

ORDINANCE NO. 042026A

AN ORDINANCE AMENDING CHAPTER 71 (TRAFFIC RULES) AND CHAPTER 73 (BICYCLES) OF THE CITY OF FISHERS CODE OF ORDINANCES

WHEREAS, children and pedestrians are commonly present on neighborhood streets, multi-paths, sidewalks, and bicycle lanes;

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

WHEREAS, the use of certain motorized devices such as electric dirt bikes, electric bicycles, electric scooters, and others has increased substantially;

WHEREAS, for the public’s health and safety, it is essential to establish guidelines and regulations governing the operation of bicycles, motor vehicles, and motorized devices to ensure the safety of pedestrians, riders, and users of the City’s trails, sidewalks and roadways;

WHEREAS, the City desires to promote transportation options while giving consideration to conflicts between motor vehicles, motorized devices, bicyclists, and pedestrians; and

WHEREAS, the City desires to implement a comprehensive ordinance for bicycles and motorized devices on the City’s trails, sidewalks and roadways.

NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the City of Fishers, Hamilton County, Indiana, meeting in regular session as follows:

Section 1. Section 71.40 DEFINITIONS, and 71.41 MOTOR VEHICLE RESPONSIBILITY and the associated title, “OPERATION OF MOTOR VEHICLES AND BICYCLES IN ROADWAYS, MULTI-USE PATHS, SIDEWALKS AND BICYCLE LANES” are hereby repealed and removed from the Fishers Code of Ordinances.

Section 2. Chapter 73: BICYCLES is hereby repealed and replaced in full as follows:

CHAPTER 73: OPERATION OF MOTOR VEHICLES, BICYCLES, AND MOTORIZED DEVICES ON MULTI-USE TRAILS, SIDEWALKS, AND ROADWAYS.

§ 73.01 DEFINITIONS.

For purposes of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BICYCLE. Any foot-propelled vehicle, irrespective of the number of wheels in contact with the ground. This definition does not include E-Bicycles.

BICYCLE LANE. That portion of a roadway or roadway shoulder that has been designated by striping, signing, and pavement markings for the preferential or exclusive use of a bicycle.

BICYCLIST. A person operating a bicycle.

CLASS 1 E-BICYCLE. An electric bicycle or e-bicycle equipped with an electric motor that (1) provides assistance only when the operator is pedaling and (2) ceases to provide assistance to the operator when the electric bicycle reaches a speed of twenty (20) miles per hour or as otherwise defined by Indiana Code § 9-13-2-1 *et seq.*, as amended.

CLASS 2 E-BICYCLE. An electric bicycle or e-bicycle equipped with an electric motor that (1) may be used to exclusively propel the electric bicycle; and (2) ceases or is unable to provide assistance when the bicycle reaches a speed of twenty (20) miles per hour or as otherwise defined by Indiana Code § 9-13-2-1 *et seq.*, as amended.

CLASS 3 E-BICYCLE. An electric bicycle or e-bicycle equipped with an electric motor that (1) provides assistance only when the operator is pedaling; and (2) ceases to provide assistance when the bicycle reaches a speed of twenty-eight (28) miles per hour or as otherwise defined by Indiana Code § 9-13-2-1 *et seq.*, as amended.

E-BICYCLE. Also called an electric bicycle. A bicycle that is equipped with fully operable pedals and an assistive, electric motor with a power output not greater than seven hundred fifty (750) watts. A general term that meets the requirements of and encompasses Class 1, Class 2, and Class 3 E-Bicycles, and complies with the applicable regulations of Indiana Code § 9-21-11, as amended.

E-SCOOTERS. A device weighing not more than one hundred (100) pounds, (2) designed to travel on not more than three (3) wheels in contact with the ground, (3) handlebars and a floorboard that the rider uses to stand on the device during operation and (4) powered by an electric motor that is capable of powering the device with or without human propulsion at a speed not more than twenty (20) miles per hour on a paved level surface, or as otherwise defined by Indiana Code § 9-13-2-1 *et seq.* Also called an electric foot scooter.

E-MOTO. A device powered by electric or mechanical motor that typically features power exceeding 750 watts, no functional pedals, and can generate speed when powered solely by the motor of more than twenty (20) miles per hour or more. Examples of E-Motos include but are not limited to, electric dirt bikes, electric trikes, and electric motorcycles.

ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE. A self-balancing, two (2) non-tandem wheeled device that is designed to transport only one (1) person and that has (1) an electric propulsion system with average power of seven hundred fifty (750) watts or one (1) horsepower and a maximum speed of less than twenty (20) miles per hour when operated on a paved level surface and when operated by an operator weighing one hundred seventy (170) pounds. Examples include Segways, hoverboards, and electric wheelchairs.

GREENWAY TRAILS. The following multi-use trails within the City of Fishers: Nickel Plate Trail and the Geist Greenway Trail.

MOTOR VEHICLE. Any vehicle that is propelled in whole or in part by a motor or any mechanical or artificial means, or is being pushed or towed by the same, or as otherwise defined by Indiana Code § 9-13-2-105. For purposes of this Chapter, this term includes, but is not limited to cars, motorcycles, and mopeds. This term does not include an e-bicycle, e-scooter, e-moto, or an electric personal assistive mobility device.

MOTORIZED DEVICE. A term that encompasses all E-Bicycles, E-Scooters, E-Motos, and Electric Personal Assistive Mobility Devices. This term does not include bicycles or motor vehicles.

MULTI-USE TRAIL. A paved or unpaved path at least eight feet (8') in width and indicated with signage by the City of Fishers as a trail.

OPERATOR. Any person operating an E-Bicycle, E-Scooter, E-Moto, Electric Personal Assistive Mobility Device or Motor Vehicle.

ROADWAY. That portion of a street improved, designed or ordinarily used for vehicular travel. The term does not include the sidewalk, berm or shoulder, even if the sidewalk, berm or shoulder is being used by bicyclists or persons using E-Bicycles, E-Scooters or E-Motos. This term does not include bicycle lanes.

SIDEWALK. The 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, usually five feet (5') to six feet (6') in width. This term does not include Multi-Use Trails.

§ 73.02 BICYCLIST RESPONSIBILITIES.

(A) In addition to the responsibilities imposed on a bicyclist by Ind. Code § 9-21-11 *et seq.*, these regulations are applicable to a bicyclist on a roadway or multi-use trail.

(B) *Bicyclists shall obey laws.* Bicyclists operating bicycles within the city's corporation limits shall obey all traffic signals, traffic control devices, signs, and markings upon any roadway, bicycle lane, sidewalk or multi-use trail unless otherwise directed by a police officer. Bicyclists shall not weave in between cars and shall keep a safe distance between the bicycle and a motor vehicle when approaching stopped motor vehicles at a red light or stop sign.

(C) *Riding bicycles.* No bicycle shall be used to carry more persons at one time than the number for which it is designed or equipped, except that an adult rider may carry a child securely attached in an approved child seat.

(D) *Riding on sidewalk or multi-use trail.*

(1) Bicycles may be ridden on sidewalks when such conduct does not constitute a hazard to safety of pedestrians.

(2) The city is authorized to erect signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person and when such signs are in place, it shall be unlawful to violate its directive.

(3) Whenever any person is riding a bicycle upon a sidewalk or multi-use trail, such person shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

(E) *Bicycle parking.*

(1) No person shall park any bicycle upon the traveled portion of any roadway, multi-use trail, or bicycle lane.

(2) A bicycle located on any sidewalk shall be parked only in a rack provided to support the bicycle, against a building, or in such other manner as not to impede pedestrian traffic on the sidewalk.

(F) It shall be unlawful for any person to use a bicycle to deliberately block or close a roadway intersection so as to facilitate the passage of other bicyclists through the intersection without stopping, yielding to other traffic, or in contravention of the traffic signals, traffic control devices, signs, posted speed limits, or markings upon a roadway, bicycle lane, sidewalk, or multi-use trail.

(G) The parent, guardian or custodian of any minor child shall not authorize or knowingly permit any minor child to violate any provisions herein.

§ 73.03 MOTOR VEHICLE RESPONSIBILITIES

(A) *Drivers to exercise due care.* The driver of any motor vehicle operating on any roadway located within the city's corporate limits shall exercise due care to avoid colliding with any person operating a bicycle or motorized device, and shall, as necessary, give warning by the sounding of a horn and by exercising such other precautions as are necessary to avoid a motor vehicle and bicycle or motorized device collision.

(B) *Turning right in front of bicycles or motorized devices.* When a motor vehicle and a bicycle or motorized device are traveling in the same direction on or along any roadway located within the city's corporate limits, the operator of the motor vehicle overtaking such bicycle or motorized device shall not turn to the right in front of the bicycle or motorized device until the motor vehicle is safely ahead and clear of the bicycle or motorized device.

(C) *Turning left in front of bicycles or motorized devices.* The driver of a motor vehicle operating within the city's corporate limits shall, when entering an intersection with the intention of turning left therein, yield the right-of-way to a bicycle or motorized device approaching the intersection from the opposite direction whenever a failure to do so would cause the approaching bicycle or motorized device to strike the motor vehicle or to engage in evasive actions in order to avoid such a collision.

(D) *Passing of bicycles or motorized devices.* The driver of any motor vehicle operating within the city's corporate limits, whenever passing a bicycle or

motorized device proceeding in the same direction on any roadway, shall maintain at all times a distance of not less than three feet from said bicycle or motorized device during the entire passing maneuver.

(E) *Operating on roadways that contain a bicycle lane.* The driver of any motor vehicle operating within the city's corporate limits shall, when traveling on a roadway that contains a designated bicycle lane, yield the right-of-way to all persons operating bicycles or motorized devices on and within said bicycle lane.

(F) *Turning on roadways with bicycle lanes.* The driver of any motor vehicle operating within the city's corporate limits shall, when traveling on a roadway that contains a designated bicycle lane, enter the bicycle lane to make a turn only after yielding to all persons operating a bicycle or motorized device on and within said bicycle lane and only when doing so will not cause any bicyclist or operator of motorized device to collide with the motor vehicle or to take evasive actions that impede the bicycle's or motorized device's forward progress in order to avoid such a collision.

(G) *Driving on bicycle lanes and multi-use trails.* No driver of any motor vehicle shall drive or park said motor vehicle in, on, or upon any designated bicycle lane or multi-use trail, or otherwise impede any bicycle or motorized device operating on and within a bicycle lane or multi-use trail within the city's corporate limits except when safely entering or exiting a legal parking space, driveway, or roadway as necessary, and then only after yielding to all persons operating a bicycle or motorized device on or within said bicycle lane or multi-use trail and when doing so will not cause any bicyclist or operator to collide with the motor vehicle or to take evasive actions that impede its forward progress in order to avoid such a collision.

(H) Nothing in this section shall be construed to permit the operation of a bicycle or motorized device in any location or manner prohibited by § 73.02 or § 73.04.

§ 73.04 MOTORIZED DEVICE OPERATOR RESPONSIBILITIES AND REGULATIONS.

(A) *Permitted and Restricted Locations.*

- (1) **Greenway Trails.** Bicycles, E-Bicycles, and Electric Personal Assistive Mobility Devices may be operated on Greenway Trails, subject to the regulations stated in this Chapter. E-Scooters and E-Motos are prohibited from operation on Greenway Trails.
- (2) **Multi-Use Trails.** Bicycles, E-Bicycles, E-Scooters, and Electric Personal Assistive Mobility Devices may be operated on multi-use trails, subject to the regulations stated in this Chapter. E-Motos are prohibited from operation on Multi-Use Trails.

- (3) **Sidewalks.** Bicycles, E-Bicycles, E-Scooters and Electric Personal Assistive Mobility Devices may be operated on sidewalks, subject to the regulations stated in this Chapter, provided such operation does not constitute a hazard to safety of pedestrians. E-Motos are prohibited from operation on Sidewalks.
 - (4) **Bicycle Lanes.** Bicycles, E-Bicycles, E-Scooters, and Electric Personal Assistive Mobility Devices may be operated in bicycle lanes, subject to the regulations stated herein. E-Motos are prohibited from operation in bicycle lanes.
 - (5) **Roadways.** Bicycles, E-Bicycles, and E-Motos may be operated on the roadways within the city's jurisdiction, subject to the regulations stated in this Chapter. E-Scooters and Electric Personal Assistive Mobility Devices are prohibited from operation on the roadways within the city's jurisdiction.
- (B) *Operational Rules.* Where allowed in § 73.04(A), operators of E-Bicycles, E-Motos, E-Scooters, and Electric Personal Assistive Mobility Devices:
- (1) Shall not operate in a reckless manner; this includes but is not limited to, aggressive riding, excessive speeds, speeding around pedestrians or other users of the trails, sidewalks, and roadways, performing wheelies, speed contests, or burnouts, or weaving in and out of slower traffic.
 - (2) Shall yield the right of way to pedestrians.
 - (3) Shall pass pedestrians at a safe distance, providing a minimum of three (3) feet of clearance and must wait until it is safe to pass.
 - (4) Shall avoid sudden or erratic movements that could endanger others.
 - (5) Shall give due regard to the safety of others, including those with visual, auditory, or mobility impairments.
 - (6) Shall keep the device under directional, speed, and stopping control at all times.
 - (7) Shall adhere to all speed limits and operational rules.
- (C) *Safety Requirements.* Operators of E-Bicycles, E-Motos, and E-Scooters shall comply with the following safety requirements:
- (1) All operators younger than eighteen (18) years of age must wear a properly fitted and fastened helmet while operating the motorized device.
 - (2) Operators may only carry the number of passengers for which the motorized device is designed by the manufacturer.
 - (3) Operators shall not attach the motorized device or themselves to any moving motor vehicle by tow rope, hand grip, or otherwise.
 - (4) Operators shall not tow any other vehicle or motorized device.
 - (5) Operators shall comply with all state laws, rules, and regulations related to licensing, operation, and maintenance of devices.
- (D) *Device Specific Requirements.*

- (1) **E-Motos.** Operation of E-Motos is prohibited on Greenway Trails, multi-use trails, and sidewalks. Subject to § 73.04(B) and (C), E-Motos are allowed on roadways under the following conditions:
 - (a) Operators must be at least fifteen (15) years of age.
 - (b) Operators under eighteen (18) years of age must wear a properly fitted and fastened helmet at all times.
 - (c) Operators must carry an unexpired identification card issued by the State of Indiana or other state's department of motor vehicles.
 - (d) Operators shall not operate their E-Moto at a speed greater than the speed limit of the road or thirty (35) miles per hour, whichever is lower.
 - (e) Operators must comply with all traffic rules and regulations.
 - (f) Operators must operate their E-Moto near the right-hand edge of the roadway unless passing another vehicle or preparing for a left-hand turn.
 - (2) **E-Scooters.** Subject to § 73.04(B) and (C), E-Scooters are allowed in bicycle lanes under the following conditions:
 - (a) Operators must be at least fifteen (15) years of age.
 - (b) Operators under eighteen (18) years of age must wear a properly fitted and fastened helmet at all times.
 - (c) Operators must comply with all safety and operations rights and duties of E-Scooters on roadways, as set forth in Indiana Code § 9-21-11-13.6, as amended.
- (E) The parent, guardian or custodian of any minor child shall not authorize or knowingly permit any minor child to violate any provisions herein.

§ 73.99 ENFORCEMENT AND PENALTY

(A) Citations for a violation of § 73.02, § 73.03, and § 73.04 may be issued by the Fishers Police Department to the person committing the violation.

(B) A minor child who commits a violation of § 73.02 or § 73.04 or a parent, guardian or custodian who authorizes or knowingly permits their child to commit a violation of § 73.02 or § 73.04 is subject to a citation for violation. Before a citation for § 73.02 or § 73.04 is issued to a minor child, the officer shall attempt to locate the minor child's parent, guardian or custodian, and if unable to do so, may cite the minor child. For violations of § 73.04, the motorized device may be impounded and towed in accordance with these Code of Ordinances. The owner, or the parent, guardian or custodian of the owner, of the impounded motorized device, shall be responsible for all impoundment and storage fees.

(C) Each violator of this Chapter 73 shall pay a fine to the City's Ordinance Violation Bureau in the sum and amount set forth in § 36.08.

(D) If the citation is not paid, an enforcement action for the fine and/or injunction may be filed by the City's Law Department in Fishers City Court or Hamilton

County Superior or Circuit Court. When an enforcement action is filed against a minor child for a violation of this chapter, the City Law Department shall serve a copy of the Complaint on the minor child’s parent, guardian or custodian, if such person is known or can be identified by a reasonable inquiry.

Section 3. Section 71.99 is repealed and replaced, as follows:

§ 71.99 PENALTY.

(A) Any violation of §§ [71.16](#), [71.17](#), [71.18](#) or [71.19](#) is a Class C Infraction punishable by a fine up to \$500 for each such violation. All such violations shall be immediately docketed in the City Court of Fishers and made subject to the costs imposed thereon for Class C infractions in addition to the fine imposed by the court having jurisdiction thereof in accordance with this provision.

(B) Citations for a violation of § 71.20, § 71.30, may be issued by the Fishers Police Department. Each violator shall pay a fine to the City’s Ordinance Violation Bureau in the sum and amount set forth in § 36.08.

Section 4. Section 36.08 SCHEDULE OF FINES, is hereby amended to add the following fines:

§ 36.08 SCHEDULE OF FINES

Violation-Traffic	Code Section	Fine	If not paid after 30 days
Use of Toy Vehicles	71.20	\$25	\$50
Running in Roadway	71.30	\$25	\$50

Violation – Improper Operation of Motor Vehicles, Bicycles, and Motorized Devices	Code Section	Fine	If not paid after 30 days
Bicyclist Responsibilities	73.02	\$150	\$300
Motor Vehicle Responsibilities	73.03	\$150	\$300
Device Operator Responsibilities	73.04	\$150	\$300

Section 5. All other ordinances or provisions thereof not specifically changed herein shall remain in full force and effect.

Section 6. If any portion of this Ordinance is for any reason declared to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of the same can be given the same effect.

Section 7. This Ordinance is and shall be effective as of the date of passage and upon publication, if required by Indiana law.

ALL OF WHICH IS SO ORDAINED by the Common Council of the City of Fishers, Indiana on this _____ day of _____, 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY		NAY	ABSTAIN
	John DeLucia, President		
	Tiffanie Ditlevson Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Brad DeReamer, Member		
	Cecilia Coble, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ 2026, at _____ m.

ATTEST: _____
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, Corporation Counsel, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Lindsey Bennett