

Exhibit A

Chapter 10.18 – ELECTRIC MOTORCYCLES

Sections:

10.18.010 Definitions.

10.18.020 General requirements and operation.

10.18.030 Helmet required – Defined.

10.18.040 Traffic laws apply.

10.18.050 Impoundment and penalties.

10.18.010 Definitions.

“Electric motorcycle” means a motorcycle, as defined by RCW 46.04.330, which is powered by an electric motor and:

- A. Does not have fully operative pedals (“foot pegs” shall not be considered operative pedals); or
- B. Has a motor with a power output that exceeds 750 watts: or
- C. Has a motor that continues to power the vehicle above speeds of twenty-eight miles per hour.

“Guardian” means a parent, legal guardian, or adult responsible for the care and supervision of a minor.

“Minor” means any person under the age of 18.

10.18.020 General requirements and operation.

A. Electric motorcycles require registration with the Washington State Department of Licensing and, if operated on city streets, are subject to the off-road motorcycle provisions of RCW 46.61.705(2). Electric motorcycles must display a valid license plate and may only be operated by individuals with a valid driver’s license and motorcycle endorsement.

B. No person may operate an electric motorcycle on a public way unless such person is 16 years of age or older. Guardians shall not authorize or knowingly permit a minor in their care to operate an electric motorcycle in violation of this chapter and are subject to the fines set forth in NBMC 10.18.050.

C. It is unlawful for any person to use or operate an electronic motorcycle upon any sidewalk or public trail within the city of North Bend.

D. Every electric motorcycle when in use during hours of darkness, as defined in RCW 46.37.020, shall display a lighted headlight, lighted stop light, and at least two illuminating rear reflectors.

E. It is unlawful to operate an electric motorcycle without a muffling device in good working order and in constant operation to prevent excessive or unusual noise. Operation of an electric motorcycle with a modified muffling device is unlawful.

F. Operation of an electric motorcycle on a public way with a speed limit in excess of 25 miles per hour, unless the electric motorcycle is operated within a bicycle lane, is unlawful.

G. It is unlawful for any person to operate an electric motorcycle while carrying a passenger.

H. It is unlawful for any person to tow any person or thing while operating an electric motorcycle.

I. Any person violating the provisions of this section shall be deemed to have committed a traffic infraction and shall be subject to a penalty pursuant to NBMC 10.18.050.

10.18.030 Helmet required – Defined.

A. Any person operating an electric motorcycle on any public area in the city of North Bend shall wear a helmet and shall have either the neck or chin strap of the helmet fastened securely while the electric motorcycle is in motion.

B. “Helmet” means a protective covering for the head consisting of a hard outer shell, padding adjacent to and inside the outer shell and a neck or chin strap type retention system with a label required by the Federal Consumer Products Safety Commission as adopted by the Code of Federal Regulations 49 C.F.R. Sec. 571.218.

C. Any person violating the provisions of this section shall be deemed to have committed a traffic infraction and shall be subject to a penalty of \$30.00.

10.18.040 Traffic laws apply.

Every person riding an electric motorcycle upon a public way shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle pursuant to Chapter 46.61 RCW, except special regulations in RCW 46.61.750 through 46.61.780 shall apply to persons operating an electric motorcycle and except as to those provisions of Chapter 46.61 RCW which by their nature can have no application.

10.18.050 Impoundment and penalties.

A. A law enforcement officer may impound any electric motorcycle operated in violation of this chapter.

B. The officer must provide the violator with a written notice setting forth the procedure for reclaiming the electric motorcycle.

C. The impounded electric motorcycle shall only be released to the registered owner or guardian of a minor operator, upon:

1. Payment of all applicable fines and fees; and
2. Presentation of valid identification and proof of ownership.

D. Fines for violations:

1. First offense: \$250.
2. Second offense: \$500.
3. Third and subsequent offenses: \$750 and, if applicable, possible referral for criminal citation under RCW 46.20.005.

E. If an impounded electric motorcycle is not claimed within 60 calendar days, it may be declared abandoned and disposed of in accordance with RCW 63.32.010.