

ORDINANCE NO. 2027-003

**A NEW ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF FORT GIBSON
ADDING CHAPTER 70, SECTION 70.116 TO TITLE XII, TRAFFIC CODE; RULES,
REGULATIONS, AND PENALTIES FOR THE USE OF ELECTRIC-ASSISTED BICYCLES;
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH;
PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

TITLE XII, CHAPTER 70, SECTION 70.116 ELECTRIC ASSISTED BICYCLES

**NOW, THEREFORE BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF
FORT GIBSON, OKLAHOMA, THAT SECTION 70.116 BE ADDED TO TITLE XII, CHAPTER 70.**

- Section 1.**
1. Except as specifically provided in this section, an electric-assisted bicycle or an operator of an electric-assisted bicycle shall be afforded the rights and privileges and be subject to all of the duties and provisions of this act.
 2. An electric-assisted bicycle or a person operating an electric-assisted bicycle is not subject to the Oklahoma statutory provisions relating to financial responsibility, vehicle insurance, driver licenses, vehicle registration or certificates of title.
 3. On and after August 1, 2026, all electric-assisted bicycles shall have a label that is permanently affixed in a prominent location to each electric-assisted bicycle. The label shall contain the classification number, top assisted speed and motor wattage of the electric-assisted bicycle, and it shall be printed in at least 9-point type.
 4. A person shall not tamper with or modify an electric-assisted bicycle so as to change the motor-powered speed capability or engagement of an electric-assisted bicycle, unless he or she appropriately replaces the label indicating the classification required in the preceding paragraph 3.
 5. An electric-assisted bicycle may be ridden where bicycles are permitted to travel.

6. An electric-assisted bicycle shall be considered a motor vehicle to the extent required for compliance with 23 U.S.C., Section 154.

Section 2.

1. An electric-assisted bicycle is any bicycle with:
 2. Two or three wheels; and
 3. Fully operative pedals for human propulsion and equipped with an electric motor with a power output of up to one thousand (1000) watts that meets the requirements of one of the following three classes:
 - A. "Class 1 electric- assisted bicycle" shall mean an electric-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of twenty (20) miles per hour and is limited to twenty (20) miles per hour with a power output of not more than seven hundred and fifty (750) watts.
 - B. "Class 2 electric-assisted bicycle" shall mean an electric-assisted bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of twenty (20) miles per hour and is limited to twenty (20) miles per hour with a power output of not more than seven hundred and fifty (750) watts.
 - C. "Class 3 electric-assisted bicycle" shall mean an electric-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of twenty-eight (28) miles per hour with a power output of no more than one thousand (1000) watts.
 - D. The use of Class 3 electric-assisted bicycles shall be subject to the following provisions:
 1. No person under sixteen (16) years of age may operate a Class 3 electric-assisted bicycle. A person under sixteen (16) years of

age may ride as a passenger on a Class 3 electric-assisted bicycle that is designed to accommodate passengers.

2. All Class 3 electric-assisted bicycles shall be equipped with a speedometer that is capable of displaying the speed the electric-assisted bicycle is traveling in miles per hour.

Section 3. 1. Anyone under the age of 16 years old must wear a helmet that meets the federal CPSC (Consumer Product Safety Commission) or NTA 8776 certification if operating an electric-assisted bicycle.

Section 4. 1. It is an offense against the town for any person to do any act forbidden or to fail to perform any act required by this title.

2. It is an offense against the town for the parent of any child or for the guardian of any ward to authorize or knowingly permit any such child or ward to violate any of the provisions of this title.

3. Penalty

Except as otherwise provided in this title, any person violating any of the provisions of this title, or who performs any unlawful act as defined in this title, or who fails to perform any act required by this title, shall be guilty of an offense and, upon conviction thereof, shall be fined up to two hundred (\$200.00) dollars.

Section 5. Repealer of all ordinances or parts of ordinances in direct conflict herewith are repealed to the extent of the conflict only.

Section 6. Severability should any section, subsection, sentence, provision, clause or phrase hereof be held invalid, void or unconstitutional or any reason, such holding shall not render invalid, void or unconstitutional for any other section, subsection, sentence, provision, clause, or phrase of this resolution and the same are deemed severable for this purpose.

Section 7. Emergency. An emergency is hereby declared to exist whereby it is necessary for the immediate preservation of the public welfare, that this ordinance take effect immediately and become operative from and after its passage, due to the risk associated with electric-assisted bicycles.

PASSED AND APPROVED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF FORT GIBSON, OKLAHOMA THIS 27th DAY OF July, 2026.


Mike Sharpe, Mayor



ATTEST: 
Ashlyn Kennedy, Deputy Town Clerk