

ORDINANCE NO. 3191

AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON  
RELATING TO THE USE OF MOTORIZED FOOT SCOOTERS

Whereas, the City Council of the City of Mount Vernon desires to regulate the use of motorized foot scooters to enhance the health, safety and welfare of its citizens; and

Whereas, the City Council of the City of Mount Vernon finds that providing rules as to the proper operation of motorized foot scooters would increase the health, safety and welfare of its citizens; and

Whereas, the City Council of the City of Mount Vernon finds that providing minimum requirements as to motorized foot scooter lighting and other equipment would increase the health, safety and welfare of its citizens;

NOW, THEREFORE, THE CITY COUNCIL OF MOUNT VERNON,  
WASHINGTON, DOES ORDAIN AS FOLLOWS:

**SECTION 1. That Chapter 10.56 of the Mount Vernon Municipal Code formerly entitled SKATEBOARDS AND ROLLER SKATES shall be renamed SKATEBOARDS, ROLLER SKATES AND MOTORIZED FOOT SCOOTERS.**

**SECTION 2. That a new section is hereby added to the Mount Vernon Municipal Code, to be known as Section 10.56.030, which shall read as follows:**

**10.56.030 Motorized Foot Scooters - defined**

“Motorized foot scooter” means a device with no more than two ten-inch or smaller diameter wheels that has handlebars, is designed to be stood or sat upon by the operator, and is powered by an internal combustion engine or electric motor that is capable of propelling the device with or without human propulsion.

**SECTION 3. That a new section is hereby added to the Mount Vernon Municipal Code, to be known as Section 10.56.040, which shall read as follows:**

**10.56.040 Motorized Foot Scooters - general requirements and operation**

A. No person may operate a motorized foot scooter on a public way unless such person is sixteen years of age or older.

B. It is unlawful for any person to use or operate a motorized foot scooter upon any sidewalk or public trail within the City of Mount Vernon.

C. Every motorized foot scooter when in use during the hours of darkness as defined in RCW 46.37.020 shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet to the front and with a red reflector on the rear of a type approved by the state patrol which shall be visible from all distances up to six hundred feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet to the rear may be used in addition to the red reflector. A light-emitting diode flashing taillight visible from a distance of five hundred feet to the rear may also be used in addition to the red reflector.

D. Operation of a motorized foot scooter without a muffling device in good working order and in constant operation to prevent excessive or unusual noise, or operation with a modified muffling device is unlawful.

E. Operation of a motorized foot scooter on a public way with a speed limit in excess of twenty-five miles per hour unless the motorized foot scooter is operated within a bicycle lane is unlawful.

F. Any person violating the provisions of this section shall be deemed to have committed a traffic infraction and shall be subject to a penalty of \$30.00.

**SECTION 4. That a new section is hereby added to the Mount Vernon Municipal Code, to be known as Section 10.56.050, which shall read as follows:**

**10.56.050 Helmet Required - Defined**

A. Any person operating a motorized foot scooter or riding as a passenger upon a motorized foot scooter on any public area in the City of Mount Vernon shall wear an approved helmet designed for safety and shall have either the neck or chin strap of the helmet fastened securely while the motorized scooter is in motion.

B. "Helmet" means a protective covering for the head consisting of a hard outer shell, padding adjacent to and inside the outer shell, and a neck or chin strap type retention system, with a label required by the Federal Consumer Products Safety Commission as adopted by the Code of Federal Regulations 16CFR1203.

C. Any person violating the provision of this section shall be deemed to have committed a traffic infraction and shall be subject to a penalty of \$30.00.

**SECTION 5. That a new section is hereby added to the Mount Vernon Municipal Code, to be known as Section 10.56.060, which shall read as follows:**

**10.56.060 Traffic laws apply to persons operating motorized foot scooters.**

Every person riding a motorized foot scooter upon a public way shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle pursuant to RCW chapter 46.61, except special regulations in RCW 46.61.750 through 46.61.780 shall apply to persons operating a motorized foot scooter and except as to those provisions of chapter 46.61 which by their nature can have no application.

**SECTION 6. That a new section is hereby added to the Mount Vernon Municipal Code, to be known as Section 10.56.070, which shall read as follows:**

**10.56.070 Severability**

If any section, subsection, sentence, clause, chapter, provision, or phrase of this chapter or its application to any person or circumstance is found to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of the chapter or the application or the provisions to other persons or circumstances.

PASSED AND ADOPTED this 21<sup>st</sup> day of April, 2004.

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ALICIA HUSCKA, Finance Director

SIGNED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2004

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BUD NORRIS, Mayor

Approved as to form:

\_\_\_\_\_  
Kevin Rogerson  
Assistant City Attorney

Published: