



City of Conway, Arkansas  
Ordinance No. O-21-129



CERTIFICATE OF RECORD  
FAULKNER CO, AR FEE \$25.00

I hereby certify that this instrument was  
Filed and Recorded in the Official Records

In Doc Num **L202200869** 3 Pages

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CRYSTAL TAYLOR

FAULKNER COUNTY CIRCUIT CLERK

BY: GINGER BERRY, D.C.

**ORDINANCE**

**AN ORDINANCE AMENDING EXISTING RESTRICTIONS ON THE USE OF MOTORIZED VEHICLES ON CITY BICYCLE LANES AND PEDESTRIAN PATHWAYS; PROVIDING PENALTIES FOR VIOLATIONS THEREOF; REPEALING OTHER ORDINANCES IN CONFLICT; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Conway has established designated bicycle lanes and pedestrian pathways for the use and enjoyment of its citizens, Ordinance 0-98-95; and

**WHEREAS**, these pathways should be free of motorized vehicles subject to the exceptions set out herein; and

**WHEREAS**, it has become necessary to amend the current restrictions to increase the safety of bicyclists and pedestrians, and to clarify to operators of motorized vehicles the restrictions and exceptions.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:**

**Section 1.** The current restrictions, set forth in Chapter 8.56 – Bicycle and Pedestrian Pathways, is amended as follows:

**8.56.01 - Definitions.**

*Bicycle means a human-powered vehicle with two (2) or more wheels in tandem, designed to transport by the act of pedaling one (1) or more persons seated on one (1) or more saddle seats on its frame.*

*Bicycle Lane means part of a roadway designated by official signs or markings for exclusive use by persons riding bicycles, electric bicycles, or electric motorized scooters.*

*Motor Vehicle means every vehicle which is self-propelled, including, but not limited to, "all-terrain vehicles" (ATVs), "four wheelers", golf carts, cars and trucks, whether propelled by electricity, solar, gas or diesel engines or motors. Electric bicycles and Electric Motorized Scooters, as defined by the Arkansas Electric Bicycle Act and the Arkansas Electric Motorized Scooter Act, are not motor vehicles for purposes of this Chapter.*

*Motorcycle means every motor vehicle having a saddle for the use of the rider and designated to travel on not more than three (3) wheels in contact with the ground.*

*Pedestrian Pathway means a path separate from a roadway designated by official signs or markings for exclusive use by pedestrians, which are defined as persons afoot.*

*Shared Use Path means a path separate from a roadway designated by official signs or markings for exclusive use by bicyclists, electric bicycles, electric motorized scooters, and pedestrians.*

*Vehicle* means every device in, upon or by which any person or property is, or may be, transported or drawn upon a street or highway. The term vehicle does not mean bicycles, electric bicycles, or electric motorized scooters.

#### 8.56.02 - Operation.

Except as permitted by Section 8.56.03, it shall be unlawful for any person to operate, park, or leave standing any vehicle, motor vehicle or motorcycle upon property designated as a City Bicycle Lane, Pedestrian Pathway, or Shared Use Path. Electric bicycles and electric motorized scooters, as defined by Arkansas law, are exempt from this prohibition to the extent permitted by the Arkansas Electric Bicycle Act and the Arkansas Electric Motorized Scooter Act.; however, no electric bicycle or electric motorized scooter shall be operated on a Pedestrian Pathway or Shared Use Path at a speed greater than fifteen (15) miles per hour.

#### 8.56.03 - Exceptions.

- A. Person(s) utilizing a wheelchair due to a physical handicap, whether motorized or not.
- B. Any emergency vehicle and personnel while acting within the scope of their duties.
- C. Any vehicle owned, leased or maintained by the City of Conway, and duly authorized personnel, while acting within the scope of their duties.
- D. Any vehicle owned, leased or maintained by any utility corporation, and duly authorized personnel, while acting within the scope of their duties.
- E. A person operating a vehicle, motor vehicle, or motorcycle, may enter a Bicycle Lane, Pedestrian Pathway, or Shared Use Path, to enter or exit the roadway, enter or leave a parking space, or prepare for a turn, but only after yielding the right of way to all bicyclists or pedestrians lawfully within the lane, pathway, or path.

#### 8.56.04 - Fine.

Any person, firm and/or corporation violating any of the provisions of this ordinance shall, upon conviction, be fined not less than twenty-five dollars (\$25.00), nor more than one hundred dollars (\$100.00) for each offense.

**Section 2.** All ordinances in conflict herewith are repealed to that extent of the conflict.

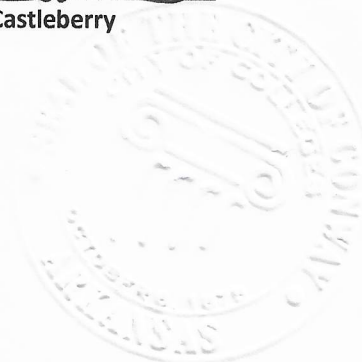
**PASSED** this 14<sup>th</sup> day of December 2021.

**Approved:**

  
Mayor Bart Castleberry

**Attest:**

  
Michael O. Garrett  
City Clerk/Treasurer



**CERTIFICATE**

**STATE OF ARKANSAS  
COUNTY OF FAULKNER  
CITY OF CONWAY**

I, Michael Garrett, the duly elected, qualified, and acting: Clerk-Treasurer of the City of Conway, Arkansas, do hereby certify that the attached and foregoing is a true and correct copy of an ordinance presented to the City Council of the City of Conway, Arkansas, at a meeting of that body held on the 14<sup>th</sup> day of December, 2021 same is duly recorded in the minutes of meeting of said Council.

Witness, my hand, and seal of the City of Conway, Arkansas this 4<sup>th</sup> day of January, 2022.

  
**CITY CLERK-TREASURER**

