

ORDINANCE NO. 4838

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO AMEND SECTION 50-704 OF THE OFFICIAL HASTINGS CITY CODE ESTABLISHING LIGHTWEIGHT E-SCOOTER, E-BIKE, HOVERBOARD, AND OFF-ROAD MOTOR VEHICLE USAGE ON PUBLIC PROPERTY; TO PROVIDE THAT ANY ORDINANCES OR PROVISIONS INCONSISTENT HERE WITH ARE HEREBY REPEALED; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE; AND RELATED MATTERS.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HASTINGS, NEBRASKA:

Section 1. That Section 50-704 of the Official City Code of the City of Hastings, Nebraska, be and the same is hereby amended to read as follows:

Section 50-704. Lightweight E-Scooter, E-Bike, Off-road motor vehicle and Hoverboard usage on public property.

- (a) Definitions. The following words, terms, and phrases, when used in this ordinance, shall have the meanings prescribed to them in this section, except where the context clearly indicates a different meaning.

Business district means the area from 5th Street south to South Street, and from Burlington Avenue east to Minnesota Avenue.

E-Bike means propelled by electronic or gas motor, fully operative pedals for human propulsion, capable of exceeding 15 miles per hour, two to three wheels

Electric Personal Assistive Mobility Device means any motorized wheelchair or other self balancing, two-non tandem-wheeled device designed to transport only one person, powered solely by such a propulsion system, not capable of exceeding 20 miles per hour on a level surface

Hoverboard means Self-balancing single or double wheel electronic board scooter or electric skateboard.

Lightweight E-Scooter means Propelled by an electronic or gas motor, stand on deck, with handlebars, two to three wheels, 12" or smaller wheels.

Off-Road Motor Vehicle means any motor vehicle, whether powered by an internal combustion engine or electric motor, that is designed, manufactured, marketed, or intended primarily for off-road use, including but not limited to dirt bikes, electric dirt bikes, trail bikes, pit bikes, motocross motorcycles, minibikes, enduro motorcycles, pocket bikes, off-road motor vehicles, all-terrain vehicles,

utility task vehicles, utility vehicles, side-by-sides, and any substantially similar vehicle, regardless of number of wheels, wheel size, engine displacement, motor output, or whether the vehicle is equipped with lights, mirrors, turn signals, license plate brackets, pedals, or other accessories.

- (b) No person shall operate any off-road motor vehicle upon any street, alley, sidewalk, bicycle lane, hike and bike trail, park, public parking lot, public right-of-way, or any other property owner, controlled, maintained, or operated by the City of Hastings unless expressly authorized by Nebraska law.
- (c) No person shall ride a lightweight e-scooter, e-bike, or hoverboard upon a roadway on which the posted speed limit is greater than 25 miles per hour. Any person riding a lightweight e-scooter, e-bike, or one-wheeled scooter may cross such roadways at a marked intersection.
- (d) No person shall ride a lightweight e-scooter, e-bike, or hoverboard upon 2nd Street from Burlington Avenue east to Minnesota Avenue. Any person riding a lightweight e-scooter, e-bike, or hoverboard may cross 2nd Street at a marked intersection.
- (e) Any person riding a lightweight e-scooter, e-bike, or hoverboard shall not ride upon a sidewalk within the business district. Any such person is permitted to carry or walk alongside such lightweight e-scooter, e-bike, or hoverboard on the sidewalks located in the business district.
- (f) It shall be lawful for any person to operate an e-scooter, e-bike, or hoverboard on hike and bike trails, unless such activity is expressly prohibited by posted signage. Any person riding on such hike and bike trail must travel at a speed deemed safe and reasonable.
- (g) Every person riding a lightweight e-scooter, e-bike, or a hoverboard upon a roadway shall be granted all of the rights and shall be subject to all the duties applicable to the driver of a vehicle by the laws of this State declaring rules of the road applicable to vehicles or by this Code or other traffic ordinances of this City applicable to the driver of a vehicle, except as to special regulations in this section and as to those provisions of laws and ordinances which by their nature can have no application.
- (h) Any person operating a lightweight e-scooter, e-bike, or a hoverboard shall obey the instruction of official traffic control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a Police Officer.
- (i) Any person operating an e-scooter, e-bike, or hoverboard upon a street shall clearly signal their intention for turning left and right by utilizing hand signals.
- (j) Any lightweight e-scooter, e-bike, or hoverboard being ridden at nighttime shall be equipped with a light on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front on a clear night and with a red reflector on the rear which shall be visible on a clear night from all distances

- between one hundred (100) feet and six hundred (600) feet to the rear when directly in front of lawful lower beams of headlights on a motor vehicle. A light emitting a red light visible from a distance of five hundred (500) feet to the rear may be used in addition to such red reflector.
- (k) When riding a lightweight e-scooter, e-bike, or hoverboard on a sidewalk, hike and bike trail, or other pedestrian walkway, the user shall yield the right of way to all pedestrians and give an audible signal before overtaking and passing such pedestrian. When three or more lightweight e-scooters, e-bikes, and/or hoverboards ride in a group, such group must proceed in single file so as to not impede others.
 - (l) The operator of a lightweight e-scooter, e-bike, or hoverboard emerging from an alley, driveway, or building, shall upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right of way to all pedestrians approaching on the sidewalk or sidewalk area, and upon entering the roadway shall yield the right of way to all vehicles approaching on the roadway.
 - (m) No parent, legal guardian, or person having custody or control of a minor under the age of eighteen (18) shall knowingly permit, authorize, or allow such minor to operate an electric scooter, hoverboard, e-bike, or off-road motor vehicle within the City in violation of this Section.
 - 1. A parent, legal guardian, or person having custody or control of a minor is only in violation of this provision when said parent or guardian has actual knowledge, or in the exercise of reasonable care, should have knowledge, that the minor is operating or will operate an electric scooter, hoverboard, e-bike, or off-road motor vehicle in violation of this Section.
 - 2. Each act of permitting or allowing a violation constitutes a separate offense, independent of any citation issued to the minor operator.
 - (n) Any person operating an Electric Personal Assistive Mobility Device is exempt from the provisions of this section.
 - (o) Penalties for violations of this section:
 - 1. First offense: A person convicted of violation of any provision of this section shall be punished by a fine not less than \$0.00 nor more than \$50.00.
 - 2. Second offense: A person convicted of a violation of any provision of this section shall be punished by a fine not less than \$50.00 nor more than \$100.00
 - 3. Third and successive offenses: A person convicted of a violation of any provision of this section shall be punished by a fine of \$150.00.
 - 4. Any parent or guardian found in violation of this section shall be subject to a fine not exceeding \$150.00 per violation.
 - (p) A Police Officer apprehending a person for violating this section may impound the lightweight e-scooter, hoverboard, e-bike, or off-road motor vehicle and a Court may

order it to be sold by the City of Hastings or destroyed.

Section 2. Any ordinance passed and approved prior to the passage, approval and publication or posting of this ordinance and in conflict with its provisions is repealed.

Section 3. This Ordinance shall be published in the manner and form provided by law and shall take effect and be in full force from and after its due passage, approval, and publication in electronic form.

Section 4. The provisions of this ordinance are separable, and the invalidity of any phrase, clause or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

PASSED AND APPROVED this 24th day of August, 2026.

CITY OF HASTINGS, NEBRASKA

By: _____

George J.J. Beckby, Mayor

ATTEST:

By: _____

Tyler Ficken, Clerk



Approved as to form: _____

Jesse Oswald, City Attorney