

ORDINANCE NO. 7029

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, RELATING TO ELECTRIC MOTORCYCLES AND ELECTRIC-ASSISTED BICYCLES, AMENDING SECTION 10.56.010 OF THE AUBURN CITY CODE, AND ADDING A NEW CHAPTER 10.57 TO THE AUBURN CITY CODE

WHEREAS, the Washington State Legislature recently amended RCW 46.04.169, which clarifies the distinction between class 1, 2, and 3 electric-assisted bicycles and which initiates the development of a regulatory framework for electric motorcycles; and

WHEREAS, the City of Auburn has received reports of minors recklessly riding electric-assisted bicycles and electric motorcycles; and

WHEREAS, there has been permanent damage to natural, public pathways due to the use of electric-assisted bicycles and electric motorcycles; and

WHEREAS, the Auburn City Code does not currently contain sufficient enforcement mechanisms to address the technological evolvement of electric-assisted bicycles and electric motorcycles; and

WHEREAS, the Auburn City Code would benefit from a new chapter that defines and regulates the use of electric-assisted bicycles and electric motorcycles in order to address reported concerns and improve enforcement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. Amendment to City Code. Section 10.56.010 of the Auburn City Code is amended and a new chapter, Chapter 10.57 ACC, is added to the Auburn City Code as shown in Exhibit A.

Section 2. Implementation. The Mayor is authorized to implement those administrative procedures necessary to carry out the directives of this legislation.

Section 3. Severability. The provisions of this Ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this Ordinance, or the invalidity of the application of it to any person or circumstance, will not affect the validity of the remainder of this Ordinance, or the validity of its application to other persons or circumstances.

Section 4. Corrections. The City Clerk and the codifiers of this Ordinance are authorized to make necessary 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 5. **Effective date.** This Ordinance will take effect and be in force five days from and after its passage, approval, and publication as provided by law.

INTRODUCED: AUG 03 2026

PASSED: AUG 03 2026

APPROVED: AUG 03 2026

Nancy Backus
NANCY BACKUS, MAYOR

ATTEST:

Shawn Campbell
Shawn Campbell, MMC, City Clerk

APPROVED AS TO FORM:
Jason Whalen
Jason Whalen, City Attorney

Published: August 6, 2026, in the Seattle Times

10.56.010 Definitions.

The following words and phrases when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section.

A. “Bicycle” has the same meaning as “bicycle” as defined in RCW 46.04.071 as it currently exists or is hereafter amended or recodified. ~~means and includes a light vehicle with two tandem wheels, neither of which shall be less than 10 inches in diameter, with tires inflated, having handlebars and saddle seat or seats, and propelled by the feet acting on treadles connected with levers. For the purposes hereof, “bicycle” also means any nonmotorized, pedal-driven, wheeled apparatus, including unicycles, trieycles, or similar devices.~~

B. “Chief of police” means the chief of police of Auburn or any member of the police department of the city designated by the chief of police to act in their place and stead in carrying out the provisions of this chapter.

C. “Rental agency” means any person, firm, copartnership, association or corporation engaged in the business of offering for rental and renting bicycles for use by the public.

Chapter 10.57

ELECTRIC MOTORCYCLES AND ELECTRIC-ASSISTED BICYCLESELECTRIC
BICYCLES AND ELECTRIC MOTORCYCLES

Sections:

10.57.010 Definitions.

10.57.020 Prohibited operation of electric motorcycles.

10.57.030 Prohibited operation of electric-assisted bicycles.

10.57.040 Impoundment and penalties for violation.

10.57.050 Notice Enforcement Authority.

10.57.060 Enforcement authority.

10.57.010 Definitions:

The following words and phrases when used in this chapter shall, for the purposes of this chapter, have the meanings respectively ascribed to them in this section.

- A. "Bicycle" has the same meaning as "bicycle" as defined in RCW 46.04.071 as it currently exists or is hereafter amended or recodified.
- B. "Electric-assisted bicycle" has the same meaning as "electric-assisted bicycle" as defined in RCW 46.04.169 as it currently exists or is hereafter amended or recodified. For purposes of this chapter, a Class 3 electric-assisted bicycle also includes an electric-assisted bicycle in which the motor may be used exclusively to propel the bicycle and is not capable of providing assistance when the bicycle reaches the a speed greater than of twenty-eight miles per hour and is equipped with a speedometer.
- C. "Electric motorcycle" means a motorcycle, as defined by RCW 46.04.330, which is powered by electricity and meets one or more of the following criteria:
 - 1. Is not equipped with fully operable pedals capable of propelling it (foot pegs are not considered pedals); or
 - 2. Has a motor with a power output exceeding Exceeds 750 watts; or
 - 3. Has a motor that provides exclusive electric propulsion at speeds over 20 mph; or
 - 2.
 - 3.4. Has a motor that continues to provide assistance when the vehicle reaches the a speed of greater than twenty-eight miles per hour.
 - 4. For the purposes of this subsection, foot pegs are not considered pedals.
- D. "Impound" means removal of a vehicle, electric motorcycle, or similar motorized device to a storage facility either by a law enforcement officer of the Auburn Police Department or by a contractor for towing and storage.
- E. "Guardian" means a parent, legal guardian, or adult responsible for the care and supervision of a minor.
- F. "Minor" means any person under the age of 18.

10.57.020 Prohibited operation of electric motorcycles.

- A. No person under the age of 16 may operate an electric motorcycle or a Class 3 electric-assisted bicycle within the City of Auburn, consistent with RCW 46.20.500(3) as it currently exists or is hereafter amended or recodified.
- B. No person may operate an electric motorcycle that is not registered with the Washington State Department of Licensing and does not have a valid license plate.
- C. No person may operate an electric motorcycle without a valid driver's license with a motorcycle endorsement.
- D. No person may operate an electric motorcycle on a public street or road unless it meets the requirements of RCW 46.61.705.

- E. No person may operate an electric motorcycle on any sidewalk, pedestrian path, shared use path, or park trail.
- F. No person may operate an electric motorcycle within any City-owned or controlled parks, open spaces, or on any other City property, except parking lots.
- G. No person may operate an electric motorcycle while carrying a passenger unless such electric motorcycle is equipped for a passenger by the original manufacturer pursuant to RCW 46.61.610.
- H. A guardian may not authorize, knowingly permit, ~~or~~ cause, allow, or fail to reasonably prevent a minor in their care to operate an electric motorcycle in violation of this chapter. A guardian who authorizes, knowingly permits, or causes a minor in their care to operate an electric motorcycle in violation of this chapter shall be jointly and severally liable with the minor for the penalties set forth in ACC 10.57.040(B).

10.57.030 Prohibited ~~o~~Operation of electric-assisted bicycles.

- A. No person under the age of 16 may operate a Class 3 electric-assisted bicycle within the City of Auburn, consistent with RCW 46.20.500(3) as it currently exists or is hereafter amended or recodified.
- ~~A.B.~~ No person may operate a Class 3 electric-assisted bicycle on any sidewalk, pedestrian path; shared use path; or park trail; however, Class 3 electric-assisted bicycles may be operated on City streets consistent with the requirements set forth for electric motorcycles in ACC 10.57.020.
- ~~B.C.~~ No person may operate a Class 3 electric-assisted bicycle within any City-owned or controlled parks, open spaces, or on any other City property, except parking lots.
- ~~C.D.~~ A person may not operate any class of electric-assisted bicycles within a park that contains bicycle-specific facilities, such as, but not limited to, the asphalt pump track and dirt bicycle track at Cedar Lanes Bike Park.
- ~~D.E.~~ A guardian may not authorize, knowingly permit, cause, ~~or~~ allow, or fail to reasonably prevent a minor in their care to operate an electric-assisted bicycle in violation of this chapter. A guardian who authorizes, knowingly permits, causes, or allows a minor in their care to operate an electric-assisted bicycle in violation of this chapter shall be jointly and severally liable with the minor for the penalties set forth in ACC 10.57.040(C).

10.57.040 Impoundment and penalties for violation.

- A. A City of Auburn law enforcement officer is hereby authorized to impound, without notice, any electric-assisted bicycles or electric motorcycles operated in violation of this chapter.
1. Electric motorcycles will be impounded using the same method used to impound motorcycles and other motor vehicles.
 - A-2. Electric-assisted bicycles will be impounded and held at the Auburn Police Department and may be redeemed by making an appointment with the Auburn Police Department's evidence technician for such redemption. Any electric-assisted bicycles not redeemed within sixty (60) days of impoundment are subject to disposition consistent with RCW 63.35.020(1).
- B. Violations of ACC 10.57.020, Prohibited operation of electric motorcycles, are deemed civil infractions and are subject to the following monetary penalties:
1. First violation: \$250.00.
 2. Second violation: \$500.00.
 3. Third and subsequent violations of: \$750.00.
- C. Violations of ACC 10.57.030, Prohibited operation of electric-assisted bicycles, are deemed civil infractions and are subject to the following monetary penalties:
1. First violation: \$125.00.
 2. Second violation: \$250.00.
 3. Third and subsequent violations of: \$375.00.
- D. In addition to the penalties set out in this chapter, violators must pay the costs of impound, towing, storage, and court fees.

10.57.050 Enforcement Authority

The Auburn Police Department is authorized to enforce the provisions of this chapter and may issue civil infractions, impound vehicles, and take other lawful action necessary to protect public safety and ensure compliance.

10.56.010 Definitions.

The following words and phrases when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section.

- A. "Bicycle" has the same meaning as "bicycle" as defined in RCW 46.04.071 as it currently exists or is hereafter amended or recodified.
- B. "Chief of police" means the chief of police of Auburn or any member of the police department of the city designated by the chief of police to act in their place and stead in carrying out the provisions of this chapter.
- C. "Rental agency" means any person, firm, copartnership, association or corporation engaged in the business of offering for rental and renting bicycles for use by the public.

Chapter 10.57

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- C. "Electric motorcycle" means a motorcycle, as defined by RCW 46.04.330, which is powered by electricity and meets one or more of the following criteria:

1. Is not equipped with fully operable pedals capable of propelling it (foot pegs are not considered pedals); or
 2. Has a motor with a power output exceeding 750 watts; or
 3. Has a motor that provides exclusive electric propulsion at speeds over 20 mph; or
 4. Has a motor that continues to provide assistance when the vehicle reaches a speed greater than twenty-eight miles per hour.
- D. "Impound" means removal of a vehicle, electric motorcycle, or similar motorized device to a storage facility either by a law enforcement officer of the Auburn Police Department or by a contractor for towing and storage.
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10.57.020 Prohibited operation of electric motorcycles.

- A. No person under the age of 16 may operate an electric motorcycle within the City of Auburn.
- B. No person may operate an electric motorcycle that is not registered with the Washington State Department of Licensing and does not have a valid license plate.
- C. No person may operate an electric motorcycle without a valid driver's license with a motorcycle endorsement.
- D. No person may operate an electric motorcycle on a public street or road unless it meets the requirements of RCW 46.61.705.
- E. No person may operate an electric motorcycle on any sidewalk, pedestrian path, shared use path, or park trail.
- F. No person may operate an electric motorcycle within any City-owned or controlled parks, open spaces, or on any other City property, except parking lots.
- G. No person may operate an electric motorcycle while carrying a passenger unless such electric motorcycle is equipped for a passenger by the original manufacturer pursuant to RCW 46.61.610.
- H. A guardian may not authorize, knowingly permit, cause, allow, or fail to reasonably prevent a minor in their care to operate an electric motorcycle in violation of this chapter. A guardian who authorizes, knowingly permits, or causes a minor in their care to operate an electric motorcycle in violation of this chapter shall be jointly and severally liable with the minor for the penalties set forth in ACC 10.57.040(B).

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- A. No person under the age of 16 may operate a Class 3 electric-assisted bicycle within the City of Auburn, consistent with RCW 46.20.500(3) as it currently exists or is hereafter amended or recodified.
- B. No person may operate a Class 3 electric-assisted bicycle on any sidewalk, pedestrian path; shared use path; or park trail; however, Class 3 electric-assisted bicycles may be operated on City streets consistent with the requirements set forth for electric motorcycles in ACC 10.57.020.
- C. No person may operate a Class 3 electric-assisted bicycle within any City-owned or controlled parks, open spaces, or on any other City property, except parking lots.
- D. A person may not operate any class of electric-assisted bicycles within a park that contains bicycle-specific facilities, such as, but not limited to, the asphalt pump track and dirt bicycle track at Cedar Lanes Bike Park.
- E. A guardian may not authorize, knowingly permit, cause, allow, or fail to reasonably prevent a minor in their care to operate an electric-assisted bicycle in violation of this chapter. A guardian who authorizes, knowingly permits, causes, or allows a minor in their care to operate an electric-assisted bicycle in violation of this chapter shall be jointly and severally liable with the minor for the penalties set forth in ACC 10.57.040(C).

10.57.040 Impoundment and penalties for violation.

- A. A City of Auburn law enforcement officer is hereby authorized to impound, without notice, any electric-assisted bicycles or electric motorcycles operated in violation of this chapter.
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 - 2. Electric-assisted bicycles will be impounded and held at the Auburn Police Department and may be redeemed by making an appointment with the Auburn Police Department's evidence technician for such redemption. Any electric-assisted bicycles not redeemed within sixty (60) days of impoundment are subject to disposition consistent with RCW 63.35.020(1).
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 - 1. First violation: \$125.00.
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