

ORDINANCE NO. _____

ORDINANCE AMENDING SUBSECTION **9.54.010** OF THE
SANTA CRUZ COUNTY CODE RELATING TO
MOTORIZED BICYCLES AND MOTORIZED SCOOTERS

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Subsection 9.54.010 of the Santa Cruz County Code is hereby amended to read as follows:

9.54.010 Regulations.

A. Notwithstanding any other provision of this code, a “motorized bicycle” as defined by California Vehicle Code Section 406 (b), and a “motorized scooter” as defined by California Vehicle Code Section 407.5 (a), are authorized to operate on any **bikeway** under the County’s jurisdiction.

B. A “motorized scooter” as defined by California Vehicle Code Section 407.5 (b), is prohibited from operating in:

1. Any **bikeway** under the County’s jurisdiction.
2. Any park, riding and hiking trail, recreation area, beach, community center or building, historic structure or facility owned, managed or controlled in whole or in part by the county and under the jurisdiction of the director of parks, open space and cultural services in either incorporated or unincorporated territory.

SECTION II

This ordinance shall take effect on the 31st day after the date of final passage.

PASSED AND ADOPTED this 0 day of , 2001, by the Board of Supervisors of the County of Santa Cruz by the following vote:


AYES: SUPERVISORS

NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Chairman of the
Board of Supervisors

Attest: _____
Clerk of the Board

APPROVED AS TO FORM:



Chief/Assistant county Counsel

DISTRIBUTION: CAO
Sheriff
Transportation Commission
California Highway Patrol

May 29, 2001

Board of Supervisors
County of Santa Cruz
701 Ocean Street, Room 500
Santa Cruz, CA 95060

Mr. Chairman and members of the Board,

I have stood before you time and again pointing out the numerous benefits of an innovative piece of efficient transportation commonly known as the Go-Ped. Yet despite its many benefits you are defying logic. You would prefer to ban it from being used as transportation in bikeways and push it into the residential areas where 99% of your complaints are initiated.

The first time I noted this problem you immediately retracted your decision and in an ill-fated effort tried to ban it from the entire County. State law wouldn't allow you to ban it from streets not designated as bikeways, so where are we now?

The few people who have complained, in mostly residential areas will have to use existing laws, the very thing I suggested to begin with, to handle abusers in their area. The people like myself who want to use it as alternate transportation, can't because you are about to close off the commute routes. You are creating a lose-lose scenario. The proposed ordinance defies logic.

Please consider pulling it from the consent agenda and revising it similar in form to the attached revision. Prohibiting it from Class I bikeways, hiking and biking trails is a winning situation. It would then be removed from isolated bikeways and trails where people don't want it, and allow it to be used as economical transportation.

I have had extensive conversations with the Santa Cruz Police Department, there is logic in their way of thinking. They are advising the City Counsel not to attempt to ban it, but prohibit its operation on Class I bikeways, like the West Cliff bikeway. The cost of enforcement on all the bikeways is astronomical. The police would rather handle frequent abusers and leave responsible riders like myself to use it for its intended purpose. The SCPD and the City of Santa Cruz are more concerned with public safety than the opinions of a very few people who may not like the Go-Ped.

In these times when gas is above \$2.00 a gallon, let the public have the freedom to choose a fuel stingy piece of transportation like the Go-Ped over their road clogging, gas hungry automobile.

Sincerely,



Bud Galipeaux
Aptos

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- B. A “motorized bicycle” as defined by California Vehicle Code Section 406(a), and a “motorized scooter” as defined by California Vehicle Code Section 407.5(b), are prohibited from operating on and or in:
 - 1. Any Class I bikeway under the County’s jurisdiction.
 - 2. Any riding or hiking trail, recreation area, beach, community center or building, historic **structure** or facility owned, managed or controlled in whole or part by the County and under the jurisdiction of the director of **parks**, open space and cultural services in either incorporated or unincorporated territory.

5/30/01

Board of Supervisors
County of Santa Cruz
701 Ocean St. Room 500
Santa Cruz, CA 95060

Gas Powered Scooter Regulation

Mr. Chairman and members of the Board,

The gas powered motorized scooter, more commonly known as the Go-Ped is efficient means of alternate transportation. The reason why its more commonly known as the Go-Ped is, 99% of the scooters on the road are made by PMW of Livermore CA, the manufacturer of the scooter with rights to the name, Go-Ped.

The Go-Ped is the same model that I demonstrated in the videotape I provided to you for sound level comparison. I even demonstrated it personally for Supervisor Pirie. I believe her remarks were, "That's not loud." She was right, as equipped from the factory they are not excessively loud unless they are intentionally modified.

The stock stereo in 99% percent of cars is not loud either, yet they are routinely modified to produce sound levels in excess of 100db. The police are able to handle that problem with ease under existing public nuisance laws. That's what I'm asking of you; use the existing laws to take care of abusers.

If you feel the need to write a new ordinance to help, fine. Prohibit the scooters operation on Class I bikeways, a cost effective way to handle 75% of your complaints, the peace officers can take care of the rest when needed.

Please don't legislate away another one of our personal freedoms. I like my Go-Ped, it's not loud, nor does it smoke and I get 125 miles per gallon.

Sincerely,



Bud Galipeaux
Aptos