



CITY OF POQUOSON

POLICE DEPARTMENT

101 CITY HALL AVENUE, POQUOSON, VIRGINIA 23662

January 26, 2026

TO: City Council

THROUGH: Randy Wheeler, City Manager

FROM: Stephen E. Keatts, Chief of Police

SUBJECT: **Ordinance to Amend and Re-Ordain Chapter 78, Traffic and Motor Vehicles of the Code of the City of Poquoson, Virginia, by Amending Article I – In General, by Adding Section 78-8, Helmets Required for Riders of Electric Power-Assisted Bicycles**

Recently, there has been much discussion concerning the increasing number of electric power-assisted bicycles and scooters being utilized around the City, mostly by youthful members of the community. In response to these concerns, I have researched the Code of Virginia as well as the Poquoson Code of Ordinances.

The Poquoson Code of Ordinances contains within Chapter 78, Article VIII, regulations that strictly govern the use of motorized skateboards and scooters on the roadways of the City to include the use of helmets and the requirement of a valid driver's license. The City Code of Ordinances at this time is silent with regard to Electric Power Assisted Bicycles. However, this silence does not leave us without the ability to address the safety concerns.

Code of Virginia §46.2-906.1 permits the local adoption of ordinance to require every person 14 years of age and younger to wear a protective helmet whenever riding or being carried on a highway, sidewalk or public bike path. Before you tonight for consideration is An Ordinance to Amend and Re-Ordain Chapter 78, Traffic and Motor Vehicles of The Code of The City of Poquoson, Virginia, By Amending Article I – In General, By Adding Section 78-8, Helmets Required for Riders of Electric Power-Assisted Bicycles.

ORDINANCE TO AMEND AND RE-ORDAIN CHAPTER 78, TRAFFIC AND MOTOR VEHICLES OF THE CODE OF THE CITY OF POQUOSON, VIRGINIA, BY AMENDING ARTICLE I – IN GENERAL, BY ADDING SECTION 78-8, HELMETS REQUIRED FOR RIDERS OF ELECTRIC POWER-ASSISTED BICYCLES

WHEREAS, Public Safety is a long-standing priority of the City of Poquoson, and

WHEREAS, Code of Virginia §46.2-906.1 allows localities to adopt ordinance requiring every person 14 years of age or younger to wear a protective helmet whenever riding or being carried on an electric power-assisted bicycle on a highway, sidewalk, or public bike path, and

WHEREAS, there has been a noticeable increase in both vehicle and bicycle traffic in recent years, and

WHEREAS, it is desirable to implement measures to ensure the safety of all community members.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Poquoson, Virginia:

Section 1: Chapter 78, Traffic and Motor Vehicles is hereby amended and re-ordained by amending Article I – In General by adding Section 78-8, Helmets Required for Riders of Electric Power-Assisted Bicycles.

Section 2: The amended code shall read as follows:

Chapter 78. Traffic and Motor Vehicles

Article I. In General

Section 78-8. Helmets Required for Riders of Electric Power-Assisted Bicycles

- a) Every person fourteen (14) years or younger shall be required to wear a protective helmet which meets the standards promulgated by the Consumer Product Safety Commission Standards whenever riding or being carried on an electric power-assisted bicycle on any highway, street, sidewalk or bicycle path.**
- b) A violation of any provision of this section shall be punishable by fine of twenty-five dollars (\$25.00). However, with respect to any person riding or being carried on an electric-powered-assisted bicycle, such fine shall be suspended (i) for first-time violators or (ii) for any violator who, subsequent to the violation but prior to imposition of the fine, purchases a helmet of the type required by this section.**

State Law reference – Code of Va., § 46.2-906.1.

Section 3: That the second reading of this ordinance is hereby dispensed with and the provisions contained herein shall become effective immediately upon adoption.

ADOPTED: _____

TESTE: _____
City Clerk