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HOT

City considering rules for e-bikes and other personal transportation devices

By BRIAN BREHM The Winchester Star
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E-bikes have become a hot-button issue in the Northern Shenandoah Valley and across Virginia. It's not the power-assisted bicycles themselves that have drawn criticism, but rather the way certain riders use them when driving around.

Complaints regarding e-bikes have already driven the Stephens City Town Council to consider implementing regulations regarding their use, and now Winchester's City Council is following suit.

Winchester Police Chief Ronnie Lewis told City Council's Public Health and Safety Committee at its meeting on Wednesday evening in Rouss City Hall that since January, there have been 22 incidents involving e-bikes and motorized scooters in the city. Most of those cases concerned "juvenile behavior and nuisance calls, and this is anything from ... juveniles riding scooters or e-bikes in groups, being loud or causing minor disturbances."

The committee this week reviewed a proposed city ordinance that would impose ridership rules not just for e-bikes, but for all bicycles, scooters, skateboards and most other manually or electronically powered personal transportation devices.

Nothing in the proposed ordinance would apply to manual or motorized assistance devices such as wheelchairs and scooters that are used by people with physical mobility challenges.

Kara Capelli, co-founder of the advocacy group BikeWalk Winchester, shared her concerns about the proposed ordinance on Wednesday, suggesting it may be too broad and should narrow its focus so the e-bike regulations would not affect traditional cyclists and users of non-motorized transportation devices.

"What problem are we actually trying to solve here and is this the solution?" Capelli asked the Public Health and Safety Committee. "Could there maybe be something more nuanced that actually protects more people without negatively impacting certain people?"

Steve Policastro, another co-founder of BikeWalk Winchester, referred to the portion of the proposed ordinance that would ban personal transportation devices from sidewalks and said the regulation is "extremely broad. It impacts every sidewalk, anyone who rides any device on a sidewalk."

Capelli said there are streets in Winchester that aren't wide enough to accommodate bicycles and cars at the same time — she used National Avenue as an example — so bike riders get on the sidewalks so they don't impede traffic or risk getting hit by a vehicle. If the ordinance is passed as approved, anyone who temporarily rides a personal transportation device on a sidewalk would be subject to a fine of up to \$50 for each incident.

Chris Hahn of Winchester said he would rather be fined than ride his bicycle on streets that are too narrow to accommodate cars and personal transportation devices at the same time. He added that he would also have concerns for his grandchildren if they were required to remain only on streets regardless of the circumstances.

Del Delgado, who initially supported the proposed ordinance, told the Public Health and Safety Committee that she gave the matter further thought and realized "there really are good reasons why people ride on the sidewalk."

"What I really want is for people to yield to ... the pedestrian on the sidewalk," Delgado said.

City Attorney Melisa Michelsen told the speakers at Wednesday's meeting that "riding a bicycle on the sidewalk is already illegal," but she understands why people do it for safety reasons. Michelsen also admitted she would probably use a sidewalk herself if cycling on a busy road like Valley Avenue.

In addition to banning transportation devices from sidewalks, the ordinance as written would also make it illegal to leave a personal transportation device anywhere it could impede pedestrian traffic, mandate the wearing of a helmet for all riders 14 and younger, stipulate that riders 14 and younger must be accompanied by an adult at all times, outlaw the use of earphones by anyone riding or driving on city streets, require all riders to comply with traffic laws and impose a maximum speed limit of 25mph on all e-bikes, bicycles, scooters, skateboards and so on. All violations would be subject to the \$50 fine.

Kate Christen said the ordinance does not take into account situations that could force an otherwise responsible rider into violating one or more conditions of the proposed ordinance.

"A lot of what people are saying is to think about these things more in terms of the circumstances that they're based in," Christen said. "It's sort of like a lovely first draft."

Michelsen agreed somewhat with Christen, stating that "this really is the first step in the process. This isn't the first and only time we're going to be talking about this issue ..."

Committee member Kim Herbstritt said further review of the proposed ordinance is warranted.

"Opening it up to all [personal transportation] devices just seems broad to me," Herbstritt said. "If we want to focus it on e-bikes and scooters, then maybe we [should] narrow it down to that."

"We do need to move forward with something that is viable," agreed committee Chairwoman Kathy Tagnesi.

The panel unanimously agreed on Wednesday to set aside the ordinance until next month's Public Health and Safety Committee meeting. Between now and then, Herbstritt said she would like Winchester's citizen-led Bicycle and Pedestrian Advisory Committee to review the proposed ordinance and offer input.

Lewis said the city could also work with Winchester Public Schools and other groups to educate citizens regarding the rules of the road for motorized personal transportation devices "and then make a decision after that as to where we go."

To read the proposed ordinance in full, go to <https://bit.ly/4wHPAaH>.

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