



## Legislation Text

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**File #:** 19-1563, **Version:** 1

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Chief Administrative Office, Parks Division, is requesting an update from the ad hoc committee (Commissioner Arenz and Commissioner Callahan) for motorized scooters regarding the research and findings gathered on this topic to date.

### **DEPARTMENT RECOMMENDATION**

The Parks Division recommends the Parks and Recreation Commission receive an update from the ad hoc committee for motorized scooters. The Division also recommends that the Commission ultimately discuss and make a recommendation to the Board of Supervisors regarding the use of Lime Scooters in response to Board of Supervisors Agenda Item 19-1015.

### **DISCUSSION / BACKGROUND**

On June 25th, 2019, Supervisor Novasel recommended that the Board of Supervisors direct the appropriate staff to explore the feasibility of amending Chapter 10.32-Vehicle Regulations on Trail Facilities of the County ordinance code to permit motorized scooters on County trail facilities. This item is a result of Lime Scooters recently having a large presence in the City of South Lake Tahoe. The Board of Supervisors directed staff to work with the Parks and Recreation Commission to bring forward a recommendation to the Board as to whether such changes should be made and take enforcement, liability, and other potential impacts into consideration.

On July 25th, 2019, staff submitted a memo to the Board of Supervisors and the Chief Administrative Officer to request an extension on this item to December 2019. Staff brought forth agenda item 19-1234 to the Parks and Recreation Commission on August 15th, 2019 to request direction on how the Commission would like to proceed. The Commission made a motion to develop an ad hoc committee to research and ultimately provide a recommendation regarding the use of Lime Scooters. Commissioner Arenz and Commissioner Callahan were appointed to this committee to conduct research and report findings to the Commission.

The current County ordinance code pertaining to Vehicle Regulations on Trail Facilities prohibits the use of motorized scooters on trail facilities, however "Class 1 and Class 2" electric bicycles are permitted (code section 10.32.030 (D)) provided the electric bicycle complies with State Vehicle Code section 312.5. This matter requests the Board provide direction to staff to examine the feasibility of amending the County ordinance to also permit motorized (electric) scooters that do not exceed 20 miles per hour on trail facilities.

California State Vehicle Code section 407.5 defines a motorized scooters as "any two-wheeled device that has handlebars, has a floorboard that is designed to be stood upon when riding, and is powered by an electric motor. This device may also have a driver seat that does not interfere with the ability of the rider to stand and ride and may also be designed to be powered by human propulsion."

In contrast, State Vehicle Code section 312.5 defines an electric bike as "a bicycle equipped with fully

operable pedals and an electric motor of less than 750 watts" and provides for a description of electric bicycles as follows:

- (1) A "class 1 electric bicycle," or "low-speed pedal-assisted electric bicycle," is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.
- (2) A "class 2 electric bicycle," or "low-speed throttle-assisted electric bicycle," is a 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 the speed of 20 miles per hour.
- (3) A "class 3 electric bicycle," or "speed pedal-assisted electric bicycle," is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour, and equipped with a speedometer.

Further, section 21220 of the State Vehicle Code addresses a need to reduce traffic congestion and air pollution problems where possible, stating:

- (a) The Legislature finds and declares both of the following:
  - (1) This state has severe traffic congestion and air pollution problems, particularly in its cities, and finding ways to reduce these problems is of paramount importance.
  - (2) Motorized scooters that meet the definition of Section 407.5 produce no emissions and, therefore, do not contribute to increased air pollution or increase traffic congestion.
- (b) It is the intent of the Legislature in adding this article to promote the use of alternative low-emission or no-emission transportation.

## **ALTERNATIVES**

N/A

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

N/A

## **CAO RECOMMENDATION / COMMENTS**

Chief Administrative Office concurs with the Parks Division recommendation.

## **FINANCIAL IMPACT**

N/A

## **CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

## **STRATEGIC PLAN COMPONENT**

N/A

## **CONTACT**

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