



County of Santa Cruz

BOARD OF SUPERVISORS

701 OCEAN STREET, SUITE 500, SANTA CRUZ, CA 95060-4069

(831) 454-2200 FAX: (831) 454-3262 TDD: (831) 454-2123

JANET K. BEAUTZ
FIRST DISTRICT

WALTER J. SYMONS
SECOND DISTRICT

MARDI WORMHOUDT
THIRD DISTRICT

TONY CAMPOS
FOURTH DISTRICT

JEFF ALMQUIST
FIFTH DISTRICT

AGENDA: 5/23/00

May 8, 2000

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

RE: ELECTRIC BICYCLES AND SCOOTERS

Dear Members of the Board:

Attached is a letter from Linda Wilshusen, Executive Director of the Santa Cruz County Regional Transportation Commission, urging that the County take measures which would allow the use of motorized bicycles (electric bicycles), as defined by California Vehicle Code Section 406 (b), and motorized scooters, as defined by California Vehicle Code Section 407.5, on streets and bike paths within the County unincorporated area. The Commission is making a similar request of all local jurisdictions in an effort to ensure that these alternative methods of transportation are allowed to operate countywide.

I believe that the Board should continue to look at all viable options to reduce the use of gasoline-powered vehicles. Accordingly, I recommend that the Board direct the County Administrative Officer, in concert with County Counsel and the Sheriff, to review this matter and provide the Board with a response and any recommendation for action on or before August 1, 2000.

Sincerely,

Mardi Wormhoudt

MARDI WORMHOUDT, Chair
Board of Supervisors

MW:ted
Attachments

cc: Linda Wilshusen, Executive Director, Santa Cruz County
Regional Transportation Commission
County Administrative Officer
County Counsel
Sheriff

SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION

1523 PACIFIC AVENUE, SANTA CRUZ, CALIFORNIA 95060-3911 (831) 460-3200 FAX (831) 460-3215 OR (831) 471-1290

SERVICE AUTHORITY
FOR FREEWAY
EMERGENCIES
(SAFE)

cl

April 27, 2000

Mardi Wormhoudt, Chair
Santa Cruz County Board of Supervisors
701 Ocean Street
Santa Cruz, CA 95060

CONGESTION
MANAGEMENT
AGENCY

☐

RE: Incorporation of Electric Bicycles and Scooters into Municipal Code

COMMUTE
SOLUTIONS

☐

Dear Supervisor Wormhoudt:

The Regional Transportation Commission recognizes the potential for electric bicycles and scooters to become viable and effective alternative transportation modes and thereby reduce automobile congestion, reduce pollution and improve mobility. To realize the full potential and benefits of these new modes of transportation, they should be accommodated accordingly on our existing transportation system and consistent laws should govern their use.

TRANSPORTATION
POLICY COMMITTEE

☐

RAIL OVERSIGHT
COMMITTEE

☐

At its April 6, 2000 meeting, the Regional Transportation Commission made the following recommendations for all local jurisdictions and UCSC to consider:

BUDGET &
ADMINISTRATION
PERSONNEL
COMMITTEE

☐

1. That jurisdictions approve the same general rule for use of motorized bicycles (electric bicycles), as defined by California Vehicle Code Section 406 (b), and motorized scooters, as defined by California Vehicle Code Section 407.5, on streets and bike paths within their jurisdictions;

INTERAGENCY
TECHNICAL
ADVISORY
COMMITTEE

☐

2. That the general rule be that electric bicycles and motorized scooters be allowed to operate on all facilities where bicycles are allowed;

BICYCLE COMMITTEE

☐

3. That each local jurisdiction consider exceptions to the general rule only for specific facilities where there are significant concerns about electric bicycles and motorized scooters mixing with other users of the facility; and

ELDERLY & DISABLED
TRANSPORTATION
ADVISORY COMMITTEE

☐

4. That local jurisdictions solicit comments from the Regional Transportation Commission and its Bicycle Committee before instituting an ordinance regulating the use of electric bicycles and scooters or before instituting a restriction against these vehicles on a particular facility.

The April 6, 2000 staff report to the Regional Transportation Commission along with a copy of the electric bicycles ordinance adopted by the City of Sebastopol are enclosed for your information. The ordinance adopted by the City of

Sebastopol is an example of an ordinance that meets the recommendations of the Regional Transportation Commission.

Thank you for your consideration of these recommendations. Regional Transportation Commission staff and the Bicycle Committee will be available to work with all the local jurisdictions in drafting electric bicycle and motorized scooter ordinances. If you have any questions or comments, please contact me at (83 1) 460-32 13 or Luis Mendez of my staff at (83 1) 460-3212.

Sincerely,



Linda Wilshusen
Executive Director

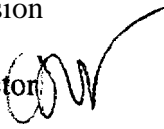
enclosures

S:\CORRESP\BKORD040.WPD

cc: Dwight L. Herr, Santa Cruz County Counsel
Mark S. Tracy, County of Santa Cruz Sheriff

Agenda: April 6, 2000

To: Regional Transportation Commission

From: Linda Wilshusen, Executive Director 

Re: Bicycle Ordinance Revisions to Include Motorized Bicycles and Scooters -
Continued From the Policy Workshop

RECOMMENDATION

The Bicycle Committee and staff recommend that the Regional Transportation Commission:

1. Propose that all five local jurisdictions and UCSC consider approving the same general rule for use of motorized bicycles and scooters on streets and bike paths within their jurisdictions;
 2. Propose **that** the general rule be that motorized bicycles and scooters as defined in the California Vehicle Code be allowed to operate on all facilities where bicycles are allowed;
 3. Suggest that each local jurisdiction consider exceptions to the general rule only for specific facilities where there are significant concerns about motorized bicycles mixing with other users of the facility; and
 4. Invite each local jurisdiction to receive comments from the SCCRTC Bicycle Committee and the Regional Transportation Commission before instituting an ordinance regulating the use of motorized bikes or a restriction against motorized bikes on a particular facility.
-

BACKGROUND

Recently the Bicycle Committee received information regarding proposed ordinance revisions to Municipal Code Chapter 10.68 in the City of Santa Cruz to apply to electric bicycles and personal recreation transportation devices (PRTDs) in addition to bicycles (Attachment 1). The Bicycle Committee discussed the item at several meetings. The Bicycle Committee also sent a letter to Santa Cruz City Councilmember Krohn thanking him for informing the Bicycle Committee of the issue and alerting him to a possible conflict with **the** California Vehicle Code.

After receiving preliminary comments **from** a number of sources including Regional Transportation Commission staff, City of Santa Cruz staff opted to postpone presenting this item to the City Council until the Bicycle Committee and the Regional Transportation Commission had the opportunity to formulate a recommendation.

34-1

The Budget and Administration/Personnel Committee also discussed this issue briefly during discussion of the Electric Bicycle Subsidy Program.

DISCUSSION

The proposed revisions to the City of Santa Cruz Municipal Code Chapter 10.68 were suggested to include electric powered bicycles and other vehicles which are currently not covered by the Municipal Code. In addition to including “personal recreation transport devices” (PRTDs) as a definition in the Municipal Code, the proposed ordinance revisions prohibit electric bicycles and other PRTDs from using a municipal **bikeway** unless the **bikeway** is within a roadway or use by PRTDs is permitted by the City Council. Attachment 1 is a draft report and a draft ordinance outlining the proposed municipal code revisions to Chapter 10.68 relating to bicycles.

In response to various comments received by City of Santa Cruz staff, **John G. Barisone**, the City Attorney, has written a letter (Attachment 2) to the Mayor and City Council. The concerns addressed in the letter are the prohibition of electric bicycles on all bike paths, the need to encourage alternative transportation modes and the need for consistency among all local jurisdictions. The City of Santa Cruz Police Department has agreed to hold consideration of the proposed revisions by the City Council until the Regional Transportation Commission has had an opportunity to review the proposed revisions **and develop** a recommendation which could be applied county wide.

Bicycle Committee Review

The Bicycle Committee expressed the following concerns to the proposed ordinance revisions:

Prohibition of motorized bicycles from all bicycle paths: Bicycle Committee members explained that a motorized bicycle does not travel any faster than a regular bicycle on any grade. Most bicycle paths are key elements of the bicycle transportation system such as the San Lorenzo River Levee bike paths, the UCSC bike paths, the proposed **Broadway/Brommer** connection, and the proposed bike path along the rail line. Prohibiting use of those facilities by motorized bicycles would severely limit the feasibility of the motorized bicycle as an alternative transportation mode for commuters who cannot make use of a non-motorized bicycle.

The Creation of a New Definition: Bicycle Committee members expressed the need to maintain consistency with the California Vehicle Code and apply the definitions which already exist in the California Vehicle Code. The California vehicle code includes two definitions under motorized bicycles. Section 406(a) equates a motorized bicycle with a moped and states:

- (a) A “motorized bicycle” or “moped” is any two-wheeled or three-wheeled device having fully operative pedals for propulsion by human power, or having no pedals if powered solely by electrical energy, and an automatic transmission and a motor which produces less than 2 gross brake horsepower and is capable propelling the device at a maximum speed of not more than 30 miles per hour on level ground.

342

Section 406 (b) defines electric bicycles and states:

- (b) A “motorized bicycle” is also a device that has fully operative pedals for propulsion by human power and has an electric motor that meets all of the following requirements:
 - (1) Has a power output of not more than 1,000 watts.
 - (2) Is incapable of propelling the device at a speed of more than 20 miles per hour on ground level.
 - (3) Is incapable of further increasing the speed of the device when human power is used to propel the motorized bicycle faster than 20 miles per hour.

The proposed definition by the City of Santa Cruz of a “personal recreation transport device” includes the motorized scooters which were recently added to the California Vehicle Code. However, PRTD also includes toy vehicles driven by electric motors, used by small children and traveling at no more than five miles per hour.

Consistency With Other Cities in California: Consistency on the use of motorized bicycles and scooters within Santa Cruz County and the entire state is necessary to ensure the feasibility of these alternative transportation vehicles. Other cities in California have incorporated motorized bicycles as regular bicycles into their municipal codes (see Attachment 3). The municipal codes of those cities acknowledge the importance of electric bicycles and scooters in providing mobility, reducing congestion, improving air quality, reducing noise and improving the quality of life. A simple definition consistent with the California Vehicle Code is offered and it is stated that users of such vehicles are offered the same rights as bicycle users and are subject to the same regulations as bicycle users.

The Santa Cruz Municipal Code Section 10.69.010 already includes motorized bicycles as defined in California Vehicle Code Section 406 (a) (moped) under the definition of bicycle unless it is specifically excluded. Then under Section 10.68.200 motorized bicycles as defined by California Vehicle Code Section 406 (moped and electric bicycle) are excluded from using any bicycle facility unless it is a bicycle lane. Consistency by the City of Santa Cruz with other areas would be achieved simply by adding California Vehicle Section 406 (b) to its definition of “bicycle” and stating that the motorized bicycles excluded from bicycle paths under Santa Cruz Municipal Code Section 10.68.200 are those defined under California Vehicle Section 406(a) (moped).

Pedestrian and Bicyclist Safety: The Bicycle Committee is also concerned with improving the safety for pedestrians and bicyclists, including motorized bicyclists, by reducing conflicts between the two modes. The Bicycle Committee agreed that prohibiting motorized bicycles, including electric bicycles, on the West Cliff bike path due to the high volume of pedestrian traffic and other users may be appropriate. City of Santa Cruz staff informed the Bicycle Committee that plans are being developed to widen the West Cliff Drive bicycle path to about 16 feet which would allow for a future possibility to properly accommodate all uses and separate the bicyclists from other users.

Given all- of the reasons stated above, the Bicycle Committee and staff recommend that the Regional Transportation Commission recommend that all five local jurisdictions and UCSC use consistent rules regarding the use of motorized bicycles, and that specifically the local jurisdictions allow scooters and motorized bicycles, as defined in the California Vehicle Section 406 (b), to operate everywhere that bicycles are allowed. If a local jurisdiction has concerns about the use of motorized bicycles on a particular facility, restriction of use should be reviewed on a case by case basis. The Bicycle Committee and the Regional Transportation Commission should offer to review any jurisdiction's draft ordinance or other rule or exception to the rule. Comments from the public should also be sought by the local jurisdictions.

For consistency and simplicity, staff suggests that local jurisdictions consider an ordinance similar to that adopted by the city of Sebastopol (Attachment 3). Nearly identical ordinances have been adopted by ~~the~~ cities of ~~Petaluma~~ and Santa Rosa. As electric bicycles and scooters increase in popularity other cities are considering similar ordinances.

SUMMARY

Recently the Bicycle Committee received information regarding proposed changes to the City of Santa Cruz Municipal Code Chapter 10.68. These changes were proposed to ensure that this chapter would apply to personal recreation transport devices (PRTDs) in addition to motorized bicycles. Several concerns with the proposed revisions were expressed including the need for consistency across ~~the~~ County and the State. The Bicycle Committee and staff recommend that the Regional Transportation Commission recommend that local jurisdictions institute an ordinance allowing scooters and motorized bicycles, as defined in the California Vehicle Section 406 (b), to operate everywhere that bicycles are allowed. If the need arises for exclusion of motorized bicycles or scooters from a bicycle facility, it is recommended that restriction of use be reviewed on a case by case basis and that comments be solicited from ~~the~~ Bicycle Committee and the Regional Transportation Commission before instituting a restriction on that facility.

Prepared by Luis Mendez
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Attachment 1: **Draft** Report on Proposed Revisions to Santa Cruz Municipal Code Chapter 10.68

Attachment 2: Letter Regarding Concerns on the Proposed Electric Bicycle and PRTD
Ordinance Revisions

Attachment 3: City of Sebastopol Ordinance Relating to Electric Bicycles and Scooters

34-4



CITY COUNCIL AGENDA REPORT


DATE: November 5, 1999

AGENDA OF: November__ 1999
 DEPARTMENT: City Attorney John G. Barisone
 Police Chief Steve Belcher
 SUBJECT: Bicycle Operation Ordinance – Expansion of Ordinance’s Application to
 Personal Recreation Transportation Devices

RECOMMENDATION: That the City Council adopt the attached ordinance **which would** amend the City’s bicycle ordinance (Santa Cruz Municipal Code Chapter 10.68) to extend the operational requirements of the ordinance to Personal Recreation Transportation Devices in addition to bicycles.

BACKGROUND: With the increasing popularity and use of alternative electrically powered vehicles such as electric bikes and *scooters*, the Police Department recognizes a need to enact operational requirements for these **vehicles** identical to those imposed upon bicycles in order to assure that these vehicles integrate responsibly and predictably with other vehicular traffic which shares City streets with these electrically motored vehicles.

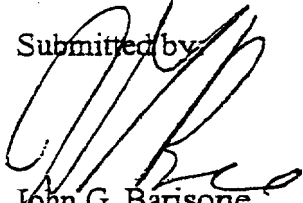
DISCUSSION: Noting that there is an increasing use of electrically powered vehicles within the City of Santa Cruz for both recreational and regular transportation, and noting that the City does not currently have regulatory authority over the manner in which these vehicles are operated on City streets, the Police Department has suggested imposing the same operational requirements upon these vehicles that it currently imposes upon bicycles. To that end, the attached **ordinance**, if adopted, would extend the operational requirements set forth in the City’s **bicycle** ordinance to electrically motored vehicles including, **primarily**, electric bicycles. Among the requirements which would be imposed upon riders of Personal Recreation Transportation Devices (“PRTDs”) are:

- the **rules** of the road set forth **in** the California Vehicle Code which currently apply to bicycles;
- the **same** sidewalk riding prohibition which currently applies to bicycles;
- the same “single **file**” requirement which currently applies to bicycles;
- **the** same parking requirements which currently apply to bicycles;
- the same racing, speeding and trick **riding**  **which currently** apply to bicycles; **and**
- the same “single **rider**” requirement which currently applies to bicycles.

In addition, the ordinance enacts a new restriction with respect to Personal Recreation Transportation Devices only. That restriction prohibits the operation of electric bikes or **other**

"PRTDs" on municipal bicycle paths, trails or bikeways unless the bicycle path, trail or bikeway is within a roadway or is otherwise permitted by the City Council. In other words, while an e-bike rider would, for example, be permitted to operate her e-bike in the bike lane that is part of the High Street road right of way which leads to the University, she would not be permitted to operate her e-bike on the West Cliff Drive bike path which is not part of the West Cliff Drive road right of way.

Submitted by:



John G. Barisone
City Attorney

Steve Belcher
Police Chief

34-6

8-7

ORDINANCE NO. 99-____

AN ORDINANCE OF THE CITY OF SANTA CRUZ AMENDING SECTIONS 10.68.010, 10.68.020, 10.68.030, 10.68.040, 10.68.050, 10.68.060, 10.68.070, 10.68.090, 10.68.100, AND 10.68.200 OF THE SANTA CRUZ MUNICIPAL CODE AND ADDING SECTION 10.68.015 TO THE SANTA CRUZ MUNICIPAL CODE PERTAINING TO THE OPERATION OF BICYCLES AND PERSONAL RECREATION TRANSPORTATION DEVICES ("PRTDs") ON CITY STREETS AND SIDEWALKS.

BE IT ORDAINED By The City Of Santa Cruz As Follows:

Section 1. Section 10.68.010 of the Santa Cruz Municipal Code is hereby amended to read as follows:

"Section 10.68.010 Bicycles Defined.

A 'bicycle' is a device upon which any person may ride, propelled by human power through a belt, chain, or gears, and having either two or three wheels in a tandem or tricycle arrangement.

Section 2. Section 10.68.015 is hereby added to the Santa Cruz Municipal Code to read as follows:

"Section 10.68.015 Personal Recreation Transportation Device "PRTD" Defined.

A 'Personal Recreation Transportation Device' or 'PRTD' is a device powered in whole or in part by an electric motor capable of propelling the device at a maximum speed of not more than twenty (20) miles per hour which serves as a vehicle capable of transporting persons from one place to another on city streets and sidewalks. Examples of PRTDs include electric scooters and motorized bicycles. As used in this chapter PRTD does not include a vehicle powered by an internal combustion (e.g. gasoline or diesel) engine. As used in this chapter PRTD does not include an electronically powered wheelchair or similar electrically powered device used by disabled persons for transportation, nor does PRTD include a motorized skateboard as referenced in California Vehicle Code § 21968.

Section-3. Section 10.68.020 of the Santa Cruz Municipal Code is hereby amended to read as follows:

"Section 10.68.020 State Authority.

Reference is made by this section to California Vehicle Code Division I 1, Article 4, relating to laws applicable to bicycle use and equipment, and by such reference any and all statutes relating to the operation of bicycles are incorporated into this chapter. Every person operating a bicycle, or a PRTD on a roadway has all the rights and is subject to all the duties applicable to the driver Of a motor vehicle, by the laws of this state or by the ordinances of this city except those provisions of laws and ordinances which by their nature can have no application, and except as

ORDINANCE NO. 99-___

otherwise provided in this chapter.

Section 4. Section 10.68.030 of the Santa Cruz Municipal Code is hereby amended to read as follows:

“Section 10.68.030 Operation upon Sidewalks.

No person shall ride a bicycle or PRTD upon **sidewalks** fronting and adjacent to **commercial** establishments, stores, or **buildings** used for business or commercial purposes. Every person operating a bicycle or PRTD upon a sidewalk shall yield the right-of-way to any pedestrians on such sidewalk,

Section 5. Section 10.68.040 of the Santa Cruz Municipal Code is hereby amended to read as follows:

“Section 10.68.040 **Group** Operation.

No person or persons shall ride or operate **bicycles** or PRTDs other than single file, except on paths or parts of a roadway set aside for the exclusive use of bicycles and **PRTDs**.

Section 6. Section 10.68.050 of the Santa Cruz Municipal Code is hereby amended to read as follows:

“Section 10.68.050 Parking.

No person shall park, stand, or **chain** any bicycle or **PRTD** against windows, street trees, planter boxes, shrubs or planted areas, or on the main traveled portion of any **sidewalk** or public way; nor in such manner as to **constitute a** hazard to pedestrians, vehicular **traffic**, or property. **If no** bicycle racks or other facilities intended to be used for bicycle or **PRTD** parking are available in the vicinity, bicycles or **PRTDs** may be parked on the **sidewalk** in an upright position **parallel to** and within twenty-four inches of the street curb.

Section 7. Section 10.68.060 of the Santa Cruz Municipal Code is hereby amended to read as follows:

“Section 10.68.060 Bicycle Parking Prohibited

No person **shall** park a bicycle or **PRTD** at any location which **has** been **posted with signs** prohibiting such parking.

ORDINANCE NO. 99-____

Section 8. Section 10.68.070 of the Santa Cruz Municipal Code is hereby **amended** to read as follows:

“Section 10.68.070 Racing and Trick Riding.

No person *operating* a bicycle or PRTD upon a **public highway** or street shall participate in any unauthorized race, speed or endurance contest; provided, however, that the city council may authorize bicycle or PRTD racing and trick riding events together with temporary closure of a portion of any street pursuant to Section 21101(e) of the State Vehicle Code.

Section 9. Section 10.68.090 of the Santa Cruz Municipal Code is hereby amended to read as follows:

“Section 10.68.090 Passengers.

No person riding or operating a bicycle or PRTD shall carry another person on said bicycle or PRTD unless such person or passenger is seated upon an individual seat or carrier with footrests separate **from** those intended to be used by the operator.

No person shall ride upon a bicycle or PRTD as a passenger, unless he is seated upon an individual seat or carrier with footrests separate **from** that intended to be used by the operator.

Section 10. Section 10.68.100 of the Santa Cruz Municipal Code is hereby amended to read as follows:

“Section 10.68.100 Entering-Public Right-of-Way.

The operator of a bicycle or PRTD, on approaching any public right-of-way when the view is obstructed, shall stop such bicycle or PRTD immediately ~~p&or~~ to entering upon such **public** right-of-way.

Section 11. Section 10.68.200 of the Santa Cruz Municipal Code is hereby amended to read **as** follows:

“Section 10.68.200 Operation of PRTDs on **Municipal** Pathways Not within the **Roadway** Prohibited.

No persons **shall** operate a PRTD on any **municipal** bicycle **path, trail, or bikeway, unless** said bicycle path, trail or **bikeway** is within a roadway or **unless the** Santa Cruz City Council or the governing body of the **public** agency having jurisdiction over such path or **bikeway** permits, by

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ORDINANCE NO. 99-____

resolution, such operation.

PASSED FOR PUBLICATION this ____ day of, _____ 1999 by the following vote:

AYES: Councilmember:

NOES: Councilmember:

... ABSENT: Councilmember:

DISQUALIFIED: Councilmember:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

Attachment 2

CITY OF SANTA CRUZ
CALIFORNIA

0200

CONFIDENTIAL ____ YES ~~NX~~ O

Date January 24, 2000

TO: Mayor and City Councilmembers

FROM: John G. Barisone, City Attorney

RE: Bicycle Operation Ordinance - Expansion of Ordinance's Application to Personal Recreation Transportation Devices

As Councilmembers may recall, in November 1999 at the request of the Police Department I ~~drafted~~ a proposed ordinance which, if adopted, would have extended the bicycle operation regulations currently in the Municipal Code to "personal recreation transportation devices" defined as:

"...a device powered in whole or in part by an electric motor capable of propelling the device at a maximum speed of not more than twenty miles per hour which serves as a vehicle capable of transporting persons from one place to another on city streets and sidewalks."

The primary impetus for the Police Department's request was the advent of electric bicycles as a non-polluting alternative to transportation by combustion engine vehicles such as automobiles and motorcycles. With the increasing popularity and use of "e-bikes" the Department was interested in having a basic set of regulations in place, similar to those applicable to traditional human-powered bicycles, with which to assure that e-bikes used City streets in a uniform, predictable and safe manner.

After receiving the draft ordinance, a copy of which was forwarded to City Councilmembers under copy of my November 5, 1999 memorandum, the Department circulated

the ordinance to interested parties for comment. Comments received from bicycle advocacy groups and County Transportation Commission staff revealed two areas of concern. First of all, noting that ~~the draft~~ ordinance prohibited the operation of e-bikes on "stand alone" bike paths, i.e. bike paths which are not a part of the roadway, it was felt that this particular provision might serve as a disincentive for the use of e-bikes relative to job commuting. It was noted that ~~the~~ University, one of the County's largest employers, has an extensive on-campus network of stand alone bike paths designed to facilitate bicycle access to campus by students, faculty and employees. In addition, County Transportation Commission staff noted that there are efforts ~~under~~ way to create commuter-friendly stand along ~~bike paths along~~ railway easements throughout the County and that, as drafted, the proposed ordinance would prevent the use of e-bikes on such ~~pathways within~~ the jurisdictional limits of the City. In requesting this particular provision, the Police Department was primarily concerned with the use of e-bikes on the West ~~Cliff Drive~~ bike path noting that motorized vehicles capable of traveling twenty miles per hour are incompatible at most times with the variety of other activity which ~~takes~~ place on the relatively narrow West ~~Cliff Drive~~ bike pathway including walking, running, traditional bicycling, skateboarding, ~~roller blading~~ and dog walking. County Transportation Commission ~~staff~~ agrees that the Police Department's concern in this regard is valid and would not object to a site specific e-bike prohibition for West ~~Cliff Drive~~.

Secondly, interested parties who commented on the ~~draft~~ ordinance were concerned that if, as hoped, e-bike transportation ~~becomes~~ a viable, ~~safe~~ and practical method of commuting' ~~from~~ one location in the County to another, e-bike commuters, like automobile commuters, should be able to travel with the assurance that the rules of the road applicable in one of the County's jurisdictions are the same as those which are applicable in the County's four ~~other~~ jurisdictions. In other words, the County Transportation Commission ~~staff~~, while recognizing the need for regulations in this regard, would like to see ~~all~~ four cities and the County adopt a' uniform set of regulations which, in ~~turn~~, ~~would serve~~ to encourage, rather than ~~discourage~~, the use of e-bikes for ~~commuting~~ purposes. To this end, Linda ~~Wilshuesen~~, Director of the Santa ~~Cruz~~ County Regional Transportation Commission, has agreed to ~~agendize~~ the City's ~~draft~~ ordinance for a Transportation Commission meeting in the near ~~future~~ in order to receive comment and direction ~~from~~ the Commission.

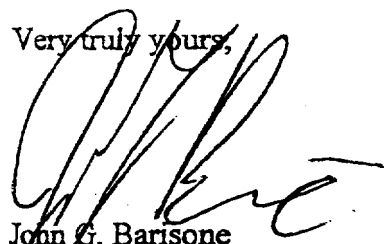
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In light of ~~the~~ foregoing, unless ~~the~~ City Council directs otherwise, the Police Department will defer bringing the ~~draft~~ ordinance to the City Council until such time as ~~the~~ County Transportation Commission has reviewed the ordinance and given some definitive direction with regard to the County-wide adoption of e-bike regulations.

In closing, Councilmembers should note that § 10.68.200 of the Santa Cruz Municipal Code already prohibits all motorized bicycles, including electrically-powered and internal combustion engine-powered bicycles, from operating on stand alone bicycle paths. Inasmuch as the City Police Department does not enforce traffic regulations on the UCSC campus, this has not presented an operational problem for either the City or UCSC. However, this section is available to the Police Department to address its above-refer&&d concerns with respect to motorized traffic on the West Cliff Drive bike path.

If Councilmembers have questions or comments, please feel free to contact either Police Chief Belcher or myself.

Very truly yours,


John G. Barisone
Santa Cruz City Attorney

cc: Richard C. Wilson, City Manager
Steve Belcher, Police Chief
John Clement, Director of Public Works
Cheryl Schmitt, City Bicycle Coordinator
Linda Wilshuesen, Executive Director of Santa Cruz County Regional Transportation Commission, 1523 Pacific Avenue, Santa Cruz, CA 95060-3911

ORDINANCE NO. 949

ORDINANCE AMENDING ORDINANCE NO. 437 (THE "SEBASTOPOL TRAFFIC ORDINANCE") TO PROMOTE THE USE OF ELECTRIC-ASSISTED BIKES AND SCOOTERS IN THE CITY OF SEBASTOPOL

THE CITY COUNCIL OF THE CITY OF SEBASTOPOL DOES ORDAIN AS FOLLOWS :

Section 1. Purpose. The purpose of this ordinance is to clarify the position of the City of Sebastopol in regard to the use of electric-assisted bicycles and push scooters within its city limits. These devices shall be treated as bicycles, and be subject to the same regulations and provisions governing bicycles within the City. These transportation devices offer safe, pollution-free mobility to all residents. The City Council finds that over-dependence on automobiles is harming the health of its residents, the peaceful ambience of our community, and the surrounding environment. Electric bikes and scooters offer mobility for those who are physically unable or otherwise unwilling to drive or ride a pedal-only bicycle, while offering all residents relief from traffic congestion, reduction in air pollution, reduction in noise, and improved quality of life. Over 130 U.S. law enforcement agencies deploy electric-assisted bicycles in their daily patrols, including the City of Sebastopol Police Department, and find them to be both useful and safe.

Section 2. Article XIX of Ordinance No. 437 shall be

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mended to add thereto Section 19.20, which shall read as follows :

"Section, 19.20. Electric-Assisted Bicycle or Push Scooter.

An electric-assisted bicycle or scooter means any electric transportation device, with an electric motor that is incapable of propelling the vehicle at speeds greater than 20 miles per hour. Electric bicycles and scooters shall be prohibited from travelling where bicycles are prohibited, and shall be subject to all rules and regulations governing the ownership, maintenance and use of bicycles."

SECTION 3. Except as herein amended, Ordinance No. 437 shall remain in full force and effect.

SECTION 4: This Ordinance shall be in full force and effect thirty (30) days from and after the date of its passage.

IN COUNCIL DULY PASSED this 2nd day of March, 1999.

APPROVED:

Mayor

AYES: 5 Councilmembers Anderson, Austin, Foley, Robinson and Mayor Roventini

NOES: 0

ABSENT: 0

ATTEST: 0 [Signature]
City Clerk

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8-21



BIKE-TO-WORK⁰²⁰⁵

PO Box 8402 • Santa Cruz, CA 95061 • 423-3773
email: bike2wrk@cruzio.com • website: www.bike2work.com

Bicycle for a cleaner, healthier, & less congested Santa Cruz County

4/5/00

Jeff Almquist

Chairperson

The Santa Cruz County Regional Transportation Commission

1523 Pacific Avenue

Santa Cruz, CA 95060

Dear Mr. Almquist,

Bike to Work along with Ecology. Action and the Santa Cruz Area TMA support the RTC's staff recommendations regarding a standard ordinance regulating electric bike and scooter travel in all five local jurisdictions and UCSC.

We feel it's crucial that electric bikes and scooters have access to bikeways, paths, and trails. because they provide a safer roadway for people using a non-polluting means of transportation. The majority of commuters using electric bikes will most likely be novice bicyclists who will ride more, therefore drive less, if they can do so on safer bikeways and bike paths.

The California Vehicle Code prohibits electric bicycles from going over 20 mph, therefore a fit cyclist on a standard road bike can go faster than an electric bike. One of the main advantages of an electric bike is the additional uphill power which does not promote speeding.

We also believe calling electric bikes and scooters "Personal Recreation Transportation Devices" (PRTD) emphasizes recreational rather than the utilitarian and commuter function of the bike and scooter. We prefer Personal Electric Transportation Devices (PETD) which is a general term encompassing the many uses of an electric bicycle.

Sincerely,

Piet Canin

Bike-to Work

Program Director

Virginia Johnson

Ecology Action

Executive Director.

Carolyn O'Donnell

SCA TMA

Executive Director