

**VILLAGE OF BENSENVILLE
12 S. CENTER STREET
BENSENVILLE, ILLINOIS 60106**

Ordinance No. 56-2025

**An Ordinance of the Village of Bensenville, DuPage and Cook Counties, Illinois
Amending Title Five of the Bensenville Village Code Regarding
Motorized Bicycles and Scooters**

**ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
OF THE
VILLAGE OF BENSENVILLE
THIS 18th DAY OF NOVEMBER 2025**

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois this 19th day of November, 2025

STATE OF ILLINOIS)
COUNTIES OF COOK)
SS AND DUPAGE)

I, Corey Williamsen, do hereby certify that I am the duly appointed Deputy Village Clerk of the Village of Bensenville, DuPage and Cook Counties, Illinois, and as such officer, I am the keeper of the records and files of said Village; I do further certify that the foregoing constitutes a full, true and correct copy of Ordinance No. 56-2025 entitled An Ordinance of the Village of Bensenville, DuPage and Cook Counties, Illinois Amending Title Five of the Bensenville Village Code Regarding Motorized Bicycles and Scooters.

IN WITNESS WHEREOF, I have hereunto affixed my official hand and seal on this 19th day of November, 2025.




Corey Williamsen
Deputy Village Clerk

ORDINANCE NUMBER 56-2025

**AN ORDINANCE OF THE VILLAGE OF BENSENVILLE, DUPAGE
AND COOK COUNTIES, ILLINOIS AMENDING TITLE FIVE OF
THE BENSENVILLE VILLAGE CODE REGARDING
MOTORIZED BICYCLES AND SCOOTERS**

WHEREAS, the Village of Bensenville, DuPage and Cook Counties, Illinois (the "*Village*") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, President and Board of Trustees of the Village of Bensenville (the "*Corporate Authorities*") are charged with the responsibility of protecting the health, safety, and welfare of the residents of the Village; and

WHEREAS, the Corporate Authorities have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret, and amend Village ordinances, rules, and regulations; and

WHEREAS, Section 11-80-2 of the Illinois Municipal Code, 65 ILCS 5/11-80-2, grants the Corporate Authorities the power to regulate the use of streets or other municipal property; and

WHEREAS, Section 11-1518(a) of the Illinois Vehicle Code, 625 ILCS 5/11-1518(a), empowers the Village to authorize and regulate the operation of low-speed electric scooters within the Village on any or all highways, sidewalks, trails, or other public right-of-way where the operation of bicycles is permitted; and

WHEREAS, the Corporate Authorities may from time to time amend the text of the Bensenville Village Code when it is determined to be in the best interests of the residents of the Village; and

WHEREAS, the Corporate Authorities find that it is in the best interests of the residents of the Village to provide for the regulations herein specified to promote the health, safety, and welfare of the residents of the Village and the general public.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. The Corporate Authorities find and determine that it is necessary and desirable to amend the Bensenville Village Code for the purpose set forth herein and that the adoption of this Ordinance is in the best interests of the Village.

Section 3. Title Five ("Traffic and Motor Vehicles") of the Bensenville Village Code is hereby amended by adding the following new Chapter to read, as follows:

CHAPTER 9 MOTORIZED BICYCLES AND ELECTRIC SCOOTERS

5-9-1: DEFINITIONS:

For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

LOW-SPEED ELECTRIC BICYCLE: Shall mean a bicycle equipped with fully operable pedals and an electric motor of less than seven hundred fifty (750) watts that is not a moped or a motor driven cycle that meets the requirements of one of the following classes:

A. CLASS 1 LOW-SPEED ELECTRIC BICYCLE: a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty (20) miles per hour. 625 ILCS 5/1-140.10(a).

B. CLASS 2 LOW-SPEED ELECTRIC BICYCLE: a low-speed electric 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 a speed of twenty (20) miles per hour. 625 ILCS 5/1-140.10(b).

C. CLASS 3 LOW-SPEED ELECTRIC BICYCLE: a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight (28) miles per hour.

LOW-SPEED ELECTRIC SCOOTER: Shall mean a device weighing less than one hundred (100) pounds, with two (2) or three (3) wheels, handlebars, and a floorboard that can be stood upon while riding, that is solely powered by an electric motor and human power, and whose maximum speed, with or without human propulsion, is no more than ten (10) miles per hour. Low-speed electric scooter does not include a moped or motor-driven cycle.

LOW-SPEED GAS BICYCLE: Shall mean a 2-wheeled or 3-wheeled device with fully operable pedals and a gasoline motor of less than one (1) horsepower or fifteen (15) cubic centimeter displacement that is operated at speeds of less than twenty (20) miles per hour.

MOPED: Shall mean a motor-driven cycle, with or without optional power derived from manually operated pedals, whose speed attainable in one (1) mile is at least twenty (20) miles per hour but not greater than thirty (30) miles per hour, and is equipped with a motor that produces two (2) brake horsepower or less. If an internal combustion engine is used, the displacement shall not exceed fifty (50) cubic centimeter displacement, and the power drive system shall not require the operator to shift gears.

5-9-2: TRAFFIC LAWS APPLY:

Every person riding or operating a low-speed electric bicycle, low-speed gas bicycle, moped, or low-speed electric scooter on any street, roadway, alley, sidewalk, or parking lot or on other public property within the Village shall be subject to all the duties applicable to the driver of a vehicle, except as to any special regulations for the use of such vehicles as set forth in this chapter or in the Illinois Vehicle Code. Additionally, every person operating a low-speed electric bicycle, low-speed gas bicycle, moped, or low-speed electric scooter shall comply with all special regulations set forth in Chapter 11 (Rules of Road), Article XV (Bicycles) of the Illinois Vehicle Code (625 ILCS 5/11-1501 through 11-1518, inclusive, and as amended from time to time); the instructions of official traffic signals, signs, and other control devices applicable to vehicles unless otherwise directed by a police officer; and all additional regulations and restrictions provided in this chapter.

5-9-3: APPLICATION:

A. It is unlawful for a person to do any act forbidden, or fail to perform any act required, by any provision of this chapter or any applicable provision of the Illinois Vehicle Code while riding or operating a low-speed electric bicycle, low-speed gas bicycle, moped, or low-speed electric scooter within the Village.

B. It is unlawful for a person to permit any minor child of which they are a parent or guardian to violate any provision of this chapter or any applicable provision of the Illinois Vehicle Code while riding or operating a low-speed electric bicycle, low-speed gas bicycle, moped, or low-speed electric scooter within the Village. The police shall have the authority to either impound or immediately release the personal vehicle to the parent or guardian.

C. Any use of a low-speed electric bicycle, low-speed gas bicycle, moped, or low-speed electric scooter in violation of this chapter is not an intended nor permitted use of a public right-of-way, as those terms are used in Section 3-102 of the Local Governmental and Governmental Employees Tort Immunity Act (745 ILCS 10/3-102).

5-9-4: ADDITIONAL REGULATIONS AND RESTRICTIONS:

A. The following additional regulations and restrictions shall apply to the operation of a low-speed electric bicycle, low-speed gas bicycle, or low-speed electric scooter on any public street, roadway, alley, sidewalk, bicycle path, multi-use path, or parking lot or on other public property within the Village:

Low-speed Motorized Bicycles:

1. A person may operate a low-speed electric bicycle (including a Class 1, Class 2, or Class 3 low-speed electric bicycle) or low-speed gas bicycle only if the person is at least sixteen (16) years of age. This limitation does not apply to a Class 1 or Class 2 low-speed electric bicycle that is being operated under manual power and without utilizing motorized propulsion or assistance.

2. A person may operate a low-speed electric bicycle (including a Class 1, Class 2, or Class 3 low-speed electric bicycle) or a low-speed gas bicycle only on a public street, roadway, or alley within the Village where the posted speed limit is less than thirty (30) miles per hour. A person may not operate a low-speed electric bicycle (including a Class 1, Class 2, or Class 3 low-speed electric bicycle) or low-speed gas bicycle within the Village on any public sidewalk, bicycle path, or multi-use path or any other public property or public way where the use of motor vehicles is not permitted; provided, however that a Class 1, Class 2 or Class 3 low-speed electric bicycle may be operated on a bicycle path or multi-use path under manual power only and without utilizing motorized propulsion or assistance.

3. A person operating a low-speed electric bicycle or a low-speed gas bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or sidewalk area extending across any alleyway, yield the right of way to all pedestrians approaching on said sidewalk area and upon entering the public street or roadway shall yield the right of way to all vehicles approaching on said street or roadway.

4. A person operating a low-speed electric bicycle or a low-speed gas bicycle upon a public street or roadway shall ride as near to the right side thereof as practicable, exercising due care when passing a standing vehicle or a vehicle proceeding in the same direction.

5. A person operating a low-speed electric bicycle or a low-speed gas bicycle shall not ride other than upon or astride the permanent and regular seat attached thereto, nor carry any other person or persons upon such bicycle other than upon a firmly attached and regular seat designed and intended for such purpose.

Low-speed Electric Scooters:

6. A person may operate a low-speed electric scooter only if the person is at least eighteen (18) years of age and may operate a low-speed electric scooter only on a sidewalk in the Village. A person may not operate a low-speed electric scooter on any public street, roadway, or alley within the Village, except where necessary to cross a street at a designated crosswalk, or on any bicycle path, multi-use path, or any other public property or public way.

7. Whenever a person is operating a low-speed electric scooter upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give an appropriate signal clearly audible to such pedestrian.

8. No low-speed electric scooter shall be used to carry more than one (1) person at a time.

Low-speed Motorized Bicycles and Electric Scooters:

9. No person shall operate a low-speed electric bicycle, a low-speed gas bicycle, or a low-speed electric scooter at a speed greater than is reasonable and prudent under the conditions then existing.

10. No person shall operate a low-speed electric bicycle, low-speed gas bicycle, or low-speed electric scooter while under the influence of alcohol or any drug.

11. Persons operating low-speed electric bicycles, low-speed gas bicycles, or low-speed electric scooters shall ride in single file.

12. A person operating a low-speed electric bicycle, low-speed gas bicycle, or low-speed electric scooter shall not attach himself or herself or said low-speed electric bicycle, low-speed gas bicycle, or low-speed electric scooter, by clinging or otherwise, to any other vehicle.

13. The use of handheld cell phones, or similar devices, while operating a low-speed electric bicycle, low-speed gas bicycle, or low-speed electric scooter is prohibited. A person operating a low-speed electric bicycle, low-speed gas bicycle, or low-speed electric scooter with handlebars shall keep both hands on the handlebars at all times, and may not operate a low-speed electric bicycle, low-speed gas bicycle, or low-speed electric scooter while carrying any package, bundle, or article that prevents the operator from keeping both hands upon the handlebars.

14. A low-speed electric bicycle, low-speed gas bicycle, or low-speed electric scooter shall not be equipped with nor shall any person operating a low-speed electric bicycle, low-speed gas bicycle, or low-speed electric scooter use any siren.

B. Nothing in this chapter shall be construed to prohibit the use of a motorized wheelchair or similar personal mobility device that is designed for and used by a person with disabilities on any sidewalk, multi-use path, or other public way consistent with the rights and duties applicable to pedestrians.

C. No person may operate any bicycle that is equipped with an electric-powered motor of 750 watts or more, any electric bicycle capable of a maximum speed in excess of twenty-eight (28) miles per hour, any gas-powered bicycle capable of a maximum speed in excess of twenty (20) miles per hour, any electric scooter capable of a maximum speed in excess of ten (10) miles per hour, or any off-highway motorcycle on any public street, roadway, alley, sidewalk, bicycle path, multi-use path, or parking lot or on other public property within the Village.

D. The restrictions contained in this chapter shall not apply to any local, state, or federal police vehicle, fire vehicle, EMS vehicle, special district vehicle, County vehicle, Forest Preserve District vehicle, or official Village vehicle including but not limited to public works that is operated by an employee in the course of the employee's duties.

5-9-5: EQUIPMENT:

A. Every low-speed electric bicycle, low-speed gas bicycle, and low-speed electric scooter when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet (500') to the front and with a red reflector on the rear which shall be visible from all distances from one hundred feet (100') to six hundred feet (600') to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle, except that a lamp emitting a steady or flashing red light visible from a distance of five hundred feet (500') to the rear may be used in addition to or instead of the red reflector.

B. Every low-speed electric bicycle, low-speed gas bicycle, and low-speed electric scooter shall be well maintained, in good operating condition, and equipped with a brake which will adequately control movement of and stop and hold the low-speed electric bicycle, low-speed gas bicycle, or low-speed electric scooter.

5-9-6: PENALTY:

Any person, firm, association, co-partnership, or corporation violating any provisions of this chapter for which another penalty is not provided, shall be fined not less than one hundred fifty dollars (\$150.00) nor more than seven hundred fifty dollars (\$750.00) for each offense.

Section 4. This Ordinance, and its parts, are declared to be severable and any section, paragraph, clause, provision, or portion of this Ordinance that is declared invalid shall not affect the validity of any other provision of this Ordinance, which shall remain in full force and effect.

Section 5. The findings and recitals herein are declared to be *prima facie* evidence of the law of the Village and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

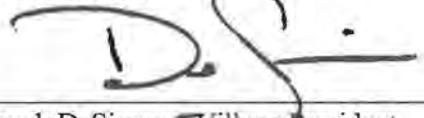
Section 6. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 7. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

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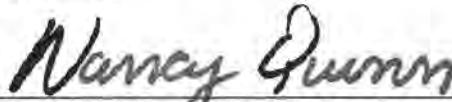
PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, this 18th day of November, 2025, pursuant to a roll call vote, as follows:

APPROVED:



Frank DeSimone, ~~Village~~ President

ATTEST:



Nancy Quinn, Village Clerk

AYES: Carmona, Franz, Lomax, Panicola, Perez

NAYES: None

ABSENT: None