



REGULATED MOBILITY DEVICES (E-BIKES) ORDINANCE

CITY COUNCIL
August 28, 2024



BACKGROUND

- Electric Bicycles (E-Bikes) and other similar electrically powered mobility devices have exploded in popularity in the past few years.
- Sales of E-bikes in the U.S. alone have increased 269% from 2019 to 2022, with at least 1.1 million E-bikes sold in 2022.



BACKGROUND

- There has been a similar explosion in the number of collisions and injuries related to E-Bikes and similar devices.
- Locally, Mission Hospital reported in 2022 that E-bikes now accounted for the leading cause of traumatic injuries in children under the age of 18.



PURPOSE AND INTENT

The purpose of the proposed ordinance is to implement reasonable regulations on the operation and use of electric mobility devices pursuant to the City's police power to **protect the public health, safety, and welfare**, to better promote the safe use and operation of regulated mobility devices, to prevent vehicular and pedestrian conflicts and other traffic hazards, to prevent hazards to public safety, and to enhance pedestrian and motorist safety.



DEFINITIONS



- The proposed ordinance defines Regulated Mobility Devices as the following categories of devices:

ELECTRIC BICYCLES: There are 3 classes of electric bicycles defined by State law. While the details of each class are listed below, the proposed ordinance would apply to all 3. Additionally, an E-bike is generally defined as having operable pedals and capable of reaching a speed of no more than 28 miles per hour.

		VEHICLE TYPE				
		BICYCLE	TYPE 1 E-BIKE	TYPE 2 E-BIKE	TYPE 3 E-BIKE	MOPED/MOTORIZED BICYCLE
VEHICLE	Pedal Operated	YES	YES	NO	YES	NO
	Maximum Motor Assisted Speed (MPH)	N/A	20	20	28	N/A
	Minimum Age (Years)	N/A	N/A	N/A	16	16
	Driver's License	NO	NO	NO	NO	YES
	License Plate	NO	NO	NO	NO	YES
	Helmet Required	UNDER 18	UNDER 18	UNDER 18	YES	YES



DEFINITIONS

ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES which would commonly be referred to as Segway's and Hoverboards.





DEFINITIONS

ELECTRICALLY MOTORIZED BOARDS AND LOW SPEED VEHICLES
which would commonly be referred to as electric skateboards, one-wheels,
and devices similar to golf carts but capable of higher speed.





DEFINITIONS

MOTORIZED SCOOTERS AND SHARED MOBILITY DEVICES. This would include electric scooters as well as electric scooters available for rent.





DEFINITIONS

WHAT IS NOT A REGULATED MOBILITY DEVICE?

Electric motorcycles (Sur-Rons, Talarias or other similar devices without operable pedals or which are capable of speeds over 28 MPH), Motorized bicycles (mopeds), and Motor Driven Cycles (Vespas and pocket bikes) are considered vehicles regulated by State law and would not be considered a regulated mobility device under the proposed ordinance.





DEFINITIONS

WHAT IS NOT A REGULATED MOBILITY DEVICE?

Additionally, this ordinance would NOT apply to powered wheelchairs, or 4-wheeled scooters used as mobility devices for disabled persons.





PROHIBITED CONDUCT

The Proposed Ordinance would make it unlawful and a violation of RSMMC § 12.08.030(a) to operate a regulated mobility device in an unsafe manner which is defined as one or more of the following:

- (1) Violating any provision of the Rancho Santa Margarita Municipal Code, California Vehicle Code, or other law or regulation applicable to the use or operation of a regulated mobility device.
- (2) Operating on any street, road, highway, or bicycle lane against the direction of traffic.
- (3) Operating upon any public drainage facility, culvert, ditch, or channel.
- (4) Operating in a manner other than the manner in which the regulated mobility device was designed, including carrying more than one passenger or carrying passengers on the regulated mobility device in a manner other than as designed.
- (5) Operating on any street, road, highway, bicycle path, bicycle lane, trail or sidewalk with more than two regulated mobility devices side-by-side.
- (6) Operating at a speed greater than 25 miles per hour on any street, road, highway, bicycle path, bicycle lane, or other area generally open to public access, or at any speed greater than is reasonable or prudent under the conditions then existing.

Continued.



PROHIBITED CONDUCT

Continued

7. Operating at a speed greater than 5 miles per hour on a sidewalk.
8. Operating while hitched to or physically attached to any moving vehicle or motorized device.
9. Operating while allowing another person who is not a passenger to either cling to or to be physically attached to the regulated mobility device.
10. Operating while lifting one or more wheels into the air.
11. Operating while failing to yield the right-of-way to any and all pedestrians or failing to yield the right-of-way to a vehicle upon entering a roadway or driveway from a sidewalk.
12. Operating while failing to obey any posted signs regulating operation including signs prohibiting operation in specific areas.
13. A person under the age of 18 operating without a properly fitted and fastened helmet.
14. A person aged 18 or older operating a class 3 regulated mobility device without a properly fitted and fastened helmet, which helmet is required pursuant to California Vehicle Code Section 21213(b).
15. Operating upon any City park.
16. Operating upon any unpaved trail.
17. Operating at a speed greater than 10 miles per hour on any paved trail.



PENALTIES

- Violations of the proposed ordinance would be an infraction.
- Alternatively, at the discretion of the enforcement officer, the violator can be issued an administrative citation.
- In accordance with State law, both an infraction and an administrative citation would be punishable by a fine of not more than \$100 for a first violation, \$200 for a second violation of the ordinance within one year, or \$500 for each additional violation of the ordinance within one year.



PENALTIES (DIVERSION)

- Additionally, the Enforcement Officer, may allow a person operating a device in an unsafe manner to attend an approved safety diversion program at their own expense within 120 days of the violation. Upon completion of the diversion program the administrative citation issued would be dismissed.
- Where the violator is under the age of 18, a parent or legal guardian will be required to accompany the violator to and attend the safety diversion program.



Remedies for Juvenile Violators

- If a person under the age of 18 is found in violation of the proposed ordinance and no parent or legal guardian is present, the Enforcement Officer may also contact the parent or legal guardian of the person under the age of 18 to notify them of the violation.
- Finally, the proposed ordinance would permit an enforcement officer to take possession of a device where a minor under the age of 18, is found operating a device in a manner that constitutes an immediate danger to the health and safety of the juvenile operator or to members of the public. The device would be held in safekeeping by the City to be released to the legal owner of the device and/or to the parent or legal guardian of the person under the age of 18.



RECOMMENDATION

- 1) Find and determine that the proposed Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), 15060(c)(3) (the activity is not a project as defined in Section 15378) because it has no potential for resulting in physical change to the environment, directly or indirectly, and Section 15061(b)(3) (there is no possibility that the activity would have a significant negative effect on the environment); and



RECOMMENDATION

- 2) Introduce for first reading, read by title only, and waive further reading of an Ordinance entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, ADDING NEW CHAPTER 12.08 (REGULATED MOBILITY DEVICES) TO TITLE 12 (VEHICLES AND TRAFFIC) OF THE RANCHO SANTA MARGARITA MUNICIPAL CODE REGARDING OPERATION OF REGULATED MOBILITY DEVICES SUCH AS E-BIKES."

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QUESTIONS

