



**AN ORDINANCE AMENDING THE TOWN CODE OF THE
TOWN OF NAGS HEAD, NORTH CAROLINA AS IT PERTAINS
TO CHAPTER 42 TRAFFIC AND MOTOR VEHICLES**

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Nags Head, North Carolina, that Chapter 42 of the Town Code shall be amended as follows:

PART I. That **Article I, IN GENERAL**, be amended as follows:

Sec. 42-1. - Definitions.

Non-motorized, muscle-powered vehicle or device means any device that is not powered by a motor but instead by the effort of the person using, wearing or in contact with the device and includes but is not limited to bicycles or any pedal-powered vehicle that is muscle-powered or any muscle-powered devices, and non-motorized roller blades/roller skates, skateboards, scooters, or other similar device.

Electric-assist vehicle or device means a device that is powered by some form of motor and includes but is not limited to electric personal assistive mobility device, electric power-assisted bicycle, electric skateboard, electric scooter or similar vehicle or device, which are exempt from registration pursuant to G.S. 20-51(14).

Low-Speed Motorized vehicle or device means a registered or unregistered device with a top speed of 30 MPH or less and includes but is not limited to gas-powered/electric utility vehicle, gas-powered/electric golf cart, all-terrain vehicle, moped or similar vehicle.

~~Sec. 42-92. - Riding coasters, roller skates, or similar devices.~~

~~a) No person on or upon any motorized roller skates, motorized inline skates, motorized skateboards, or operating, riding in, on or by means of, any motorized coaster, toy vehicle, off the road vehicle, unlicensed all-terrain vehicles (ATV) or similar device shall go upon any street, highway, roadway, or multiuse pedestrian path. Except for operations on a multiuse pedestrian path, operators of bicycles and motorized vehicles registered pursuant to G.S. 20-39 et seq., motor vehicles, are exempt from this section. The town official governmental and emergency motor vehicles and vehicles are also exempt from the restriction of not operating on the town's multiuse pedestrian path while in the performance of the town's official duties.~~

~~b) Except upon a multiuse pedestrian path, no person on or upon any roller skates, inline skates, or skateboards shall go upon any portion of U.S. Highway 158 (South Croatan Highway), N.C. Highway 12 (South Virginia Dare Trail), N.C. Highway 64/264 (Nags Head/Manteo Causeway) or S.R. Highway 1243 (Old Oregon Inlet Road) which is located within the town limits.~~

~~{Code 1990, § 11-68}~~

Sec. 42-92. - Operation of non-motorized, muscle-powered, electric-assist, & low-speed motorized vehicles and devices.

- a) It shall be unlawful for any person to operate or ride a non-motorized, muscle-powered vehicle or device or an electric-assist vehicle or device on any multi-use pedestrian path, sidewalk, street, or other public area recklessly or at a speed faster than is reasonably proper, or in a manner so as to endanger the life, limb, or property of the rider or of any other person.
- b) It shall be unlawful for any person to operate or ride any low-speed motorized vehicle or device, registered or unregistered, on any multi-use pedestrian path or sidewalk. It shall be unlawful for any person to operate or ride an unregistered low-speed motorized vehicle or device on any Town street. It shall be unlawful for any person to operate or ride a registered low-speed motorized

vehicle or device on a street or other public area recklessly or at a speed faster than is reasonably proper, or in a manner so as to endanger the life, limb, or property of the rider or of any other person.

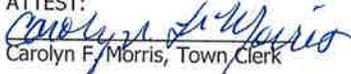
- c) The town official governmental and emergency motor vehicles and vehicles are exempt from the restriction of not operating on the town's multiuse pedestrian path while in the performance of the town's official duties.
- d) Low-speed motorized and electric-assist vehicles or devices must be operated in accordance with all applicable state and local laws and ordinances.

PART II. Effective Date.

This ordinance amendment shall be in full force and effect upon the date of adoption by the Board of Commissioners.



Benjamin Cahoon, Mayor
Town of Nags Head

ATTEST:

Carolyn F. Morris, Town Clerk



APPROVED AS TO FORM:


John Leidy, Town Attorney

Date adopted: January 5, 2022

Motion to adopt by Commissioner _____
Motion seconded by Commissioner _____
Vote: _____ AYES _____ NAYS