SKATES, ETC., ON ROADWAYS; AMENDING SECTION 23-21 TO PROHIBIT THE OPERATION OF MOTORIZED SCOOTERS ON PUBLIC SIDEWALKS AND PEDESTRIAN-ORIENTED PUBLIC SPACES WITHIN THE ROSE DISTRICT; PROVIDING EXCEPTIONS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA:**

**SECTION 1. Amendment.**

That Chapter 23 – Traffic, Article I – In General, Section 23-21, “Use of Mini-Bikes, Coasters, Roller Skates, etc., on roadways” of the Broken Arrow Code of Ordinances is hereby amended by adding a new subsection (d) to read as follows:

**Sec. 23-21. Use of mini-bikes, coasters, roller skates, etc., on roadways.**

- (a) No person upon roller skates or riding in or by means of any coaster, toy vehicle or similar "play vehicle" powered by an electric or gas motor shall go upon any roadway, except while crossing a street on a crosswalk. No parent or guardian of any child shall cause or allow any child in their care to operate or ride a "play vehicle" on any public street or roadway. "Play vehicle" shall be defined as any mini-bike, mini-motorcycle, and any off-road vehicle designed exclusively for off road use, including but not limited to all terrain vehicles and off road motorcycles. "Play vehicle" shall not include motorized scooters. Motorized scooters are restricted to use on streets with a speed limit of 25 mph. For purposes of this section, a mini-bike is defined to mean any self-propelled vehicle or motor-driven cycle having less than an eight-inch wheel rim, or less than a forty-inch wheelbase or less than a twenty-five-inch seat height.
- (b) No person under the age of 16 years shall drive a motorcycle, motor-driven cycle, motorized scooter, motorized bicycle, or an electric-assisted bicycle on any highway of this city while transporting any other person.
- (c) The operator of a motorcycle, motor-driven cycle, motorized scooter, motorized bicycle, or electric assisted bicycle who has attained the age of 16 years or older may carry a passenger if the vehicle has a wheel diameter of 12 inches or greater and is factory-designed and equipped with either:
  - (1) A double seating device with double foot rests; or
  - (2) A sidecar attachment providing separate seat space within such sidecar attachment for each person riding therein so that such person shall be seated entirely within the body of said sidecar.

- (d) Motorized scooters prohibited on sidewalks and pedestrian areas within the Rose District. No person shall operate a motorized scooter upon any public sidewalk, pedestrian walkway, plaza, parklet, public gathering area, or other public area primarily intended for pedestrian use within the Rose District.
- (1) This subsection shall not prohibit a person from walking, carrying, or otherwise moving a motorized scooter through the Rose District, provided the motorized scooter is not being operated under motor power.
  - (2) Operation of motorized scooters upon public streets within or adjacent to the Rose District shall remain subject to all applicable provisions of this chapter and state law, including speed, roadway, traffic-control, and safety requirements.
  - (3) Exceptions. This subsection shall not apply to:
    - i. Electric personal assistive mobility devices, wheelchairs, or other mobility devices used by persons with disabilities;
    - ii. Police, fire, emergency medical, or other governmental personnel acting within the scope of official duties;
    - iii. City-authorized events, demonstrations, maintenance activities, or other uses approved by the City Manager or designee; or
    - iv. Operation on private property with the consent of the property owner, unless otherwise prohibited by law.
  - (4) For purposes of this subsection, “Rose District” shall mean the area depicted on the map shown below and incorporated herein by reference, or such other area as may be designated by ordinance.



ATTEST:

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(Seal) CITY CLERK

APPROVED:



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ASSISTANT CITY ATTORNEY