

ORDINANCE # 2004-646

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ASOTIN, WASHINGTON, LIMITING THE USE OF MOTORIZED SCOOTERS, AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, the City Council of the City of Asotin desires to regulate the use of motorized scooters to enhance the health, safety and welfare of its' citizens; and; and

WHEREAS, the City Council of the City of Asotin finds that driving rules as to the proper operation of motorized scooters would increase the health, safety and welfare of its citizens; and

WHEREAS, the City Council of the City of Asotin finds that providing minimum requirements as to motorized scooters, lighting and other equipment would increase the health, safety and welfare of its citizens;

NOW, THEREFORE, the City Council of the City of Asotin, in regular meeting assembled, do ordain as follows:

SECTION 1. There is hereby added to the Asotin Municipal Code, a new Chapter, being Chapter 10.22 Motorized Foot Scooters, as follows:

10.22.010 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.

10.22.020 Operation of Motorized Scooters.

(1) Motorized foot scooters shall not be operated upon a public roadway by any person under the age of sixteen years.

(2) Motorized foot scooters shall not be operated on public road ways with a speed limit of greater than 25 miles per hour.

(3) Operators of motorized foot scooters shall adhere to all rules of the road applicable to motorized vehicles.

(4) Motorized foot scooters shall not be operated on City owned property, City Parks, walkways, paths, sidewalks, or any other place where other motorized vehicles are expressly prohibited.

(5) Motorized foot scooters shall not be operated at any time during one half hour after sunset to one-half hour before sunrise without reflectors which are approved by the State Patrol.

(6) At no time shall a passenger be allowed to ride on a motorized foot scooter.

(7) Motorized foot scooters shall not be operated in a negligent manner upon any roadway or City way within the City of Asotin. For the purposes of this section, "to operate in a negligent manner" means to operate a motorized scooter in such a manner

as to endanger or be likely to endanger any person or property, or to obstruct, hinder or impede the lawful course of travel of any motor vehicle or the lawful use by any pedestrian of public streets, sidewalks, alleys, parking areas, trails or public parks within the City of Asotin.

(8) Motorized foot scooters shall be equipped so that the drive motor is engaged through a switch lever or other mechanism that when released will cause the drive motor to disengage or cease to function.

10.22.030 Responsibility. It is unlawful for any parent, guardian or other person having control or custody of a minor child to allow said minor to operate a motorized foot scooter in violation of this chapter.

10.22.040 Helmet Required.

A. Any person operating a motorized foot scooter on the public streets, right of ways or alleys of the City of Asotin shall wear an approved helmet designed for safety and shall have either the neck or the 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 hard shell, and a neck or chin strap type retention system, with a label required by the Federal Consumer Product Safety Commission adopted by the Code of Federal Regulations 16 CFR 1203.

10.22.050 Traffic Laws. Traffic laws applied to persons operating Motorized Foot Scooters. Every person riding a motorized scooter upon a public way shall be granted all of the rights and shall be subject to all of the responsibilities applicable to the driver of the vehicle pursuant to RCW 46.61, except special regulations in RCW 46.61.750 through 46.61.780, shall apply to persons operating motorized foot scooter and except for those provisions of RCW 46.61 which by way of nature can have no application.

10.22.060 Violation. Upon a determination of a violation of this chapter has occurred, law enforcement officers may, at their discretion, issue a civil infraction in the following amounts to any included person, including their parent or guardian, in violating any provisions of this chapter. In any case, the amount shall not exceed \$250.00. The following monetary penalties shall apply: (1) First offense: \$75.00; (2) Second offense: \$100.00; (3) Third and future offenses: \$250.00.

SECTION 2. Effective Date. This ordinance shall be effective five days after publication of the Ordinance Summary.

MAYOR

ATTEST:

City Clerk

SUMMARY OF ORDINANCE NO. _____ of the City of Asotin, Washington

On the _____ day of _____ 2004, the City Council of the City of Asotin, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ASOTIN, WASHINGTON, LIMITING THE USE OF MOTORIZED SCOOTERS, AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

The full text of this Ordinance will be mailed upon request.

DATED this _____ day of _____, 2004.

_____ STEVE COWDREY, Mayor