

CHAPTER 62. TRAFFIC AND VEHICLES

ARTICLE V. Bicycles and Play Vehicles.

DIVISION 3. Motorized Bicycles.

*State law reference--Motorized bicycles, Minn. Stats. § 169.223.

SUBDIVISION I. In General.

Section 62-176. Definitions.

For the purpose of this division, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Electric-assisted bicycle means a motor vehicle with two or three wheels that:

- (a) Has a saddle and fully operable pedals for human propulsion;
- (b) Meets the requirements of federal motor vehicle safety standards 49 CFR 571.01 et seq.; and
- (c) Has an electric motor that (i) has a power output of not more than 1,000 watts, (ii) is incapable of propelling the vehicle at a speed of more than 20 miles per hour, (iii) is incapable of further increasing the speed of the device when human power alone is used to propel the vehicle at a speed of more than 20 miles per hour, and (iv) disengages or ceases to function when the vehicle's brakes are applied.

State law reference--Similar provisions, Minn. Stats. § 168.01, subd. 4a.

Motorized bicycle means a bicycle that is propelled by a motor of a piston displacement capacity of 50 cubic centimeters or less, and a maximum of two brake horsepower, which is capable of a maximum speed of not more than 30 miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged. The term "motorized bicycle" includes an electric-assisted bicycle.

Motorized bicycle business means any business enterprise whereby motor scooters owned by one person are used or leased by another for a consideration.

Motorized bicycle livery means a business of leasing or furnishing motorized bicycles to the public for a consideration.

State law reference--Similar provisions, Minn. Stats. § 168.01, subd. 4b.

Cross reference--Definitions generally, § 1-2.

Section 62-177. Rules governing lessors generally.

All licensees under this division shall:

- (a) Verify the signature of the vehicle user in the rental agreement.

- (b) Obtain a written rental agreement from each vehicle user.
- (c) Obtain a written record, permanent and legible, containing the name, address, age and the motor vehicle driver's license.
- (d) Maintain and service all motorized bicycles in accordance with a comprehensive maintenance checklist.
- (e) Post and maintain state, county and city regulations as to speed, carrying passengers and insurance required in this division.
- (f) Instruct all customers in operation of motorized bicycles and determine that lessee is capable of operating motorized bicycles.
- (g) Require that only lessee may operate leased motorized bicycles.

Section 62-178. Driver's license prerequisite to lease.

No licensee shall let or furnish any motorized bicycle licensed under this division to any person not having his motor vehicle driver's license issued in accordance with the provision of the laws of the state of the residence of the operator.

State law references--Use of motor bicycle by unlicensed person, Minn. Stats. § 168.835; rental to unlicensed person prohibited, Minn. Stats. § 168.834, subd. 1.

Section 62-179. Operation generally.

No person operating a motorized bicycle on the streets or public thoroughfares of this city under this division shall:

- (a) Permit more than one person on each motorized bicycle.
- (b) Use a motorized bicycle not properly licensed and identified in accordance with this division.

Section 62-180. List of license plate numbers of lessors.

All licensees under this division shall file with the city manager a list of the license plate numbers for all the motorized bicycles leased by the licensee and shall further keep such list current at all times.

Secs. 62-181--62-195. Reserved.

SUBDIVISION II. Sales or Rental Licenses*

*State law reference--Motor bicycle business license, Minn. Stats. § 168.832.

Section 62-196. Required.

No person shall engage in the motorized bicycle business or operate a motorized bicycle livery without a license issued by the city clerk.

Section 62-197. Application.

Any person desiring a license under this subdivision shall apply in writing to the City Manager giving the name of the owner or manager of the business, the address of the business, the nearest street or parkway intersection of such place of business, the maximum number of motorized bicycles to be used and the state license number of each motorized bicycle.

Section 62-198. Fee.

The annual fee for a license under this subdivision shall be established by the council.

Section 62-199. Insurance.

No license shall be issued until the applicant obtains and files with the city clerk a policy of liability insurance by an insurance company authorized to do business under the laws of the state, to be kept in force for the remainder of the licensing year. The policy shall insure the applicant, his renters and lessees, and the persons operating such motor bicycles against liability for loss in the sum of \$25,000.00 for injury to or death of any one person in any one accident, \$50,000.00 for injury to or death of more than one person in any one accident, and \$5,000.00 because of damage to or destruction of property in any one accident resulting from the negligent operation, use or defective condition of any motor bicycle belonging to the applicant. The policy shall contain a provision for continuing liability there under for the term of the license to the full amount thereof, notwithstanding any recovery thereon. The policy also shall contain an endorsement to the effect that the liability under the policy is not affected by reason of any motor bicycle having been furnished to, or rented or leased by a minor, and further, that the city clerk shall be notified by letter at least ten days before the cancellation of the insurance policy. The policy shall also contain a provision providing for at least \$200.00 medical payments to cover the operator or passenger of such vehicle if personal injury results to the operator or passenger from its use.

State law reference--Motor bicycle business insurance, Minn. Stats. § 168.833.

Section 62-200. Investigation of traffic conditions prior to issuance.

Upon the filing of an application for a license under this subdivision, the police department shall investigate the traffic conditions in the immediate vicinity of applicant's proposed motorized bicycle business place, particularly during Saturdays and Sundays and holidays, and the police department shall make a report and recommend thereon to the City Council.

Section 62-201. Expiration date.

All licenses under this subdivision shall expire on January 1st of each year.