



Legislation Text

File #: 19-1234, **Version:** 1

Chief Administrative Office, Parks Division, is recommending the ad hoc committee on Lime Scooters provide options for the Commission to make a recommendation to staff on how to move forward regarding Lime Scooters. The Board of Supervisors requested the Parks and Recreation Commission discuss and make a recommendation regarding the use of Lime Scooters in response to Board of Supervisors Agenda Item 19-1015. (Cont. 08/15/19, Item 2) (Est. Time: 20 Min)

FUNDING: N/A

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 this 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. On October 17, 2019, agenda item 19-1563 was brought forth so that the ad hoc committee would provide an update. As a result, staff submitted a memo to the Board to inform them of the updated status and to inform that Commissioner made the following recommendations: the County should put off any decisions until the City of South Lake Tahoe makes the changes to their ordinance, County Counsel should input on liability issues, an estimate should be provided by the Sheriff's Office on the cost of related law enforcement activities, and if the City is going to implement fees, the County should impose the same fees.

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

PRIOR BOARD ACTION

06/25/19 - 19-1015

OTHER DEPARTMENT / AGENCY INVOLVEMENT

City of South Lake Tahoe

CAO RECOMMENDATION / COMMENTS

The Chief Administrative Office concurs with the Parks Division.

FINANCIAL IMPACT

N/A

STRATEGIC PLAN COMPONENT

Good Governance

CONTACT

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