

ORDINANCE NO. D-2843-26

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA
AMENDING CARMEL CITY CODE CHAPTER 8, ARTICLE 4, SECTION 8-44, CHAPTER 3
ARTICLE 2 SECTION 3-58, AND CHAPTER 8 ARTICLE 4 SECTION 8-40

Synopsis: Ordinance amending regulations of the use of Micromobility and E-Moto Devices within the City of Carmel

WHEREAS, the City of Carmel (the “City”) desires to provide safe, efficient, and sustainable transportation options for its residents, visitors, and businesses; and

WHEREAS, it is essential to establish clear regulations governing the operation of Micromobility Devices and other devices to ensure the safety of riders, pedestrians, and other users of City’s multi-use trails, sidewalk, trail, and road networks, and to promote sustainable transportation options while managing potential conflicts, minimizing risks to riders, pedestrians, and congestion, and maintaining the high quality of life enjoyed by Carmel residents; and

WHEREAS, these regulations are intended to complement and not supersede existing state and federal laws pertaining to the operation of motor vehicles and other transportation devices; and

WHEREAS, ordinance D-2796-25, as amended, was adopted in November of 2025 and established regulations for the use of Micromobility Devices within the City; and

WHEREAS, amendments to Ordinance D-2796-25 are needed to enhance enforcement as the City has received frequent and numerous complaints about improper operation of certain Micromobility and E-Moto Devices.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Carmel, Indiana, as follows:

Section 1. The foregoing Recitals are fully incorporated herein by this reference.

Section 2. Chapter 8 Article 4 Section 8-44 of Carmel City Code is hereby amended and shall read as follows:

“§ 8-44 Micromobility Devices.

(1a) *Purpose.* The purpose of this section is to regulate the use of Micromobility and E-Moto Devices within the City of Carmel to ensure public safety, manage congestion, and promote sustainable transportation options while minimizing risks to riders, pedestrians, and other users of City’s multiuse paths, greenways, sidewalks, trails, and road networks.

(2b) *Definitions.* For the purpose of this section, the following definitions shall apply:

Micromobility Device. Any open-air device designed for personal transportation, propelled wholly or in part by a mechanical or electrical motor, regardless of whether it also incorporates human power, and typically operating at lower speeds than traditional motor vehicles like cars or motorcycles, and

Ordinance D-2843-26

Page One of Seven

This Ordinance was prepared by Allison Lynch McGrath, Assistant Corporation Council, on July 21, 2026, at 10:00 p.m. No subsequent revision to this Ordinance has been reviewed by Ms. Lynch McGrath for legal sufficiency or otherwise.

not exceeding three (3) feet in width. **The term includes E-Bikes, standing or seating E-Scooters, E-boards etc.** The term does not include motorized wheelchairs, assistive mobility electric scooters, electric knee scooters, golf carts, go-karts, low speed vehicles, electric trikes, electric mopeds capable of reaching speeds exceeding twenty (20) miles per hour, electric motorcycles and other E-Moto Devices.

Electric-Scooter (E-Scooter). A device weighing one hundred (100) pounds or less that is equipped with two or three wheels, handlebars, and an electric motor, and which is-powered by an electric motor that is capable of powering the device with or without human propulsion at a maximum speed on a paved level surface of no more than twenty (20) miles per hour. The term does not include assistive mobility electric scooters, electric knee scooters.

E-Bike or E-Bicycle. A bicycle with an electric or mechanical motor that assists pedaling, classified into Class 1 (pedal-assist up to 20 miles per hour), Class 2 (throttle and pedal e-assisted up to 20 miles per hour), and Class 3 (pedal-assist up to 28 miles per hour), and complies with applicable regulations of Indiana Code 9-21-11- et seq, as amended.

E-Moto Device. A device powered by electric or mechanical motor that typically exceeds 750 watts and capable of generating speed when powered solely by the motor of more than twenty (20) miles per hour or more. Examples of E-Moto Device include, but are not limited to, electric motorcycles, electric mopeds, off-road electric dirt bikes, electric trikes, and other non-classified devices. The term does not include golf carts, ~~or~~ low speed vehicles, **or any Class 1, Class 2, or Class 3 E-Bicycle.**

Greenway Trails. The following multi-use trails within the City of Carmel: the Monon Greenway, the Hagan-Burke Trail, the Greyhound Trail, Bear Creek, the White River Greenway, and other greenway trails that may be designated by the City of Carmel or the Carmel Clay Parks and Recreation Board or its Department in the future.

Multi-Use Trail. A paved or unpaved path designated for use by pedestrians, bicyclists, and **other Micromobility Devices' operators.**

Sidewalk. A part of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

Street. For purposes of this section, any public roadway within the City limits which is primarily used for purposes of vehicular travel.

Park. Any land owned or managed by the Carmel Clay Parks and Recreation Board or its Department.

(3c) General Regulations.

(1) Permitted and Restricted Locations. Micromobility Devices may be operated in the following areas within the City of Carmel:

- a) Except for exceptions for device-specific regulations as set forth in this section, any Streets having a posted speed limit of forty (40) miles per hour or less. Operators of Micromobility Devices must adhere to the same traffic laws and regulations as bicyclists.
- b) All Micromobility Devices ridden on a Street or a roadway shall be operated in the right-hand lane. **An operator of a Micromobility Device who is proceeding at less than the normal speed of traffic shall pull over when safe to allow faster-moving traffic to pass.**

- c) Designated bicycle lanes and Multi-Use Trails, including all Greenway Trails, unless otherwise restricted by signage or this section.

i) *Monon Boulevard in Midtown.* On Monon Boulevard between 1st Street SW and Olympian Way, Micromobility Devices and bicycles may only be operated on Streets and designated bicycle lanes. Operators are strongly encouraged to exercise caution, reduce speed, or dismount in congested pedestrian zones lacking designated bicycle lanes (specifically between West Main Street and 1st Street SW and Olympian Way and City Center Drive). where no designated bike lane exists. In all other areas, including pedestrian walkways, landscaped spaces, playgrounds, and plazas, operators must dismount and walk.

- d) Parks and other recreational areas, subject to regulations and closures established by the Carmel Clay Parks and Recreation Board or its Department.
- e) Micromobility Devices may be operated on public Sidewalks in a careful and prudent manner, except in areas where signage explicitly prohibits such operation, in which case users must dismount and walk their devices.

(2) Speed Limits:

- a) The maximum speed limit for Micromobility and E-Moto Devices on Streets shall be the posted speed limit of that Street. However, in no case shall a Micromobility or E-Moto Device be operated at a speed greater than thirty-five (35) miles per hour unless authorized by applicable State law.
- b) On Multi-Use Trails, the maximum speed limit for Micromobility Devices shall be twenty (20) miles per hour, unless otherwise posted. Operators of Micromobility Devices must adhere to all speed limits and operational regulations established by the Carmel Clay Parks and Recreation Board or its Department when operating within any Park, Greenway Trail, or recreational area. These specific park regulations supersede any differing general requirements set forth in this section.
- c) On public Sidewalks, the maximum speed limit for Micromobility Devices shall be fifteen (15) miles per hour.
- d) When approaching crosswalks, intersections, or areas with high pedestrian traffic, operators must reduce their speed to a safe and reasonable level.

(3) Operational Rules. An operator of a Micromobility Device:

- a) Shall obey all applicable traffic laws, signals, signs, and markings;
- b) Shall yield the right-of-way to pedestrians at all times;
- c) Shall pass pedestrians at a safe distance, and, where possible, provide a minimum of three (3) feet of clearance provided that the operator waits until it is safe to proceed and passes at a distance appropriate under the circumstances if possible, and must wait until it is safe to pass;
- d) Shall immediately dismount and walk their device if passing a pedestrian cannot be executed safely, or if insufficient space exists to maintain a safe distance;
- e) Shall provide an audible advance warning (e.g., bell, horn, voice) when approaching pedestrians from behind;
- f) Shall avoid sudden or erratic movements that could endanger others;
- g) Shall give due regard to the safety of others, including those with visual, auditory, or mobility impairments;
- h) Shall keep the Micromobility Device under directional, speed, and stopping control at all time;
- i) Shall not operate in an irregular or reckless manner to disregard their own safety, others, animals, or property;

- Ordinance D-2843-26
Page Three of Seven
- j) When emerging from an alley, driveway, garage or building, upon approaching a Sidewalk or Multi-Use Trails extending across any such alley, driveway, garage or building, shall yield the right-of-way to all pedestrians and other users traveling on said Sidewalk or Multi-Use Trail;
- k) When entering a Street, shall yield the right-of-way to all vehicles and other users traveling on said Street; and
- l) Operators of Micromobility Devices must adhere to all speed limits and operational regulations established by the Carmel Clay Parks and Recreation Board or its Department when operating within any Park, Greenway Trail, or recreational area. These specific park regulations supersede any differing general requirements set forth in this section.
- (4) Device-Specific Regulations.
- a) Electric Scooters (E-Scooters):
- ~~1.~~ **i)** Shall not exceed a weight of 100 pounds.
 - ~~2.~~ **ii)** Operators of E-Scooters shall comply with all applicable regulations of Indiana Code 9-21-11-13.6, as amended.
 - ~~3.~~ **iii)** Use of locking devices to secure E-Scooters shall not damage public or private property.
- b) Electric Bicycles (E-Bikes):
- ~~1.~~ **i)** Class 1, Class 2, and Class 3 E-Bikes are permitted in locations where traditional bicycles are allowed.
 - ~~2.~~ **ii)** Class 3 E-Bikes shall not be operated by persons younger than fifteen (15) years of age.
 - iii)** No person shall operate an E-Bike that has been modified in a manner that causes the E-Bike to exceed the performance characteristics established under Indiana law for Class 1, Class 2, or Class 3 E-Bikes.
 - iv)** It is a violation of this section to operate an E-Bike that does not display the manufacturer or distributor's label displaying the class level of the E-Bike as required by State Law. The officer may consider other identification methods outlined in this Section or other evidence if the E-Bike was manufactured prior to January 1, 2020.
- c) E-Moto Devices:
- ~~1.~~ **i)** E-Moto Devices shall only be operated on Streets. Operation of E-Moto Devices is prohibited on all Sidewalks, and Multi-Use Trails, including Greenway Trails. Operating an E-Moto Device on Sidewalks, Multi-Use Trails, including Greenway Trails and exceeding the speed limits established for Micromobility Devices ~~is~~ **under General Regulations**, subsection (c)(~~ii~~)(2)-(3) constitute additional and separate violations of this section.
 - ~~2.~~ **ii)** Operators must comply with **equipment** and operational rules and regulations for **motorcycles** ~~motor driven cycles~~ as outlined in **49 CFR 571** and Indiana Code 9-19-et **and all Safety Requirements outlined in subsection (5) below.**
- (5) Safety Requirements **and Prohibited Behavior**. In addition to requirements outlined in Chapter 8 Article 4 Section 8-40 of this Code, operators of **bicycles**, Micromobility **and E-Moto** Devices shall comply with the following applicable safety requirements:
- a) Helmet Use: All riders **and passengers** younger than **eighteen** ~~sixteen~~ ~~(186)~~ years of age operating Micromobility Devices, must wear a properly fitted, **positioned, and fastened helmet that meets the crash speed specifications for the type of device they are operating.**

- b) Distracted Operation: Operators of Micromobility Devices must not use cell phones or other electronic devices while operating the Micromobility Device, unless using a hands-free device.

Ordinance D-2843-26

Page Four of Seven

- c) Micromobility Devices and E-Moto may only carry the number of passengers for which they are designed and equipped by the manufacturer, and no passenger shall be carried unless seated in a permanent seat designed for that purpose.
- d) Operators shall not attach the device or themselves to any moving motor vehicle by tow rope, hand grip or otherwise.
- e) Operators shall not tow any other vehicle or device upon the Streets, Sidewalks, Park, or Multi-Use Trails of the City unless the vehicle or device is manufactured for such use.
- f) Operators shall not engage in stunt riding or single-wheel operation, including, but not limited to (1) intentionally lifting or balancing the device on a single wheel (a.k.a. wheelies), (2) jumping curbs, retaining walls, or any park infrastructure while the Device is in motion, (3) intentionally causing a vehicle's tires to lose traction (a.k.a. burnouts); or (4) execute controlled skids (a.k.a. drifting).
- g) Operators shall not engage in racing or speed contests.
- h) Operators shall not operate the device on stairs, grass, turf, or landscaped areas.
- i) Operators shall not operate devices on sidewalks, paths, or Greenways in groups of three (3) or more abreast (or side-by-side) in a manner that obstructs, blocks, or impedes the safe and orderly movement of traffic or pedestrians.
- j) Operators shall not operate devices off permitted areas, including on unpaved footpaths, public lawns, earthen embankments, stormwater retention structures, or environmentally sensitive zones.

- (6) Compliance with State Regulation. Operators of Micromobility and E-Moto Devices shall comply with all applicable State laws, rules and regulations relating to licensing, operation, and maintenance of such devices.

(7) Enforcement.

- a) The City shall issue an ordinance violation citation to any person violating any provision of this section in the following amounts, ~~which shall be processed and paid to the Carmel Ordinance Violation Bureau ("OVB") as follows:~~
- ~~1. i) First and Second Offense: One Hundred Dollars (\$100.00);~~
 - ~~2. Second Offense within the same rolling 365 day period of time: One Hundred Fifty Dollars (\$150.00); and~~
 - ~~3. Third Offense and each additional offense within the same rolling 365 day period of time: Two Hundred Fifty Dollars (\$250.00) and impoundment of the Micromobility or E-Moto Device, which shall be processed and paid to the Carmel Ordinance Violation Bureau ("OVB").~~
 - ii) Third Offense and each additional offense within the same rolling 365 day period: \$500 to \$2,500.
- b) Failure to pay OVB citations in the manner proscribed herein, and/or pursuant to Carmel City Code § 2-14, may result in formal court proceedings being initiated by the Office of Corporation Counsel.
- c) If a violation is issued to a minor, the minor's parent or guardian shall be notified of the violation.
- d) If a law enforcement officer determines that a minor operates a Micromobility or E-Moto

Device in a reckless manner that endangers pedestrians or other users of the public right-of-way including the minor, the officer may immediately impound the device. The device may only be released to the minor's parent or legal guardian.

Ordinance D-2843-26

Page Five of Seven

(8) Impoundment and Forfeiture:

- a) Micromobility or E-Moto Devices may be impounded for repeated violations of any City Code section, Ordinance, or applicable State law. The City or its contactor may impound Micromobility or E-Moto Devices to a private impound facility.
- b) The owner of an impounded Micromobility or E-Moto Device, or a parent or legal guardian if the Micromobility or E-Moto Device is operated by a minor, shall be responsible for all impoundment and storage fees.
- c) Any Micromobility Device or E-Moto Device may be subject to Forfeiture pursuant to Indiana Code 34-24-1.

(9) Authority.

- a) The Carmel Police Department and other designated City enforcement officers shall have the authority to enforce the provisions of this section.
- b) In determining whether a Device is an E-Bike or E-Moto Device, an officer may consider the following:
 - i) Manufacturer specifications
 - ii) Factory labels and marketing, advertising, or promotional materials detailing the intended operational environment and performance capabilities of the device
 - iii) Certificate of origin
 - iv) VIN information
 - v) Advertising or marketing materials
 - vi) Presence of an independent throttle and lack of fully operative pedal-crank assembly
 - vii) Motor wattage and power ratings
 - viii) System voltage and battery capacity
 - ix) Digital display indicators, onboard diagnostic readouts, or connected application firmware settings indicating operational capabilities that exceed statutory E-Bike limits
 - x) Observable structural component design, including but not limited to motorcycle-grade suspension, frame geometry, tire width, and heavy-duty braking assemblies inconsistent with standard E-Bike manufacturing
 - xi) Any other observable characteristics or verifiable data relevant to the device's mechanical and electrical classification"

Section 3. Chapter 3 Article 2 Section 3-58 of Carmel City Code is hereby amended and shall read as follows:

"§ 3-58 Establishment of Violations Bureau and Appointment of Violations Clerk.

(c) The following ordinance violations are designated as subject to admission before the Violations Clerk:

- (4) All First and Second violations of the Micromobility and E-Moto Device ordinance within the same rolling 365 day period, violations described in § 8-44 and subject to the schedule of fines contained in § 8-44."

Section 4. If any portion of this Ordinance is for any reason declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of same can be given the same effect.

Ordinance D-2843-26

Page Six of Seven

Section 5. If a change is needed immediately due to public safety hazard the City's executive may make a change to any provision of this Ordinance for up to 180 days prior to Common Council codification or rejection of said change.

Section 6. This Ordinance shall be in full force and effect upon its passage and signing by the Mayor and any such publication as required by law.

PASSED by the Common Council of the City of Carmel, Indiana, this ____ day of _____, 2026, by a vote of ____ ayes and ____ nays.

Matt Snyder, President

Ryan Locke, Vice-President

Jeff Worrell

Teresa Ayers

Shannon Minnaar

Anita Joshi

Adam Aasen

Anthony Green

Rich Taylor

ATTEST:

Jacob Quinn, Clerk

Presented by me to the Mayor of the City of Carmel, Indiana this ____ day of
_____, 2026, at _____ .M.

Jacob Quinn, Clerk

Approved by me, Mayor of the City of Carmel, Indiana, this ____ day of
_____, 2026, at _____ .M.

Sue Finkam, Mayor

ATTEST:

This Ordinance was prepared by Allison Lynch McGrath, Assistant Corporation Council, on July 21, 2026, at 10:00 p.m. No subsequent revision to this Ordinance has been reviewed by Ms. Lynch McGrath for legal sufficiency or otherwise.

348
349 Jacob Quinn, Clerk
350
351 Ordinance D-2843-26
352 Page Seven of Seven