

**CITY OF SAN ANTONIO
POLICE DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM**

TO: Mayor and City Council

FROM: Albert A. Ortiz, Chief of Police

SUBJECT: Regulation of Neighborhood Electric Vehicles, Motor-Assisted Scooters and Mini-motorbikes

DATE: February 9, 2006

SUMMARY AND RECOMMENDATIONS

An Ordinance amending Chapter 19 of the City Code to prohibit the operation of motor-assisted scooters, neighborhood electric vehicles and mini-motorbikes on streets, highways and sidewalks; the operation of mini-motorbikes in City parks; motor-assisted scooters in City parks except where permitted by sign; the operation of such vehicles by a person under 21 years of age without a helmet or by a child not under direct supervision of a parent; altering a motor-assisted scooter from the original manufacturer's design; and providing for a criminal fine in an amount not to exceed \$500.00.

Staff recommends approval.

BACKGROUND INFORMATION

The passage of the Neighborhood Electric Vehicles and Motor-Assisted Scooter Act by the State Legislature authorizes municipalities to prohibit the operation of neighborhood electric vehicles or motor-assisted scooters on any roadway in the interest of public safety. This act also clarifies that mini-motorbikes are not authorized to be operated on any highway, road, street, or path set aside for the exclusive operation of bicycles.

In recent years, the popularity and use of motor-assisted scooters and mini-motorbikes has increased significantly. This use appears to be prevalent particularly among minors. Operators of these vehicles frequently disregard traffic signalization, and/or are uninformed of local state traffic regulations. This has created a safety concern for the operators of said vehicles as well as other vehicular traffic on the City roadways.

Based on these concerns, the City will prohibit motor-assisted scooters, neighborhood electric vehicles and mini-motorbikes on streets, highways and sidewalks. Motor-assisted scooters will be allowed in City parks but only on exclusive bike paths and trails. Neighborhood electric vehicles and mini-motorbikes will be completely prohibited in City Parks. Children operating these devices will be required to be under the direct supervision of a parent and parents may be held responsible for the actions of their children operating these devices. Operators/riders under

the age of 21 will be required to wear a helmet. Additionally, modifications to a scooter which alter the scooter from original manufacturer's design will be prohibited. Fines of up to \$500 will be established for any violations of this ordinance.

POLICY ANALYSIS

This ordinance continues City Council's policy of conducting comprehensive reviews and oversight of city operations and regulations to ensure public safety.

FISCAL IMPACT

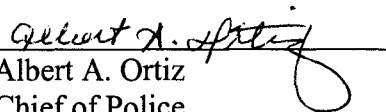
Fiscal impact associated with this action will be revenue collected through fines.

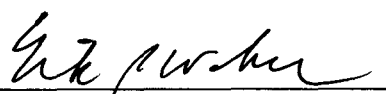
COORDINATION

This ordinance request has been coordinated with Finance, City Attorney's Office, Municipal Courts and the Office of Management & Budget.


SUPPLEMENTAL COMMENTS

The Discretionary Contracts Disclosure Form is not required.


Albert A. Ortiz
Chief of Police


Erik J. Walsh
Assistant to the City Manager

Approved:


Sheryl Sculley
City Manager