


# COUNCIL COMMUNICATION

 <p>CITY OF DES MOINES OFFICE OF THE CITY MANAGER</p>	Number: <b>24-511</b>	Meeting: <b>December 23, 2024</b>
	Agenda Item: <b>52</b>	Roll Call: [ _____ ]
	Submitted by: <b>Steven L. Naber, P.E., City Engineer</b>	

## AGENDA HEADING:

Amending the City’s Municipal Code to conform with amendments to Iowa State Code resulting from the passage of House File (HF) 2568, with respect to non-vehicular traffic, including pedestrian conveyances and bicyclists' right-of-way at certain crosswalks.

## SYNOPSIS:

The proposal amends the City’s Municipal Code to conform with amendments to Iowa State Code resulting from the recent passage of HF2568, an Act relating to non-vehicular traffic, including pedestrian conveyances and bicyclists' right-of-way at certain crosswalks.

## FISCAL IMPACT: NONE

## ADDITIONAL INFORMATION:

- On May 3, 2024, HF2568 was approved by Governor Kim Reynolds. HF2568 was an Act relating to non-vehicular traffic, including pedestrian conveyances and bicyclists' right-of-way at certain crosswalks. The following changes will amend the City’s Municipal Code to conform with the applicable provisions of HF2568.

Sec. 114-1. Definitions.

*Bicyclist* means a person operating a bicycle as defined by the Iowa State Code.

*Pedestrian* means ~~any~~ a person going on foot or a person using a pedestrian conveyance.

*Pedestrian conveyance* means any human-powered device by which a pedestrian may move other than by walking or by which a pedestrian may move another person, including but not limited to a wheelchair, stroller, skateboard, scooter, or other similar device. *Pedestrian conveyance* also includes an electric personal assistive mobility device, and any other device used to move a person sitting or standing on the device regardless of whether the device is powered by an electric motor, so long as the electric motor produces less than seven hundred fifty watts. *Pedestrian conveyance* does not include a bicycle.

*Vehicle* means every self-propelled device in, upon, or by which any person or property is or may be transported or drawn upon a public highway or street, excepting devices moved by human power, including a low-speed electric bicycle and a pedestrian conveyance or used exclusively

upon stationary rails or tracks. Terms such as "car," "automobile," "truck," "bus" and "motorcycle" shall be synonymous with the term "vehicle."

Sec. 114-327. Right-of-way.

Where traffic control signals are not in place or in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping, if need be, to so yield to a pedestrian or a person riding a bicycle crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection, except as otherwise provided in this chapter.

**PREVIOUS COUNCIL ACTION(S): NONE**

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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