

155178

CITY COUNCIL REPORT

TO: Juan Martin
Deputy City Manager

FROM: Shawn Ortiz
Management Assistant II

SUBJECT: REVISIONS TO CHAPTER 36, ARTICLE VII, DIVISION 1, SECTION 36-64
OF THE PHOENIX CITY CODE

The purpose of this report is to request the Public Safety Subcommittee recommend City Council approval of revisions to Chapter 36, Article VII, Division 1, Section 36-64 of the Phoenix City Code to prohibit the operation of motorized scooters, skateboards and play vehicles on public property. The revisions also require sellers of these items to inform people, either prior to or at the time of purchase, that the operation of these play vehicles on public property is prohibited.

THE ISSUE

Motorized skateboards and other various new "play vehicles" are becoming a major safety concern to residents, motorists and law enforcement officials in Phoenix. Due to the ever-changing designs by retailers, it is very difficult to adopt rules and regulations to cover all the play vehicles being sold. Currently there are no licensing or registration requirements for play vehicles or their operators. Children who are under the legal age to operate motorized skateboards are able to purchase them with no information provided by the retailer regarding the legality of their use. Under the current policy, a 14-year-old can purchase a motorized skateboard, meet all the requirements under the ordinance, and drive on City streets with absolutely no training or licensing.

OTHER INFORMATION

A ban on the operation of play vehicles on public property and rights of way within Phoenix will protect the safety of pedestrians, bicyclists, and motor vehicle drivers as well as the operators of motorized play vehicles. The State of Arizona has granted municipalities authority under Section 28-627, Arizona Revised Statutes, to regulate or prohibit the operation of motorized play vehicles. The new ordinance prohibits motorized play vehicles on any public sidewalk, roadway, highway, bikeway, bicycle path, trail, equestrian trail, or shared-used path in the City of Phoenix. The Ordinance allows for the operation of motorized play vehicles on private property with the written permission of the property owner. Violations of the ordinance would be designated civil traffic violations.

The Ordinance also includes a requirement that sellers of motorized skateboards and play vehicles inform purchasers of these restrictions in writing either before or at the time of purchase. The Ordinance requires sellers to post a notice of the ban in a prominent place. Sellers violating the disclosure requirements would be guilty of a civil offense.

RECOMMENDATION

This report requests the Public Safety Subcommittee recommend City Council approval of revisions to Chapter 36, Article VII, Division 1, Section 36-64 of the Phoenix City Code to prohibit the operation of motorized scooters, skateboards and play vehicles on public property. The revisions also require sellers of these items to inform people, either prior to or at the time of purchase, that the operation of these play vehicles on public property is prohibited.