



Special Meeting
6:00 p.m., Monday, June 15, 2026
Farmington City Hall
23600 Liberty Street
Farmington, MI 48335

STUDY SESSION AGENDA

- 1. Roll Call**
- 2. Approval of Agenda**
- 3. Public Comment**
- 4. Discussion - Governor Warner Mansion Addition Project – General Contractor**
- 5. Discussion - E-Bikes**
- 6. Other Business**
- 7. Public Comment**
- 8. Council Comment**
- 9. Adjournment**

The City will follow its normal procedures for accommodation of persons with disabilities. Those individuals needing accommodations for effective participation in this meeting should contact the City Clerk (248) 474-5500, ext. 2218 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

Farmington City Council Staff Report	Council Meeting Date: June 15. 2026	Item Number 5
Submitted by: Bob Houhanisin – Director		
Agenda Topic: Electric Bike Discussion		
Proposed Motion: No current motion		
Electric Bikes have been a concern for residents, business owners and law enforcement. The attached correspondence from legal counsel explains the current laws and definitions. There is no current proposed motion.		

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June 10, 2026

Bob Houhanisin, Director of Public Safety
City of Farmington
32600 Liberty Street
Farmington, Michigan 48335

RE: Operation of Electric Bicycles and Electric Skateboards

Dear Director Houhanisin,

Electric Bicycles

You have asked whether an individual may operate an electric bicycle on a sidewalk. As explained below, the Michigan Vehicle Code only permits non-electric bicycles to ride on sidewalks.

The Michigan Vehicle Code, Public Act 300 of 1949, MCL 257.1 et. seq, ("MVC") governs the use of bicycles, electric bicycles and other types of mobility devices, in addition to automobiles. The MVC provide the following definitions for bicycles and electric bicycles:

"Bicycle" means a device propelled by human power upon which a person may ride, having either 2 or 3 wheels in a tandem or tricycle arrangement, all of which are over 14 inches in diameter. MCL 257.4

"Electric bicycle" means a device upon which an individual may ride that satisfies all of the following:

(a) The device is equipped with all of the following:

- (i) A seat or saddle for use by the rider.
- (ii) Fully operable pedals for human propulsion.
- (iii) An electric motor of not greater than 750 watts.

(b) The device falls within 1 of the following categories:

(i) Class 1 electric bicycle. As used in this subparagraph, "class 1 electric bicycle" means an electric bicycle that is equipped with an electric motor that provides assistance only when the rider is pedaling and that disengages or ceases to function when the electric bicycle reaches a speed of 20 miles per hour.

(ii) Class 2 electric bicycle. As used in this subparagraph, "class 2 electric bicycle" means an electric bicycle that is equipped with a motor that propels the electric bicycle to a speed of no more than 20 miles per hour, whether the rider is pedaling or not, and that disengages or ceases to function when the brakes are applied.

(iii) Class 3 electric bicycle. As used in this subparagraph, "class 3 electric bicycle" means an electric bicycle that is equipped with a motor that provides assistance only when the rider is pedaling and that disengages or ceases to function when the electric bicycle reaches a speed of 28 miles per hour. MCL 257.13e.

The MVC specifically authorizes the operation of bicycles on sidewalks:

257.660c Operation of bicycle upon sidewalk or pedestrian crosswalk.

(1) An individual operating a bicycle upon a sidewalk or a pedestrian crosswalk shall yield the right-of-way to pedestrians and shall give an audible signal before overtaking and passing a pedestrian.

(2) An individual shall not operate a bicycle upon a sidewalk or a pedestrian crosswalk if that operation is prohibited by an official traffic control device.

(3) An individual lawfully operating a bicycle upon a sidewalk or a pedestrian crosswalk has all of the rights and responsibilities applicable to a pedestrian using that sidewalk or crosswalk.

This section only permits bicycles to operate upon sidewalks and pedestrian crosswalks. It does not provide authority for electric bicycles to operate on sidewalks. Under the rules of statutory interpretation, when a statute designates authority for a certain thing all omissions should be understood as exclusions. As stated by the U. S. Supreme Court, "when Congress includes particular language in one section of a statute but omits it in another section of the same act, courts generally take the choice to be deliberate." *Bartenwefer v Buckely*, 598 U. S. 69, 77 (2023) quoting *Badgerow v Walters*, 596 US 1, 11 (2022). The Michigan Supreme Court recognized this rule of interpretation in conducting that where a statute expressly mentioned two tax deductions while remaining silent on another type of deduction, only the two mentioned deductions were permitted. *Michigan Bell Telephone Company v Department of Treasury*, ___NW 3d___, (2024). Therefore, the express permission given to bicycles to operate on sidewalks implies the exclusion of permission to ride electric bicycles on sidewalks.

The permissible places for the operation of electric bicycles is addressed in a separate section in the MVC. Section 662a of the MVC provides:

(6) Except as otherwise provided in subsection (7), an individual may operate an electric bicycle on any part of a **highway** that is open to a bicycle, including, but not limited to, a lane designated for the exclusive use of bicycles and the shoulder.

(7) An individual shall not operate an electric bicycle within a city that prohibits the use of nonemergency motor vehicles, unless the city council of that city, by majority vote, adopts a resolution allowing the operation of electric bicycles within city limits..... If a city... authorizes the operation of electric bicycles within its jurisdiction, the city... may regulate the operation of electric bicycles within its jurisdiction.

As such, electric bicycles can only be operated on highways where bicycles are allowed. The MVC designates the trails where the different classes of electric bicycles may operate. Class 1 electric bicycles are allowed on bike paths and linear trails, while class 2 or 3 electric bicycles are not allowed, unless the local agency responsible for the trail permits them. MCL 257.662a (8)-(10).

The MVC provides that the state and local authorities shall administer the provisions consistent with the Americans with Disabilities Act and persons with disabilities civil rights laws. MCL 257.662a (11) Therefore, individuals who use electronic mobility devices for a disability may require different considerations for where they may operate their devices.

The MVC provides that it is a misdemeanor to violate this act unless the violation is specifically declared in the MVC or other law to be a felony or a civil infraction. Section 662 of the MVC regulating bicycles, electric personal assistive mobility devices and electric skateboard, specifies that a violation of that section is a civil infraction. Section 662a of the MVC, which regulates electric bicycle does not provide for violation of this section to be a civil infraction. Therefore, violations under the MVC relating to electric bicycles are misdemeanors.

Electric Skateboard

You have asked whether an individual may operate an electric skateboard on a sidewalk. As explained below, the Michigan Vehicle Code permits electronic skateboards to be operated on sidewalks unless prohibited by the Municipality in certain areas such as in a downtown central business district or in a historic district.

Under the Michigan Vehicle Code, Public Act 300 of 1949, as amended, an electric skateboard is defined as:

a wheeled device that has a floorboard designed to be stood upon when riding that is no more than 60 inches long and 18 including wide, is designed to transport only 1 person at a time, has an electronic propulsion system with power of no more than 2,500 watts, and has a maximum speed on a paved level surface of no more than 25 miles per hour. An electric skateboard may have handlebars and, in addition to having an electrical propulsion system with power of no more than 2,500 watts, may be designed to also be powered by human propulsion. MCL 257.13f.

An electric skateboard is exempt from the definition of "motor vehicle" under the Michigan Vehicle Code. MCL 257.33. An electric skateboard may be operated on a roadway under the requirements of the Michigan Vehicle Code. MCL 257.657. A person may operate an electric skateboard on a sidewalk constructed for pedestrian use, except in areas where the Michigan Vehicle Code allows a municipality to prohibit such use through an adopted ordinance.

The Michigan Vehicle Code authorizes the governing body of a county, city, village, township or entity created under the Urban Cooperation Act of 1967 to adopt an ordinance to regulate the operation of electric personal assistive mobility devices and electric skateboards or commercial quadricycles on sidewalks, highways, streets or crosswalks. MCL 257.660(12). These public entities may prohibit the operation of electric skateboards in an area open to pedestrian traffic

Director Houhanisin
RE: Operation of Electric Bicycles
June 10, 2026
Page 4

adjacent to a waterfront or on a trail under its jurisdiction, in a downtown central business district or street that includes streetcar tracks. MCL 257.660. Electric skateboards may also be prohibited in a historic district. MCL 257.660(14).

Where permitted to ride, a person operating an electric skateboard on a sidewalk must yield the right-of-way to a pedestrian and must give an audible signal before overtaking or passing the pedestrian. MCL 257.660(6).

Please let us know if you have any additional questions.

Very truly yours,

ROSATI SCHULTZ JOPPICH
& AMTSBUECHLER PC

Joellen Shortley

Joellen Shortley

cc: Thomas Schultz, City Attorney