

ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA,
AMENDING CHAPTER 14.12 OF THE MONTEREY COUNTY CODE TO ADDRESS
ELECTRIC BICYCLE USE IN COUNTY PARKS**

County Counsel Summary

This ordinance amends Chapter 14.12 of the Monterey County Code to address electric bicycle use within County of Monterey Parks. The ordinance amends the definitions of “bicycle” and “electric bicycle” to be consistent with the California Vehicle Code. The ordinance also adds language to permit use of electronic bicycles in the same manner and locations as traditional bicycles within all County Parks. Finally, the ordinance adds language concerning which type of trail users must yield to other trail users within County Parks. Specifically, bicycle and electric bicycle users must yield to pedestrians and equestrians, and pedestrians must yield to equestrians.

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. Findings.

A. Pursuant to Article XI, section 7 of the California Constitution, the County of Monterey may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens.

B. Electrical bicycles have grown in popularity in Monterey County and park users would like to use these bicycles in County parks to the same extent traditional bicycle use is currently allowed.

C. The California Legislature has enacted California Vehicle Code section 312.5 and 24016, which defines electric bicycles for purpose of the Vehicle Code based upon certain manufacturing and performance criteria. Electric bicycles which meet these definitions are treated as bicycles rather than motor vehicles for purposes of the California Vehicle Code.

D. The Board of Supervisors now desires to amend the Monterey County Code so as to permit the use of electric bicycles in County parks to the same extent traditional bicycles are used and subject to the same rules and regulations.

SECTION 2. Subsection (C) of Section 14.12.010 is hereby amended to read as follows:

C. "Bicycle" means any device with ~~one~~two or more wheels that is exclusively human powered, including but not limited to mountain bikes, cruisers, and street bicycles, and as further defined in California Vehicle Code section 231, as it may be amended from time to time.

SECTION 3. Subsection (K) of Section 14.12.010 is hereby amended to read as follows:

K. "Electric bicycle" means a bicycle equipped with fully operable pedals and an electric motor as further defined in California Vehicle Code section 312.5, as it may be amended from time to time, and that has not been tampered with or modified in violation of California Vehicle Code section 24016, as it may be amended from time to time.

SECTION 4. Subsection (B) of Section 14.12.060 is hereby amended to read as follows:

B. No person shall drive any Vehicle or ride a bicycle or electric bicycle within a County park in willful or wanton disregard for the safety of person or property.

SECTION 5. Subsection (H) of Section 14.12.060 is hereby amended to read as follows:

H. No person within a County park shall ride a bicycle or electric bicycle on any trail not authorized for such use.

SECTION 6. Subsection (I) of Section 14.12.060 is hereby amended to read as follows:

I. ~~Electric bicycles are prohibited from all County park dirt trails, unless authorized by the Director.~~ Any person using a County park trail must yield to other users of the trail in the following manner: (1) bicycle and electric bicycle users must yield to pedestrians and equestrians; and (2) pedestrians must yield to equestrians. Trail users may not pass another user at a speed greater than 5 miles per hour.

SECTION 7. Subsection (J) of Section 14.12.060 is hereby amended to read as follows:

J. No person within a County park shall ride a bicycle or electric bicycle on ~~any authorized~~ dirt trail without wearing a protective helmet that is certified by American National Standards Institute (ANSI), Snell Memorial Foundation (SNELL), or both.

SECTION 8. SEVERABILITY. If any subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, which shall remain in full force and effect. The Board of Supervisors hereby declares that it would have adopted this Ordinance, and each subsection, sentence, clause and phrase thereof not declared invalid or unconstitutional, without regard to whether any portion of the article would be subsequently declared invalid or unconstitutional. The courts are hereby authorized to reform the provisions of this Section to preserve the maximum permissible effect of each subsection herein.

SECTION 9. EFFECTIVE DATE. This ordinance shall take effect on the thirtieth day following its adoption.

PASSED AND ADOPTED this _____ day of _____ 2025, by the following vote:

AYES:

NOES:

ABSENT:

Christopher M. Lopez
Chair, Monterey County Board of Supervisors

A T T E S T:

VALERIE RALPH
Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM

Kelly L. Donlon
Chief Assistant County Counsel