

# CITY COUNCIL REPORT



Meeting Date: November 13, 2018  
 General Plan Element: **Community Mobility**  
 General Plan Goal: ***Provide for the safe, efficient, and affordable movement of people and goods***

## ACTION

**Bicycle and Related Devices Ordinance.** Adopt Ordinance No. 4372 amending Sections 17-76, 17-78 through 17-87, 17-93, 17-99 and 17-100 and adding Sections 17-88, 17-89.1, 17-89.2, and 17-89.3 to the Scottsdale Revised Code relating to bicycles, skateboards, and motorized skateboards.

## BACKGROUND

Scottsdale has been recognized nationally as a bicycle-friendly community. Scottsdale has built a significant system of bike lanes and shared-use paths throughout the community. Scottsdale's tourism industry brings millions of visitors annually, and most visit Old Town Scottsdale during their stay. Tourists are often interested in experiencing Scottsdale on bicycles and related devices.

Within this environment, Scottsdale is particularly attractive to bicycle sharing companies interested in renting bicycles to individuals on a very short-term basis for a fee. In November 2017, several privately-owned bike share companies began operating in the City of Scottsdale. Often, bike share is combined with other modes such as transit and offers the flexibility of one-way bike trips. Bike share differs from traditional bike rental because trips are intended to be short, often less than 30-minutes.

Bike share has traditionally been offered through dock-based programs. These dock-based programs include designated locations where the bicycles are typically stationed. These programs also require city funding or sponsorship for infrastructure and operational management. Unlike their predecessors in other cities, the companies which have located in Scottsdale do not require government funding, and do not require their customers to use a docking system.

The bike-share businesses have proven popular among Scottsdale residents and visitors. During prime bicycling season in Scottsdale from November through April, the two companies operating in Scottsdale reported that Scottsdale ridership rated in the top five in North America. Among the reasons for the success of these businesses in Scottsdale is the attractions in Old Town, the ubiquity and quality of bicycle paths and parks, and the ability to retrieve and leave bicycles at any location.

However, the city has received complaints regarding the bike share companies' presence in Scottsdale. Most of the concerns relate to the large number of bicycles in certain areas of the city, bicycles left in neighborhoods, and bicycles parked improperly or without respect for neighborhood or business appearance. It is anticipated that bike-share companies will also place pedal-assist electric bicycles in Scottsdale this year.

In May 2018, a company began placing dockless, stand-up electric mini-scooters in Scottsdale. Currently, Scottsdale Revised Code Sections 17-90 through 97 impose significant restrictions on their operation and use. Under current ordinance definitions these devices are categorized as either motorized skateboards or motorized play vehicles. Three additional companies have expressed interest in operating in Scottsdale.

Staff from the City Manager's Office, City Attorney's Office, Police Department, and Transportation Department met from February through October 2018 to discuss revisions to the ordinances pertaining to bicycles and related devices. A proposed ordinance was developed as a result of these meetings. The proposed ordinance was presented and discussed at the Transportation Commission meetings of January 18, June 21, August 16, and October 18, 2018. The proposed ordinance was also discussed at the June 27 and October 24, 2018 Neighborhood Advisory Commission meetings. The proposed ordinance incorporated comments received from the commissions, as well as comments received from the public and the companies because of the city's outreach efforts.

The initial purpose of the proposed ordinance was to revise the bicycle ordinance to limit the number of pedal bicycles parked at specific locations and to clarify definitions of various terms within the ordinance. The purpose was extended to include electric bicycles and stand-up electric mini-scooters and to modernize various ordinance provisions. The proposed ordinance was also drafted to include several new and revised sections relating to the safe operation of the various devices.

### **ANALYSIS & ASSESSMENT**

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The proposed ordinance specifically restricts the parking and operation of bicycles, electric bicycles, motorized bicycles, motorized skateboards, motorized play vehicles, and stand-up electric mini-scooters. The overall regulatory approach used by the staff team was to implement the minimum regulation necessary to achieve the desired results. In addition, they desired to create a situation where it was easier for owners and riders to do the right thing, and harder to do the wrong thing. Staff felt an appropriate way to do so is to define where these devices could and could not be parked and operated, rather than proposing regulations specific to sharing companies.

To address most concerns raised by Scottsdale residents, businesses and staff, the multi-department staff team identified several criteria necessary for inclusion in the draft ordinance. These are not all the issues, but are the main ones deemed to address most situations. These criteria are:

- a. *Keep sidewalks open for pedestrians.* In 17-85(b)(3), Parking is prohibited on a public sidewalk obstructing the pedestrian through zone (the portion of the sidewalk used primarily by pedestrians for travel, accessing transit or building).
- b. *Require owner to keep devices properly parked.* In 17-85, it is clarified that devices should be parked in a rack or designated parking area, or any place where it's not otherwise prohibited, and 15 areas are outlined where parking is prohibited in 17-85(b)(1-15). 17-85(g), requires two-hour removal of improperly parked devices upon notification from any person.

- c. *Devices should be operable and used.* In 17-85(i), inoperable devices must be removed within two hours after notification. In 17-85(h) it is illegal for devices to remain in the same location on public property for more than 72 hours. This requires them to be used at least once every three days. In addition, 17-78 states that improperly parked, inoperable, or abandoned devices may be impounded.
- d. *Maintain aesthetics by proper spacing.* In 17-85(j), it states that unless authorized by city permit (such as a special event permit), there is a maximum of five parked devices by same owner within 200 feet. This helps address aesthetics issues seen particularly in Old Town during February and March 2018. In addition, the police chief or designee may designate or limit device parking areas if particular areas become problematic.
- e. *Respect private property.* In 17-85(d-f), devices can only be on private property with owner permission. Except non-residential property open to the public and multi-family residential property in racks or designated bicycle parking areas.

In addition, additional revisions were made in response to changes in State law. For example, the ordinance defines three separate electric bicycle types, consistent with state law:

1. Class 1: Pedal assistance traveling less than 20 miles-per-hour.
2. Class 2: Motorized without pedaling traveling at less than 20 miles-per-hour.
3. Class 3: Pedal assistance traveling less than 28 miles-per-hour.

In 17-86, Bicycles, class 1 and class 2 electric bicycles are allowed on sidewalks and shared-use paths. Class 3 electric bicycles will continue to be prohibited on shared-use paths and also be prohibited to sidewalks due to their ability to operate at very high rates of speed. All electric bicycles on roadways are subject to the same rights and duties as other bicycles.

The ordinance also expands the areas where stand-up electric mini-scooters are allowed, which now includes on sidewalks and shared use-paths, as well as roadways with speed limits of 35 miles-per-hour or less. They are also subject to the same rights and duties as other vehicles (17-86).

Finally, there were changes to promote safe operation and improve enforcement. Device travel at speeds greater than reasonable and prudent is prohibited (17-84), device operation with reckless disregard for safety of persons or property is prohibited (17-89.2) and device use under influence of alcohol or drugs is prohibited (17-89.1).

## **RESOURCE IMPACTS**

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City staff will enforce the ordinance within its current budget and personnel. While the Police Department will remain responsible for enforcing aspects of the ordinances that involve device operation such as speeding or riding under the influence, the ordinance allows the City Manager to authorize other city departments to enforce ordinance sections relating to illegally parked devices.

## OPTIONS & STAFF RECOMMENDATION

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Staff recommends the adoption of Ordinance No. 4372 as the multi-disciplinary committee believes the proposed ordinance provides the best balance between a free market for business and customers, and necessary regulation of health, safety, and welfare.

If the efforts proposed in Ordinance No. 4372 are not enough to resolve most community concerns, staff also discussed the next steps the city could take to address those concerns. There are alternatives that the City Council may wish to consider and provide different direction to staff.

- f. *Licensing or permitting process for shared devices* - The City Council could direct the City Manager to prepare an ordinance that provides regulatory or revocable licenses for shared bicycle or shared stand-up electric mini-scooter use on public property. For example, the city could consider regulatory business licensing (such as required for valet parking) or a revocable license agreement or permit to use city property or right-of-way (such as an outdoor dining license agreement or an encroachment permit), or a competitive process which may allow the city to select one or more providers. If any of these options are pursued, staff would still recommend the adoption of Ordinance No. 4372.
- g. *Prohibition from public property and rights-of-way* - Another option would be to prohibit the placement of these devices for leasing on city properties and rights-of-way. If this is the direction, staff will need to come back with an alternative ordinance draft for consideration by the City Council.

The city manager will continue to monitor this situation and will take additional action or make additional recommendations to the City Council as needed.

### *Direction relating to e-scooters.*

If the City Council does not want to expand stand-up electric mini-scooter use as included in Ordinance No. 4372, the City Council could decide to continue the current prohibition of these devices as motorized skateboards/motorized play vehicles on sidewalks, most public property, four-lane public roadways, and public roadways with speeds greater than 25 miles-per-hour. The current ordinance only permits their use on private property with written permission of the owner or on streets with speed limits of 25 miles-per-hour or less. In that event, staff will need to come back with a revised ordinance to reflect this change.

## COMMISSION RECOMMENDATIONS

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The Transportation Commission on October 18, 2018 voted 7 to 0 to recommend the City Council adopt Ordinance No.4372. This recommendation included the addition of parts b and c to Section 17-82 that have been incorporated into the proposed ordinance.

The Neighborhood Advisory Commission on October 24, 2018 voted 6 to 0 to recommend the City Council adopt Ordinance No. 4372 as presented by staff.

**RESPONSIBLE DEPARTMENTS**

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Transportation, City Attorney, Police

**STAFF CONTACT(S)**

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Paul Basha, Transportation Director, [pbasha@scottsdaleaz.gov](mailto:pbasha@scottsdaleaz.gov)

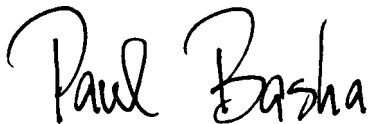
Luis Santaella, Senior Assistant City Attorney, [lsantaella@scottsdaleaz.gov](mailto:lsantaella@scottsdaleaz.gov)

Joseph Leduc, Police Commander, [jleduc@scottsdaleaz.gov](mailto:jleduc@scottsdaleaz.gov)

Brent Stockwell, Assistant City Manager, [bstockwell@scottsdaleaz.gov](mailto:bstockwell@scottsdaleaz.gov)

**APPROVED BY**

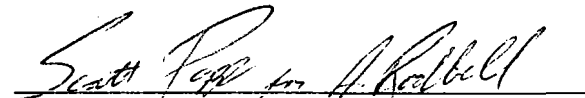
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Paul Basha, Transportation Director  
480-312-7651, [pbasha@scottsdaleaz.gov](mailto:pbasha@scottsdaleaz.gov)

28 October 2018

Date



Alan Rodbell, Chief of Police  
480-312-1900, [arodbell@scottsdaleaz.gov](mailto:arodbell@scottsdaleaz.gov)

29 October 2018

Date



Jim Thompson, City Manager  
480-312-2811, [jthompson@scottsdaleaz.gov](mailto:jthompson@scottsdaleaz.gov)

10/29/18

Date

**ATTACHMENTS**

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1. Ordinance No. 4372
2. Public Comments
3. City Website Information

ORDINANCE NO. 4372

AN ORDINANCE OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AMENDING SECTIONS 17-76, 17-78 THRU 17-87, 17-93, 17-99 AND 17-100 AND ADDING SECTIONS 17-88, 17-89, 17-89.1, 17-89.2 AND 17-89.3 TO THE SCOTTSDALE REVISED CODE RELATING TO BICYCLES, SKATEBOARDS AND MOTORIZED SKATEBOARDS

BE IT ORDAINED by the Council of the City of Scottsdale as follows:

Section 1. Sections 17-76 of the Scottsdale Revised Code is hereby amended as follows:

**Section 17-76. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Bicycle* means every device propelled by human power upon which any person may ride, having two (2) tandem wheels either of which is more than sixteen (16) inches in diameter or having three (3) wheels in contact with the ground any of which is more than sixteen (16) inches in diameter.

*Electric bicycle* means a bicycle or tricycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts and that meets the requirements of one of the following classes:

(a) *Class 1 electric bicycle* means a bicycle or tricycle that is equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle or tricycle reaches the speed of twenty miles per hour.

(b) *Class 2 electric bicycle* means a bicycle or tricycle that is equipped with an electric motor that may be used exclusively to propel the bicycle or tricycle and that is not capable of providing assistance when the bicycle or tricycle reaches the speed of twenty miles per hour.

(c) *Class 3 electric bicycle* means a bicycle or tricycle that is equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle or tricycle reaches the speed of twenty-eight miles per hour.

*Electric personal assistive mobility device* means a self-balancing device with one wheel or two nontandem wheels and an electric propulsion system that limits the maximum speed of the device to fifteen miles per hour or less and that is designed to transport only one person.

*Owner* means any person holding the legal title of a bicycle, electric bicycle, motorized bicycle, motorized skateboard, motorized play vehicle or stand-up electric mini-scooter or any person who is a lessee, conditional vendee or mortgagor of a bicycle, electric bicycle, motorized bicycle, motorized skateboard, motorized play vehicle or stand-up electric mini-scooter with a right to

immediate possession.

*Motorized bicycle* means a motorized gas powered bicycle or tricycle that is equipped with a helper motor that has a maximum piston displacement of forty-eight cubic centimeters or less, that may also be self-propelled and that is operated at speeds of less than twenty miles per hour.

*Pedestrian through zone* is the portion of the sidewalk used primarily by pedestrians for travel, accessing transit or buildings.

*Stand-up electric mini-scooter* means a self-propelled device which has an electric motor, a deck on which a person may ride, at least two (2) tandem wheels in contact with the ground, handle bars, brakes and does not exceed 20 miles per hour and which is not otherwise defined in Arizona Revised Statutes Title 28, as amended, as a "motor vehicle," "motorcycle," or "motor-driven cycle."

Section 2. Sections 17-78 thru 17-87 of the Scottsdale Revised Code are hereby amended as follows:

**Section 17-78. Impoundment.**

(a) If a Scottsdale police officer is unable to ascertain the true identity of any person deemed in violation of this article, the police officer shall be empowered to impound any vehicle or device used in the commission of the violation. The vehicle or device shall be returned to the person or his parents upon furnishing of satisfactory identification.

(b) Unlawfully parked, inoperable or abandoned bicycles, electric bicycles, motorized bicycles, motorized skateboards, motorized play vehicles or stand-up electric mini-scooters may be impounded or relocated by city employees as necessary to protect the health, safety and welfare of the public or as otherwise authorized by law.

**Section 17-79. Voluntary registration.**

(a) ~~Every~~ Any owner of a bicycle or electric bicycle may voluntarily register his bicycle with the chief of police or designee. The police registration form shall contain the owner's name, residence address and any other necessary information prescribed by the chief of police or designee, except that a social security number shall not be required. ~~social security number, provided that a child applicant shall use the social security number of a parent or guardian.~~

(b) Upon registration, a police department decal shall be affixed to the bicycle indicating that it has been registered with the police department. ~~When the decal is delivered to the registrant, the chief of police shall cause the social security number of the owner, or in the case of a child, the social security number of one (1) of his parents or guardian, to be inscribed on the bicycle.~~

**Section 17-80. Application of traffic laws.**

Every person riding a bicycle, electric bicycle, motorized bicycle or stand-up electric mini-scooter upon a roadway in the city shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles or by the traffic laws of the city applicable to the driver of a vehicle, except as to special regulations herein and except as to those provisions which by their nature can have no application.

**Section 17-81. Obedience to traffic-control devices.**

(a) Any person operating a bicycle, electric bicycle, motorized bicycle or stand-up electric mini-scooter shall obey the instructions of official traffic-control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police peace officer, police aide or other person vested with the authority to direct traffic on public highways.

(b) Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no person operating a bicycle, electric bicycle, motorized bicycle or stand-up electric mini-scooter shall disobey the direction of any such sign, except where such person dismounts from the bicycle, electric bicycle, motorized bicycle or stand-up electric mini-scooter to make such turn, in which event such person shall then obey the regulations applicable to pedestrians.

**Section 17-82. Emerging from alley or driveway;**

(a) The operator of a bicycle, electric bicycle, motorized bicycle or stand-up electric mini-scooter emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on the sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway.

(b) The operator of a bicycle, electric bicycle, motorized bicycle or stand-up electric mini-scooter riding on a sidewalk shall yield the right-of-way to pedestrians using the sidewalk.

(c) The operator of a bicycle, electric bicycle, motorized bicycle or stand-up electric mini-scooter riding on a sidewalk shall yield the right-of-way to vehicles while crossing a driveway or intersection.

**Section 17-83. No riding or parking signs.**

The chief of police or designee may erect signs on any sidewalk, pathway or roadway prohibiting the riding or parking of bicycles, electric bicycles, motorized bicycles or stand-up electric mini-scooters thereon by any person, and, when such signs are in place, no person shall disobey the same.

**Section 17-84. Speed.**

~~No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.~~

A person shall not operate a bicycle, electric bicycle, motorized bicycle or stand-up electric mini-scooter on a sidewalk, multi-use path or roadway at a speed greater than is reasonable and prudent under the circumstances, conditions and actual and potential hazards then existing. A person shall control the speed of a bicycle, electric bicycle, motorized bicycle or stand-up electric mini-scooter as necessary to avoid colliding with any object, person, vehicle or other conveyance on, entering or adjacent to the highway in compliance with legal requirements and the duty of all persons to exercise reasonable care for the protection of others

**Section 17-85. Parking.**

~~No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such~~



~~manner as to afford the least obstruction to pedestrian traffic.~~

(a) A person shall park a bicycle, electric bicycle, motorized bicycle or stand-up electric mini-scooter in a bicycle rack or in designated bicycle parking areas, or any place where it is not otherwise prohibited by ordinance, state law, federal law, signs or by a property owner.

(b) No person shall park a bicycle, electric bicycle, motorized bicycle or stand-up electric mini-scooter in any of the following places:

- (1) Where prohibited by official signs or where the curb is painted red.
- (2) Within a designated public transit stop, except in designated bicycle racks or designated bicycle parking areas.
- (3) On a public sidewalk obstructing the pedestrian through zone, multiuse path or trail.
- (4) On those roadways without curbs in a manner so as to force a pedestrian to walk in the traveled portion of the roadway.
- (5) Within a designated handicapped parking stall and adjoining clear zones.
- (6) In front of or within a public or private driveway or the entrance to an alley.
- (7) Within any portion of a sidewalk, street, trail, or building entrance or exit that provides access to disabled persons pursuant to the American With Disabilities Act.
- (8) Within fifteen (15) feet of a fire hydrant.
- (9) In a pedestrian crosswalk.
- (10) Within twenty (20) feet of the driveway entrance to any fire station or on the side of the street opposite the entrance to any fire station within seventy-five (75) feet of the entrance when properly posted.
- (11) Within a designated turn or bicycle lane.
- (12) Within the traveled portion of a roadway, including an intersection and pedestrian crossing.
- (13) Within a designated no-parking zone.
- (14) Within a landscaped or planted area.
- (15) Within a roadway median.

(c) The chief of police or designee may designate or limit public areas or streets available for parking bicycles, electric bicycles, motorized bicycle or stand-up electric mini-scooters.

(d) No bicycle, electric bicycle, motorized bicycle or stand-up electric mini-scooter shall be placed on private property without permission of the owner of that property.

(e) The property owner of any non-residential property open to the public is deemed to have given consent to unrestricted bicycle, electric bicycle, motorized bicycle or stand-up electric mini-scooter parking by the general public in designated bicycle parking areas or racks, unless such parking

is otherwise restricted under the Scottsdale Revised Code, state or federal law. The property owner of any non-residential property open to the public may develop its own rules and regulations as to abandoned or unlawfully parked bicycles, electric bicycles, motorized bicycles or stand-up electric mini-scooters and may contract with private parties for the removal and impoundment of such bicycles, electric bicycles and motorized bicycles.

(f) The property owner of any multi-family residential property is deemed to have given consent to unrestricted bicycle, electric bicycle, motorized bicycle or stand-up electric mini-scooter parking by residents and authorized visitors in designated bicycle parking areas or racks, unless such parking is otherwise restricted under the Scottsdale Revised Code, state or federal law. The property owner of any multi-family residential property may develop its own rules and regulations as to abandoned or unlawfully parked bicycles, electric bicycles or motorized bicycles and may contract with private parties for the removal and impoundment of such bicycles, electric bicycles, motorized bicycles and stand-up electric mini-scooters.

(g) It is unlawful for an owner to allow a bicycle, electric bicycle, motorized bicycle or stand-up electric mini-scooter owned by the owner to remain parked in a manner not in accordance with this section on publicly owned property after receiving notification from any person of such violation.

(h) It is unlawful for an owner to allow a bicycle, electric bicycle, motorized bicycle or stand-up electric mini-scooter owned by the owner to remain parked in the same location on publicly owned property for seventy-two (72) hours or more.

(i) It is unlawful for any person including an owner to leave an inoperable bicycle, electric bicycle, motorized bicycle or stand-up electric mini-scooter on public property for more than two (2) hours after receiving notification from any person of such violation.

(j) Except as authorized by city permit, no person or owner shall place or park on publicly owned property more than five (5) lawfully parked bicycles, electric bicycles, motorized bicycles or stand-up electric mini-scooters owned by the same owner within two hundred (200) feet of each other for more than two (2) hours after receiving notification from any person of such violation.

(k) Any employee authorized to issue a notice of violation for parking violations pursuant to section 17-104(d) or the City Manager or designee may issue notices of violations and civil complaints for the enforcement of this section. Nothing in this subsection shall be construed to limit a Scottsdale police officer or the City Attorney from enforcing any other section of this Division.

(l) For purposes of this section, notification to an owner or anyone acting on the behalf of an owner is deemed complete upon sending an email to or calling a phone number belonging to the owner or its agents.

**Section 17-86. Riding in prohibited areas; class 3 electric bicycles prohibited on sidewalks; stand-up electric mini-scooters prohibited on streets greater than thirty-five miles per hour with exceptions.**

(a) No person shall ride or operate a bicycle, electric bicycle, motorized bicycle, stand-up electric mini-scooter, skateboard, roller skates or any other nonself-propelled vehicle or device, except wheelchairs or an electric personal assistive mobility device, in or upon any area having posted signs expressly prohibiting said self-propelled-vehicles or devices.

(b) No person shall ride, park or operate a class 3 electric bicycle on any sidewalk or multi-use

path within the city.

(c) No person shall ride or operate a stand-up electric mini-scooter on a street when the street has a posted speed limit of forty (40) miles per hour or greater, except for crossing that street.

**Section 17-87. - Exceptions.**

The prohibitions set forth in sections 17-83 and 17-86 of this article shall not apply to law enforcement, fire or emergency medical officials while engaged in the performance of their official duties.

Section 3. Sections 17-88 thru 17-89.3 of the Scottsdale Revised Code are hereby added as follows:

**Section 17-88. Penalties.**

Unless otherwise provided:

(a) A first violation of this Division is a civil offense and shall be punished by a fine of not less than fifty dollars (\$50.00) per violation.

(b) A second violation of this Division is a civil offense and shall be punished by a fine of not less than two hundred fifty (\$250.00) per violation.

(c) A third or subsequent violation of this Division within one (1) year of conviction of a first violation is a class one misdemeanor and shall be punished, in addition to any other penalties authorized by law, by a fine of not less than one thousand dollars (\$1,000.00) per violation.

(d) Notwithstanding subsection c above, the City may designate third or subsequent violations of this Division as civil offenses and such violations shall be punished by a fine of not less than five hundred (\$500.00) per violation.

(e) Each day any violation of this Division continues shall constitute a separate offense.

**Section 17-89 - Refusing to provide truthful name and date of birth when lawfully detained; penalty.**

(a) It is unlawful for a person, after being advised that the person's refusal to answer is unlawful, to fail or refuse to state the person's true full name and date of birth on request of a peace officer who has lawfully detained the person based on reasonable suspicion that the person has committed a violation of this chapter. A person detained under this section shall state the person's true full name and date of birth, but shall not be compelled to answer any other inquiry of a peace officer.

(b) A person who violates this section is guilty of a class 2 misdemeanor.

**Section 17-89.1. - Riding, operating or actual physical control while under the influence; presumptions; admissible evidence; sentencing.**

(a) It is unlawful for a person to ride, operate or be in actual physical control of an electric bicycle, motorized bicycle, motorized skateboard, motorized play vehicle or stand-up electric mini-scooter under any of the following circumstances:

1. While under the influence of intoxicating liquor, any drug, a vapor-releasing substance containing a toxic substance or any combination of liquor, drugs or vapor-releasing substances if the person is impaired to the slightest degree.

2. If the person has an alcohol concentration of 0.08 or more within two hours of riding, operating or being in actual physical control of the electric bicycle, motorized bicycle, motorized skateboard, motorized play vehicle or stand-up electric mini-scooter and the alcohol concentration results from alcohol consumed either before or while driving or being in actual physical control of the electric bicycle, motorized bicycle, motorized skateboard, motorized play vehicle or stand-up electric mini-scooter.

3. While there is any drug defined in Arizona Revised Statutes Section 13-3401 or its metabolite in the person's body.

(b) It is not a defense to a charge of a violation of subsection (a), paragraph 1 of this section that the person is or has been entitled to use the drug under the laws of this state.

(c) A person who is convicted of a violation of this section is guilty of a class 1 misdemeanor.

(d) A person using a drug as prescribed by a medical practitioner who is licensed pursuant to Arizona Revised Statutes Title 32 and who is authorized to prescribe the drug is not guilty of violating subsection A, paragraph 3 of this section.

(e) In a trial, action or proceeding for a violation of this section, the defendant's alcohol concentration within two hours of the time of riding, operating or being in actual physical control as shown by analysis of the defendant's blood, breath or other bodily substance gives rise to the following presumptions:

1. If there was at that time 0.05 or less alcohol concentration in the defendant's blood, breath or other bodily substance, it may be presumed that the defendant was not under the influence of intoxicating liquor.

2. If there was at that time in excess of 0.05 but less than 0.08 alcohol concentration in the defendant's blood, breath or other bodily substance, that fact shall not give rise to a presumption that the defendant was or was not under the influence of intoxicating liquor, but that fact may be considered with other competent evidence in determining the guilt or innocence of the defendant.

3. If there was at that time 0.08 or more alcohol concentration in the defendant's blood, breath or other bodily substance, it may be presumed that the defendant was under the influence of intoxicating liquor.

(f) Subsection (e) of this section does not limit the introduction of any other competent evidence bearing on the question of whether or not the defendant was under the influence of intoxicating liquor.

(g) A person who is convicted of a violation of this section:

1. Shall be sentenced to serve not less than five (5) consecutive days in jail and is not eligible for probation or suspension of execution of sentence unless the entire sentence is served.

2. Shall pay a fine of not less than two hundred fifty (250) dollars.

3. May be ordered by a court to perform community restitution.

(f) Notwithstanding subsection (g), paragraph 1 of this section, at the time of sentencing the judge may suspend all but twenty four hours (24) of the sentence if the person completes a court ordered alcohol or other drug screening, education or treatment program. If the person fails to complete the court ordered alcohol or other drug screening, education or treatment program and has not been placed on probation, the court shall issue an order to show cause to the defendant as to why the remaining jail sentence should not be served.

**Section 17-09.2. – Reckless riding; sentencing.**

(a) It is unlawful for a person to ride or operate an electric bicycle, motorized bicycle, motorized skateboard, motorized play vehicle or stand-up electric mini-scooter with reckless disregard for the safety of persons or property.

(b) A violation of this section is a class two misdemeanor.

**Section 17-09.3 - Stand-up electric mini-scooter required equipment.**

(a) A stand-up electric mini-scooter that is used at nighttime shall have a lamp on the front that emits a white light visible from a distance of at least five hundred feet to the front and a red reflector on the rear and that is visible from all distances from fifty feet to three hundred feet to the rear when the reflector is directly in front of lawful upper beams of head lamps on a motor vehicle. A stand-up electric mini-scooter may have a lamp that emits a red light visible from a distance of five hundred feet to the rear in addition to the red reflector.

(b) A person shall not operate a stand-up electric mini-scooter that is equipped with a siren or whistle except that a stand-up electric mini-scooter may be equipped with an anti-theft alarm.

(c) A stand-up electric mini-scooter shall be equipped with a brake that enables the operator to make the braked wheels skid on dry, level, clean pavement.

**Section 4. Sections 17-93 of the Scottsdale Revised Code is hereby amended as follows:**

**Section 17-93. Prohibited operation.**

(a) No person shall ride, operate, place or park a motorized skateboard or motorized play vehicle:

(1) On any sidewalk in the city, except for use in crossing such sidewalk by the most direct route to gain access to any public or private road or driveway.

(2) In any city parking structure, city park, or other public property except for use on public roadways within a city park.

(3) On any private property that has been posted or designated by the owner of such property as an area prohibiting "skateboards."

(4) On any public roadway consisting of a total of four (4) or more marked traffic lanes, or having an established speed limit of greater than twenty-five (25) miles per hour.

(5) On any private property of another, without the written permission of the property owner, the person entitled to immediate possession of the property, or the authorized agent of either.

(6) On any sidewalk, or any designated bicycle lane, unpaved trail or multiuse path.

(b) It is a civil offense subject to the penalties specified in section 17-88 for an owner to allow a motorized skateboard or motorized play vehicle owned by the owner to remain unlawfully parked on publicly owned property after receiving notification from any person of such violation.

Section 5. Sections 17-99 and 17-100 of the Scottsdale Revised Code is hereby amended as follows:

**Sec. 17-99. - General; right-of-way; use of multiuse path.**

(a) Multiuse paths are for the exclusive use of pedestrians, ~~and any human-powered vehicles or devices, class 1 and 2 electric bicycles and stand-up electric mini-scooters.~~

(b) A user who is operating a ~~class 1 or 2 electric bicycle, a stand-up electric mini-scooter or a human-powered device or vehicle upon a multiuse path shall yield the right of way to any pedestrian. A user operating a bicycle shall yield to skaters and pedestrians, and skaters shall yield to pedestrians.~~

(c) All users of multiuse paths shall:

(1) Travel at a rate of speed which is reasonable and prudent under the conditions at the point of operation, taking into account the amount and character of pedestrian traffic, grade and width of path, and condition of surface. In every event, the user shall control speed as may be necessary to avoid colliding with other users.

(2) Obey all instructions of any traffic control device, warning sign, or pavement marking applicable to use of the multiuse path, ~~unless otherwise directed by a police peace officer, police aide or other person vested with the authority to direct traffic on public highways,~~ including, without limitation: speed limit, stop, yield, caution, warning and dismount signs.

(3) Exercise due care and caution to avoid colliding with any other users.

(4) Refrain from entering any portion of the multiuse path when it is flooded or contains standing water.

(5) Travel in a consistent and predictable manner.

(6) Travel as near to the right side of the path as is safe, except as may be appropriate while preparing to make or making turning movements, or while overtaking or passing another user traveling in the same direction.

(7) Occupy only the right half of the multiuse path, measured from the right side, so as not to impede the normal and reasonable movement of other path users.

(8) Pass other users on the left and only when it can be done safely, returning to the right only when safely clear of the user being passed.

(9) Give an audible warning signal (e.g. voice, bell, or mechanical or electrical signaling device), in sufficient time to allow response, before passing any user.

(10) Remove themselves and any equipment at least three (3) feet off the pathway when stopping, standing or parking.

**Sec. 17-100. - Prohibitions.**

(a) No person shall operate, use or place any vehicle or device with an attached motor or power unit that is not otherwise authorized by section 17-99, whether or not it is operation, upon a multiuse path or within three (3) feet of a multiuse path. This subsection shall be inapplicable to the use and operation of a motorized wheelchair by a person who ordinarily uses such equipment. It shall also be inapplicable to city employees or others authorized by the city to perform inspection, repair or maintenance work, and to persons providing emergency medical or veterinary services, in the performance of their official or professional duties.

(b) No person shall willfully throw, deposit or cause to be thrown or deposited, upon any multiuse path any glass bottles, glass, nails, tacks, wires, cans or any other object, substance or debris, including animal waste. Any person who drops, or causes to be dropped, thrown or deposited upon a multiuse path any such material will immediately remove it or cause it to be removed.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Arizona, this 13<sup>th</sup> day of November, 2018.

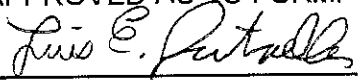
CITY OF SCOTTSDALE, an Arizona  
municipal corporation

ATTEST:

\_\_\_\_\_  
Carolyn Jagger, City Clerk

\_\_\_\_\_  
W.J. "Jim" Lane, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Bruce Washburn, City Attorney  
By: Luis E. Santaella  
Senior Assistant City Attorney

## Feedback

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**From:** Stockwell, Brent  
**Sent:** Monday, October 01, 2018 6:15 PM  
**To:** Feedback  
**Subject:** FW: Motorized Bicycle Ordinance

**From:** Question  
**Sent:** Saturday, September 29, 2018 2:33 PM  
**To:** Question <[Question@Scottsdaleaz.gov](mailto:Question@Scottsdaleaz.gov)>  
**Subject:** Motorized Bicycle Ordinance

## Motorized Bicycle Ordinance

### Survey Information

Site:	ScottsdaleAZ.gov
Page Title:	General Question or Complaint
URL:	<a href="https://www.scottsdaleaz.gov/contact/complaint-form">https://www.scottsdaleaz.gov/contact/complaint-form</a>
Submission Time/Date:	9/29/2018 2:32:23 PM

### Survey Response

Subject	Motorized Bicycle Ordinance
Comments	<p>I have been a "Downtown Ambassador" volunteer for some 5 years assigned to the Visitor Cart located at Brown and Main Streets. I have seen numerous bicycles - both pedal and motorized - being ridden on the sidewalks amid walking pedestrians. It's a very dangerous situation just waiting for serious injury to occur. I urge the City Council to prohibit the riding of pedal bicycles, motorized bicycles, motorized scooters, regular scooters and skateboards of any kind to be used on the sidewalks in Old Town. Most importantly I urge the City of Scottsdale to require permanent signs be placed on the handlebars of ALL bicycles notifying the user NOT TO RIDE THE BICYCLE ON ANY STREET IN OLD TOWN. In addition, I suggest the city post large signs on ALL street corners informing riders of the items mentioned above NOT TO RIDE ON THE SIDEWALKS. Don Kirschner Downtown Ambassador Volunteer 9150 E. Topeka Drive Scottsdale, AZ 85255 480-585-6606</p>
<p>If you wish to have someone reply to you directly, please provide your contact information below (optional).</p>	



First Name	Don
Last Name	Kirschner
Phone	4805856606
Email	<a href="mailto:dkirschner@cox.net">dkirschner@cox.net</a>

This is a secure form. All information is encrypted to prevent interception by unauthorized parties. However, information submitted through this form is used by city staff to improve our web services and is also subject to public information laws. The information may not be confidential.

## Feedback

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**From:** Lou Maccarone <lmaccaro@gmail.com>  
**Sent:** Wednesday, September 26, 2018 4:30 PM  
**To:** Feedback  
**Subject:** City of Scottsdale - City seeks input on proposed Bicycle Ordinance ...

As a local resident and customer of many Scottsdale businesses, I was glad to see the city soliciting feedback on the vehicle-share scooter programs in use today.

After having used electric scooters as a tourist in other cities, I recently tried to use them to return home from the Old Town district in Scottsdale.

I found the number of scooters too few, the restrictions on them too onerous, and for some reason, the BIRD brand scooters were shut down at 10PM.

So I thought to do some investigation and was appalled at the current policy regulating scooters.

1. Electric scooters should have the same rights as bicycles, including access to the full vehicle lane for safety purposes, as well as access to public parks and bike lanes. Honestly, this is just common sense.
2. Cities have encouraged adoption of alternate transportation methods for decades. Finally, a solution to wide adoption presents itself, this is the time to take advantage of the opportunity before it slips away.
3. Every BIRD parked on the sidewalk takes up 2-3 sq. ft. of public space, yet removes the need (through the shared aspect) for half a dozen cars, each taking up ~160 sq. ft. of public space when parked. The tradeoff is overwhelmingly in the city's favor.
4. ..Not to mention the benefits to activity levels, air quality, lower traffic congestion, and fewer drunk drivers.
5. "Ground level" transport like bikes and scooters lends itself more readily to patronage of surrounding businesses. The barrier to jumping off to get a coffee or an ice cream is lower than that of searching for parking and getting out of a car.
6. Scooter use is fairly concentrated in the Old Town district, south Scottsdale, and surrounding neighborhoods, making enabling responsible use affordable and easier to police. Putting a bike / scooter rack on every block in pedestrian-oriented areas would go a long way toward cleaning up the illegal parking situation. Perhaps convert one street parking spot to parking for 40 bicycles/scooters.

Kindly consider these points in your deliberations. I would like to see alternate transportation methods encouraged, as the benefits far outweigh the inconveniences.

Thank you,

Louis Maccarone

## Feedback

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**From:** Chiefsj6730 <chiefsj6730@aol.com>  
**Sent:** Saturday, August 25, 2018 3:57 PM  
**To:** Feedback  
**Subject:** Proposed Bicycle Ordinance

Hello! I have reviewed the proposed ordinance regarding bicycles scheduled for the Council meeting on November 27.

I have observed a proliferation of rental bicycles being parked around the City. The locations vary but suffice it to say that they are far-ranging beyond the downtown. These include shopping areas, residential areas, public sidewalks, and other private property locations. What is troubling to me is the fact that these bicycles remain parked for days and weeks at a time. The vendor(s) say that they pick up the bikes within 24 hours. This is obviously not the case.

The fact that the ordinance has extensive restrictions on the parking of bicycles does not address the enforcement mechanism. The proliferation of bicycles and the obvious failure of vendors to fulfill their own service promises cannot be expected to be ameliorated through an ordinance. It will simply be ignored. I have not seen any problems with privately parked bicycles; they are used by their riders for pleasure or transportation and handled responsibly.

Thank you for the opportunity to comment!

## Feedback

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**From:** Karen Manser <nspinaz@gmail.com>  
**Sent:** Thursday, August 23, 2018 9:28 PM  
**To:** Feedback  
**Subject:** Bicycle ordinance feedback

>  
> I just read the article in the Scottsdale Independent on the continued ordinance discussion. I worked at a city in WA for 28 years as an assistant police chief and we had our own code enforcement section as well as assisting the City with theirs.  
>  
> While I appreciate the examples of proposed changes, there is no way they are enforceable. There are too many different violations included and it would take an army of new hires to deal with the bicycle issues only. It would be administratively impossible. It is worse to have laws on the books that you don't enforce than not to have them at all.  
>  
> That being said, I do not support this bicycle program. They bicycles are an eyesore and they are everywhere. They are showing up as far north as the 101 around scottsdale road and they lay around for days and weeks without being picked up.  
>  
> People got around just fine before you started the program. We don't need to be that trendy. I am sure you all have see the big piles of bikes in huge trash type heaps in other countries. It doesn't work! If you want to continue to offer it I would suggest scaling it way back in the number of bikes and limit it to a small geographical area around old town where tourists do a lot of walking.  
>  
> Sincerely,  
>  
> Karen Manser  
> 37126 N 97th Way  
> Scottsdale, AZ 85262  
> 425-478-5509  
>  
> Sent from my iPad

## Feedback

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**From:** Banks, Jennifer  
**Sent:** Thursday, August 23, 2018 12:45 PM  
**To:** Feedback  
**Subject:** FW: Support for bicycle ordinance changes

**From:** Brad Samson <bradpsamson@yahoo.com>  
**Sent:** Friday, August 17, 2018 9:30 AM  
**To:** Banks, Jennifer <JBanks@Scottsdaleaz.gov>  
**Subject:** Support for bicycle ordinance changes

I wanted to lend my voice and vote FOR the bicycle ordinance changes the city is proposing.

We are not anti-bicycle. On the contrary, my wife and I are both active road cyclists. However, all these yellow and green bikes, carelessly left willy-nilly all over town have become an eyesore. The scooters haven't come here yet, but are likely to do so. I commend you and the city council for taking on this issue now, before it gets even more out-of-hand.

Thank you.

Brad Samson  
12261 E. Palomino Rd  
Scottsdale

## Feedback

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**From:** Banks, Jennifer  
**Sent:** Tuesday, August 14, 2018 2:37 PM  
**To:** Feedback  
**Subject:** FW: new bike ordinances and related bike stuff

-----Original Message-----

**From:** Daniel Riggs <drriggs23@gmail.com>  
**Sent:** Thursday, August 09, 2018 2:32 PM  
**To:** Banks, Jennifer <JBanks@Scottsdaleaz.gov>  
**Subject:** new bike ordinances and related bike stuff

Hello Jennifer,

I bike a lot around town and also in other places over many years. I like the changes, they hopefully they will deal with those green and yellow bikes abandoned around town. One question about bike parking, if there's not a bike rack in front of a shop, where are we supposed to park our bikes? It seems that we couldn't park it on the sidewalk even if it's out of the way.

Several other comments:

I like the bike sensors that have been installed at lights to detect us when we come up to a light. Very nice.

Also the bike lane markings have been much improved over the years. The city has been consistently been working hard on improve the lane lines.

The shared lane markers are very good, but the public has to be informed what they mean. Most drivers don't understand them. I wish the city had more of them.

Hopefully you'll improve the stretch of Via Linda between 124th street and Frank Lloyd Wright. It's really dangerous.

Either a bike lane (even narrow) or else put shared lane markers in the right lane. I never will understand why the city made Via Linda so narrow, especially right next to schools.

thanks for all your efforts to make things better for us bikers in town,

Dan Riggs

## Feedback

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**From:** Michele Lauren <mlaurin2@cox.net>  
**Sent:** Sunday, August 12, 2018 10:15 PM  
**To:** Feedback  
**Subject:** Proposed Changes to Bike Ordinances

I read your short description of the proposed changes to the bike ordinance. It does not explain who you are holding accountable? Is it the bike share companies or an individual who is renting a bike?

Also, are you proposing that the bike share companies pick up random bikes left in neighborhoods? There should be a time limit set—pick up bikes within 48 hours or City will fine bike share company, or something similar.

Michele Laurin

Sent from my iPhone

## Feedback

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**From:** W Parsons <cathyandwayne@gmail.com>  
**Sent:** Sunday, August 12, 2018 8:06 AM  
**To:** Feedback  
**Subject:** Bike locations

Bikes should be left in designated spots ONLY!

The there is no way you can enforce the suggested rules you have posted. We had a bike in front of our mailbox for 3 weeks!

The people I have spoken to want mandatory regulations for this industry, because it appears there are none!



## Feedback

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**From:** Banks, Jennifer  
**Sent:** Friday, August 10, 2018 1:33 PM  
**To:** Feedback  
**Subject:** FW: Scottsdale's proposed bicycle ordinance changes

**From:** hoopshanley@gmail.com <hoopshanley@gmail.com> **On Behalf Of** John Hanley  
**Sent:** Thursday, August 09, 2018 4:27 PM  
**To:** Banks, Jennifer <JBanks@Scottsdaleaz.gov>  
**Subject:** Scottsdale's proposed bicycle ordinance changes

Dear Ms. Banks,

I am a Scottsdale resident and I have reviewed the proposed bicycle ordinance changes. Since I will not be able to attend the public comment meetings, I wanted to let you know that I agree with the proposed changes.

My thanks in advance for your assistance with this matter.

## Feedback

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**From:** Sue Sviba <susansviba@gmail.com>  
**Sent:** Friday, August 10, 2018 11:35 AM  
**To:** Feedback  
**Subject:** Proposed Bicycle Changes

On the weekends, many riders ride in groups of 10 or 20 riders. What the lead rider does is ride on the line between the bike lane and vehicle lane. I don't know if it is a concentration thing but the riders behind him follow. So when you're passing you have to go in the lane going in the opposite direction which is dangerous. If there is a bicycle lane, ride it and stay in it.

Sent from my iPhone

## Feedback

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**From:** Jeanne Peters <jepbob@q.com>  
**Sent:** Friday, August 10, 2018 10:33 AM  
**To:** Feedback  
**Subject:** Bicycle ordinance

Please do not allow dock less ride share bicycles in Scottsdale.  
The riders do not follow the rules on parking as outlined by Limebike and Ofo.  
The abandoned bikes are an eyesore to my neighborhood.

**Please adopt a dock station bicycle program as many other cities have done.**

Scottsdale is too beautiful a city to be littered with this clutter.  
Jeanne Peters  
6349 N. 78th St. #99  
Scottsdale, AZ 85250

## Feedback

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**From:** Steve Kreis <skreis@kreis.com>  
**Sent:** Friday, August 10, 2018 10:04 AM  
**To:** Feedback; Banks, Jennifer  
**Subject:** Citizen Comments on proposed bicycle ordinance changes

I strongly object to more stringent bicycle ordinance regulation which could impair the ability of bicycle rental companies (Limebike, OFO) to operate freely in the city of Scottsdale. Please do not add regulation which is designed to impair the bike rental activity.

The availability of *inexpensive bicycle transportation for any citizen or tourist is a great asset to the area.* Bike rental companies provide that for our community and allow people more transport options at a cheap cost. The benefits are numerous- cheap transport, cleaner transport, reduction in private bike thefts, exercise for the rider, more use of the extensive network of bike trails within the city limits and general promoting of biking as a form of transportation. Benefits of readily available bikes far outweigh the drawbacks are few and can be addressed easily. Perhaps the biggest drawback- the irresponsible depositing of rental bikes in improper parking places is NOT a reason to stop the rental companies from operating. Most of the bikes I see around the city are parked in reasonable places- let's not be so limiting of bike parking that we discourage people from riding.

While a reasonable bike ordinance which promotes safety and good bike parking practice is welcome, please err on the side of "less is more" and ENCOURAGE people to ride bikes and enjoy the city's many great trails.

Thank you.

Edmund S Kreis  
4122 N 87<sup>th</sup> Way  
Scottsdale, AZ 85251

## Feedback

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**From:** Cynthia Carpenter <ccx52157@gmail.com>  
**Sent:** Thursday, August 09, 2018 5:30 PM  
**To:** Feedback  
**Subject:** Re bicycle ordinance changes

To whom it may concern:

I won't be available on August 16th but would like to make a few comments regarding proposed changes to the bicycle ordinance.

1. I think these dock-less bicycles are an absolute eyesore. They are everywhere, often laying on their sides & remain there. Apparently many people weren't raised the way I was.
2. I often see bicycles laying on the sidewalks thus preventing public access. People who are out walking, some with baby carriages are forced to walk in the street because the sidewalks are blocked. This is disgraceful & potentially unsafe. I have also seen bicycles left at the ADA curb cuts at the corners thus preventing access to the disabled. I am disabled and have been in a wheelchair and this is totally unacceptable.
3. I don't think the changes are tough enough. Do we really want Scottsdale to look like San Francisco? I moved here from there and for me the answer is a definite NO.
4. I think bike rentals are a good idea but bikes left all helter-skelter looks really bad and why would we accept something that looks like this?
5. I've seen bicycles in my neighborhood sit in the same places for about 3 weeks before they get picked up.
6. How do you plan to enforce these new rules? Who is going to monitor everything and who takes responsibility?

Wouldn't it simply be easier to return the bike to it's proper place, like to a rack? It doesn't seem unreasonable to me & I've seen it in other cities in the area, I believe it's that way in Tempe.

Thank you for considering this public opinion.

Regards,  
Cynthia Carpenter  
8225 E Plaza Ave  
Scottsdale 85250

## Feedback

---

**From:** Howard MALLETT <howsuz@cox.net>  
**Sent:** Thursday, August 09, 2018 4:15 PM  
**To:** Feedback  
**Subject:** Bicycle ordinance changes

Suggest cyclist especially the club groups be relegated to side streets only and not permitted on major thoroughways such as Pima, Scottsdale Road etc.

Insist they ride in groups no greater than 3. And stay in the bike lanes. Riding outside the bike lanes is a habitual offense , moving into the traffic lane resulting in autos moving into adjacent lanes creating a risk to bikers and autos alike.

These club groups are rude, do not follow the bike/ traffic laws such as staying in bike lanes, ignoring stop sign and traffic lights , signaling turns just to name a few. These 10-20 club groups are hazards and dangerous.

Thank you.

Howard Mallett

Howard Mallett

## Feedback

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**From:** Kui Eugenio <kui\_eugenio@hotmail.com>  
**Sent:** Thursday, August 09, 2018 2:59 PM  
**To:** Feedback  
**Subject:** proposed changes to the city's Bicycle Ordinance

I think it's a great idea but there are not enough penalties for ride-share users to adhere to. Lime bike seems ok with designated areas to park and pick up. The others have been an eye sore to the city and just a nuisance.

## Feedback

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**From:** Margo Valentine <mvalentine825@yahoo.com>  
**Sent:** Thursday, August 09, 2018 2:56 PM  
**To:** Feedback  
**Subject:** New bicycle proposal

I oppose the proposed bicycle rules modifications. Seems the city is standing in the way of many citizens who want an alternative and ecological methods of transportation. I sense a subtle acquaintance to the elderly population who have little buy in for more current methods of getting around in this city. I urge the council to vigorously support the rights of bicyclists without enacting the suppressive modifications

Margo Valentine

Sent from my iPhone



## Feedback

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**From:** SCOTT BETH VAN\*DEWERKER <VAND\_SBBNC@msn.com>  
**Sent:** Thursday, August 09, 2018 2:43 PM  
**To:** Feedback  
**Subject:** Bike Restrictions

- 1) There needs to be distinction make on the restriction between bike sharing service bikes and private owner bikes on a number of these recommended rule changes in many cases (red sidewalks and making a rider judge 15 feet to a hydrant are an example).
- 2) Prohibition/Restrictions on electric (including pedal assist) or gas powered bikes, scooters, etc. on the city's trail system, esp. the wash trail need to be updated and enforced. The difference is speed between these items and people powered transport (bikes, pedestrians) is a real safety problem if witness on numerous occasions.

Thanks,

Scott VanDewerker  
Rovey Ave.

## Feedback

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**From:** Rebecca Price <rebeccagwen@yahoo.com>  
**Sent:** Thursday, August 09, 2018 2:32 PM  
**To:** Feedback  
**Subject:** Bike Ordinance

Please ban the bike/Scooter shares. They are a nuisance, block access for pedestrians, vehicles, public safety and important disabled access. Also the fill up the landfills. If not banned require the companies to collect them daily and return them to designated areas of pick up and drop up. And require the companies to be taxed for the broken bikes disposal in landfills.

Sent from my iPhone

## Feedback

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**From:** David Nealey <dcnealey@gmail.com>  
**Sent:** Tuesday, August 07, 2018 7:01 PM  
**To:** Feedback  
**Subject:** Proposed Bicycle Ordinance Revisions

Overall I completely agree with all the proposed revisions. I believe there is one weakness though.

17-85 (i) lays out a restriction of 5 bicycles within 200' of another for an owner. Given the 3 bike share vendors operating, there is potential of 15 bicycles clustered together. Since there are 3 different owners this would be legal. It would also be an eyesore similar to we have now with no regulation.

Please review that section to prevent this type of behavior.

Thank you;  
David C Nealey

## Feedback

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**From:** Bill Danielson <bill@danielson.name>  
**Sent:** Tuesday, July 31, 2018 1:57 PM  
**To:** Feedback  
**Subject:** Draft Ordinance relating to bicycles, skateboards, and motorized skateboards

After reviewing the proposed draft ordinance relating to bicycles, skateboards, and motorized skateboards, I am pleased to see that it makes clear that bicycles shall not be parked "on a public sidewalk obstructing the pedestrian through zone."

Sidewalks in residential areas, particularly in the south Scottsdale area, are not wide enough to park a bicycle and allow for unobstructed pedestrian use, and definitely not wide enough for someone pushing a stroller or utilizing a wheelchair or mobility scooter to pass by a bicycle parked on the sidewalk! This has been a major problem in residential areas since several companies have started bike sharing programs in Scottsdale.

I hope that if this ordinance is enacted, that the section that states that it is unlawful for a bicycle to remain parked in the same location on publicly owned property for seventy-two (72) hours or more is strictly enforced as bicycles from the various bike-sharing companies have stayed parked for days and weeks on end without being used or removed by the bike-sharing companies. My experience with at least one of the companies after contacting them about their bikes was, while they said they would promptly pick them up, it still took them several days to do so, and only did so after I left a negative response to their request for comment about customer service.

Regards,

William Danielson  
8343 E. Turney Ave.  
Scottsdale, AZ 85251

## Feedback

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**From:** Patrice Roy <patriceroyaz@yahoo.com>  
**Sent:** Sunday, July 29, 2018 3:46 PM  
**To:** Feedback  
**Subject:** Bicycle sharing

Hello,

Thank you for the opportunity to share my thoughts with you about the bicycle sharing in Scottsdale.

At first I was pleased and intrigued by the bicycles and thought it was a great idea until the following:

1. I attended a Scottsdale City Council meeting where a gentleman in a wheelchair approached the mic to say he was quadriplegic and was unable to perform some of his activities of daily living such as grocery shopping or going to the pharmacy because "I do not have the luxury to get out of my chair and move the bikes off the side walk."

I then started to look at the bicycles with a different eye and noticed how many of the bicycles are in the middle of sidewalks and sometimes laid down on sidewalks which effectively prevents people from getting around them. And if you are in this gentlemen's situation it is impossible

2. On 2 separate occasions we had family from the East Coast visit and each family asked why there were so many bicycles on the streets, greenbelt and on lawns and that they looked more "like trash and litter". This sentence was inevitably followed by their saying "I thought Scottsdale was a clean city." "At least it seemed that way last time we visited."

3. We love to show off Scottsdale using the segway tour for fun and Scottsdale facts with family and friends when they visit. This time we had family from the midwest and a couple of friends from Atlanta (2 separate occasions). The tour had to be stopped a couple of times so that bicycles could be moved in order that we get around them safely.

4. I am on the McCormick Ranch POA and the bicycle sharing came up in a meeting. There was lots of heated discussions about what to do to keep our communities not cluttered and safe for all community members in light of the bicycle sharing. The discussion included that we were having our POA employees pick up the bicycles off the roads and streets and bringing them back to the POA office so the company could retrieve them. It seemed as though community members were calling the bicycle sharing companies and not getting responses and/or there were long delays in retrieving the bicycles. There were many of us on the board that do not agree that our employees should be picking up bicycles for a 'for profit' company and if we are going to do so, then there should be some fare compensation

5. While in theory this is a fun idea, in my opinion, it was poorly executed and continues to be poorly managed by these bicycle sharing companies who reap the financial gains while we as a city lose some of the very essence of what it means to live in Scottsdale AZ.

I am happy to share more thoughts and will be in attendance at the next Council meeting.

Thank you for your time.

Patrice Roy  
7117 N Via De Alegria  
Scottsdale 85258  
207-865-9192

## Feedback

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**From:** Larry Moss <lhmos77@gmail.com>  
**Sent:** Sunday, July 29, 2018 9:35 AM  
**To:** Feedback  
**Subject:** Opinion Matters

To Whom it May Concern,

I have been reading the article in the Scottsdale Ranch Newsletter in regards to Proposed Bicycle Ordinance Revisions.

The following are from the Arizona Traffic Law Manual.

### **28-812 Applicability of traffic laws to bicycle riders**

A person riding a bicycle on a roadway or on a shoulder adjoining a roadway is granted all of the rights and is subject to all of the duties applicable to the driver of a vehicle by this chapter and chapters 4 and 5 of this title, except special rules in this article and except provisions of this chapter and chapters 4 and 5 of this title that by their nature can have no application.

### **28-815 Riding on roadway and bicycle path: bicycle usage**

A. A person riding a bicycle on a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the right-hand curb or edge of the roadway except.....

If a car doesn't stop at a stop sign or a red light they receive a citation. Almost every bicycle goes through the stop signs and red lights. Bicycles are required to follow ALL the laws of a motor vehicle.

A lot of the streets have bicycle lanes and yet the majority do not stay in their lane or move to the right. A lot of them ride on the white line which encroaches on the vehicle lane even though the city went to the time and expense to give them their own lane. If a vehicle is riding on the white line or over it, the vehicle will most likely get pulled over for not staying in their lane.

I find it interesting that you want to make changes to bicycle ordinances when no one enforces the existing ones. I think the issues above indicate "selective enforcement".

Respectfully

Larry Moss

## Feedback

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**From:** Eddie Trayler <eTrayler@q.com>  
**Sent:** Tuesday, July 24, 2018 3:50 PM  
**To:** Feedback  
**Subject:** Proposed Bicycle Ordinances

As a Scottsdale resident for 50+ years, I have seen MANY changes in the city. I have observed the revitalization of downtown and old town Scottsdale in recent years. To me this is attributed in large part to our younger residents. This transformation has affected residential, business and commercial interests and I love it. The presence of the "yellow" bicycles parked and in use has been a welcomed addition to the community, in my opinion. These bikes reflect the interest in urban living, reduction of pollution and the need to live on a budget that this generation embraces. Love the bright yellow color that dots our community. Reminds me of the painted pianos, cows, etc that I have seen in other cities. I understand the concerns being raised, but do hope the adopted ordinances not be so stringent that bike companies leave the community. I find the concept very cutting edge, progressive and fun.

Eddie Trayler  
480-734-3735



## Feedback

---

**From:** Dan Ishac <danishac2016@gmail.com>  
**Sent:** Sunday, July 08, 2018 10:21 AM  
**To:** Feedback  
**Subject:** Bicycle Ordinance

The 72 hour parking is too long. As president of an HOA, we have to call and beg to have bikes removed from our community.

And will City of Scottsdale actually enforce if we call and complain about bikes left for more than 72 hours if we have proof that we have contacted the rental company?

Dan Ishac  
LSJ HOA President  
773-454-5557

## Feedback

---

**From:** Austen Cline <austen.cline@gmail.com>  
**Sent:** Friday, July 06, 2018 4:13 PM  
**To:** Feedback  
**Subject:** Bicycle ordinance feedback

To whom it may concern,

I am writing to provide feedback on the proposed ordinance regarding bicycles, scooters, skateboards and other personal transport vehicles. After reading the proposed ordinance I was glad to see that the city is taking steps to reduce the amount of rental bikes parked, or should I say discarded, on private property and on residential streets and sidewalks. I believe that the proposed ordinance provides an excellent framework of regulations for this purpose.

I would like to express one concern regarding section 17-93 in the proposed ordinance regarding electric skateboards. This section explicitly prohibits the use of electric skateboards on any sidewalk in the city except for the purposes of crossing the sidewalk. I believe this poses a significant safety risk to any person riding such a vehicle and to any drivers on the roadways where an electric skateboard may be used.

While this section does ensure that no such vehicles shall be used on roadways with speed limits above 25 miles per hour I would argue that no roadway that is shared with passenger cars is safe enough for such a vehicle, My reasoning for this can be broken down to three major points which I will elaborate for you.

The first is speed. Electric skateboards and similar vehicles have an average top speed of 17-18 miles per hour. This means they travel at speeds much closer to that of a bicycle or electric scooter when those vehicles are also near their top speeds. Even on roads with a speed limit of 25 miles per hour the typical passenger car will be traveling 50-100% faster than an electric skateboard at top speed. This would cause traffic to either slow or go around the rider creating too many opportunities for accidents to occur. Electric skateboards should be given permission to ride on public sidewalks and multi-use paths at a speed that is reasonable and prudent in order to keep the riders safe and out of the way of passenger cars.

The second is rider skill. Electric skateboards require significantly more skill and practice than your typical bicycle or scooter to ride safely. This high learning curve causes many riders to fall off their boards while they are still learning. I believe that forcing those riders off the sidewalks and onto the streets, with passenger cars, puts them at great risk of being hit by a vehicle if they lose their balance. The problem can be compounded by the fact that these types of vehicles are not meant to be used on rough asphalt as they do not possess rubber tires, shock absorbers, or handle bars. This makes the vehicles even more difficult to ride and increases the chances of an accident occurring for even the most experienced riders.

The third is visibility. The third and most compelling reason to keep electric skateboards on the sidewalk and off the street is the visibility of the rider. Specifically the fact that unlike a bicycle a rider on an electric skateboard is no more visible to a driver of a passenger car than a pedestrian standing in the road. This is an inherent problem with the vehicle being located at the riders feet. This visibility problem makes the street a far too dangerous place ride an electric skateboard.

In conclusion electric skateboards really belong on sidewalks where they can be operated at a safe speed without impeding traffic, on the kind of surface they were designed for, and without fear of not being seen by a driver in a passenger car.

I hope the everyone at the Transportation Commission agrees on these significant safety problems with the currently proposed ordinance and that it will be amended to correct them. Thank you for your time and your service.

*Kind regards,*

Austen Cline

a resident of Scottsdale.

## Feedback

---

**From:** k woodhall <mkwoodhall@gmail.com>  
**Sent:** Friday, July 06, 2018 4:04 PM  
**To:** Feedback  
**Subject:** bicycles

Get rid of those damn bikes. They are everywhere. Unless they can come up with docking stations like they have in Denver, we don't need them scattered all over the city.

## Feedback

---

**From:** Jennie Wallick <jl.wallick1@gmail.com>  
**Sent:** Friday, July 06, 2018 8:06 AM  
**To:** Feedback  
**Subject:** Bicycle parking ordinance

Thank you for rewriting this ordinance. Not parking these bicycles on the sidewalk is a huge gift for those of us who walk, use a stroller or are handicapped

(i) Except as authorized by city permit, no person or owner shall place or park on publicly owned property more than five (5) bicycles, electric bicycles, motorized bicycles or stand-up electric mini- scooters owned by the same owner within two hundred (200) feet of each other.

Does this mean that each company can place 5 bicycles parked on the street, for 72 hours, every 200 ft. Our neighborhood, Pima Meadows has become a dumping ground for these companies. I've seen their van pull up and place 5 bicycles in my cul de sac. When I came out to ask why, they said that the city gave them permission to place them everywhere. I asked if they had a storage area for the excess bicycles. The answer was no. Is there a way to limit how many bicycles they can have out at any particular time? Because it seems to me that this is a neighborhood dumping problem created by these 2 companies, Lime bike and Oyo.

Thank you  
Jennifer Wallick  
2513 N. 87th Way  
Scottsdale, AZ 85257

## Feedback

---

**From:** Ruth Fowler <blacksheepress@gmail.com>  
**Sent:** Thursday, July 05, 2018 9:51 PM  
**To:** Feedback  
**Subject:** Bicycle ordinance

I would like to suggest, in case it's not obvious that electric wheelchairs are included, that they need to be included to obey the traffic signs, walk/don't walk, ESPECIALLY at major intersections. I have been turning at the intersection of Hayden and McDowell, a complicated intersection, only to have an electric wheelchair person start across the road against a clear green arrow, and against a clear don't walk sign. I have experienced problems with them all over the area, where they expect to be seen and waited for in dangerous situations for the driver waiting. They also speed like demons on sidewalks which is dangerous to pedestrians, cross smaller streets wherever they please like pedestrians, and take their pick of bike lanes, streets and sidewalks. They also, like bikes sometimes, go against traffic, perhaps thinking it's easier to see them. But that should be specifically prohibited for the whole gamut of vehicles. One doesn't expect to meet a vehicle on the wrong side of the road, and they can be missed when turning into a driveway, etc.

If this is already covered somewhere in another ordinance, my apologies. Everybody on anything with wheels needs to have manners, consideration and good sense. Most don't. Pedestrians also break all the rules all the time. Everyone expects cars to be watching out for them, but the truth is they often cannot be seen and are certainly not expected.

Thank you. I hope to attend the meeting August 16th.  
Ruth Fowler

## Feedback

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**From:** steven lowen <riverolowen@yahoo.com>  
**Sent:** Thursday, July 05, 2018 4:14 PM  
**To:** Feedback  
**Subject:** Bicycle Rules

Sirs:

With regard to Section(s) 17-80, 17-81 I believe it clear and focused that bicycles of all types, and other vehicles listed must adhere to rules of law given to motor vehicles. See: Trucks, Automobiles, Buses, et al.

Currently, it is obvious to all that bicycles in particular are driven throughout Scottsdale WITHOUT REGARD for Rules of The Road. What is irksome and dangerous is that these vehicles are enabled to become more than a problem with the virtual 'blessing' of the Scottsdale Police Department. The Motto seen on signs, 'Bicycle Friendly City' appears to refer to a free pass by our constabulary.

It is time to get serious about:

1. Those riding outside Bike Lanes.
2. Those riding in groups often extending well into auto lanes.
3. Ridders breezing through red lights, stop signs, et al.
4. Ridders forming groups and not allowing passage in auto lanes.

Prove to we Scottsdale Residents that the police will perform in this matter.

I welcome your feedback.

Sincerely,  
Steve Lowen

## Feedback

---

**From:** Paul MacShane <paulmacshane@gmail.com>  
**Sent:** Friday, June 29, 2018 7:21 AM  
**To:** Feedback  
**Subject:** Bicycle ordinance changes

To Whom It May Concern,

I'm glad to see the city is responding to this bicycle scam perpetrated at the expense of Scottsdale's residents.

Any effort to corral this blight is a step in the right direction.

The easiest solution in my view is to go back to the tried and true that works in many cities, the dock system.

The focus of these changes should be on where these vehicles are allowed to be parked, not where they are not allowed to be parked.

Any revisions should not be so complicated they are unenforcible.

Sincerely,

Paul MacShane



## Feedback

---

**From:** Van Berry <vberry123@googlemail.com>  
**Sent:** Monday, June 25, 2018 9:21 AM  
**To:** Feedback  
**Subject:** RE: bicycle and scooter ordinance  
**Attachments:** IMG\_20180608\_103357340.jpg

Good day.

First of all I've been a resident of Scottsdale off and on since 1998 with two tours to Iraq and Kuwait in between and a stint in Law school and working at Goldman Sachs in Chicago.

I spoke up in strong opposition to the mayor's pet project of lime green and yellow low performance bikes (which are more like mopeds without motors) at a city council meeting a few months ago.

If you pay careful attention the only people who are really riding them are millennials trying to Virtue signal and random Taurus or taking advantage of their first (and often last ride).

These are not only a putrid eyesore to most of us who cringe the same way we do when we see shopping carts many blocks from the grocery store where they were stolen abandoned at a bus stop, but they are also a safety hazard and also impinging (and infringing) on the delicate laws of the ADA and the rights of wheelchair dependent and the handicapped. I have personally seen up to three bikes tipped over by street benches and by bus stops creating tripping hazards which could result in serious Falls especially for our elderly population in Scottsdale

There's a misconception that these are saving our environment and lowering emissions because I work private security and see many big white unmarked cargo vans relocating these ugly low performance bikes at between 2 and 4 in the morning when nobody can see.

Who do you think stacks them up and put them back where they're supposed to be the most strategic locations often on a corner obviously advertising for the company which is funded by Silicon Valley multi-millionaires who don't care about losing their investments?

The fact is that walking is conducive to being social and since Scottsdale is very hot at least 6 months of the year people don't want to ride bikes they would rather just stroll at leisurely Pace AZ or else take an Uber take a lift take a free trolley or take the bus.

Unlike a very congested City like Shanghai which is built around a bike culture and which has no parking, there is NO need for these ugly, hazardous eyesores which conflict with the beautiful architectural designs of Scottsdale.

I have heard much negative commentary from many people about these bikes but people are afraid to speak up because they don't want to be perceived as "anti green". As I explained before, since these bikes have to be moved around everywhere in very gas-guzzling vehicles in the middle of the night they are not green at all!

I'm telling you right now that it costs a lot of money and emissions to create these steel slow-moving people machines that don't even have air in their tires. Pick one up and you will see why they are so low performance and people move so slow on them and joggers (and even fast walkers) pass them all the time.

I and many of my friends now Drive farther to Gilbert to take in they're great restaurants and entertainment without having to see these ugly bikes and deal with loud music and millennials who are overflowing in Scottsdale now.

You need to ban electric scooters and ban these ugly bikes from limebike and the other yellow company. Tempe and Phoenix have the green rack company where you had to ride your rented bike from rack to rack and it's been a abysmal failure because people don't want to ride low Performance Bikes. They would simply walk or get in air conditioned public transportation.

If you remember when you were a child, getting your first bike was a big deal and you took very good care of it which included oiling the chain, making sure the brakes were safe and then you locked it up. I had a Cannondale in college that I paid \$500 for used and it was stolen and it was one of the worst moments I can recall during my younger part of my life after my time in the active Air Force.

These heavy (try picking one up) , ugly, subsidized bikes encourage the throwaway mentality and to not have any pride and ownership. In actuality, it is being used by the left to change people's mentality to share everything which includes cars in the future. And if you share cars you don't need a car and eventually there will be self-driving cars to pick you up and immerse you in CNN fake news propoganda and forcing you to buy things you don't need. That is the ultimate goal.

Scottsdale still a great City but has gone downhill in many ways. And one of the main ways it's gone downhill is seeing these ugly ugly yellow and green bikes everywhere. It's become a scourge.

Your leaders have been susceptible to faux green outrage and have not investigated the need or the negative effects that these green bike scams create. People are flocking away from Scottsdale and you're going to lose millions of tourist dollars over the years because people don't want to see these stupid, wicked ugly bikes anymore which includes electric scooters! Wake up!

SSG Van L Berry  
LD 23 PC and State Committeeman  
OIF 03-04, 09-10  
Scottsdale citizens police academy graduate  
AZ Border mission team leader.  
602 809-8090



## Feedback

---

**From:** Van Berry <vberry123@googlemail.com>  
**Sent:** Monday, June 25, 2018 12:50 PM  
**To:** Feedback  
**Subject:** RE: must read for you lime bike advocates.

Read down i the article where there is a graveyard of thousands and perhaps hundreds of thousands of abandoned and unprofitable lime bikes in the graveyard. I think I how much steal electricity and energy was used to produce the parts including the paint.

Of course it's not profitable! It's being subsidized by silicon valley elitists who want us to slog at 7mph while they Zoom around in there hundred-thousand-dollar, very inefficient, federally and taxpayer funded Teslas!

<https://www.papercitymag.com/culture/dallas-bike-share-mess-influx-rental-bicycles-abandoned/>

# CITY OF **SCOTTSDALE**

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## Scottsdale continues to seek input on proposed Bicycle Ordinance changes

By [Jennifer Banks \(mailto:jbanks@ScottsdaleAZ.gov\)](mailto:jbanks@ScottsdaleAZ.gov), transportation public information officer, 480-312-7517 (tel:480-312-7517)

August 14, 2018

Last updated Oct. 16, 2018

The Transportation Commission has postponed making a recommendation to City Council until the Transportation Commission meeting on Oct. 18 (please note updated start time at 5:15 p.m.), and the Neighborhood Advisory Committee will now make a recommendation at its Oct. 24 meeting. The tentative date for City Council adoption of the Bicycle Ordinance has been moved to their regular meeting on Nov. 13. The schedule below reflects these changes.

-----  
Aug. 11, 2018

Scottsdale requests your feedback on **proposed changes to the city's Bicycle Ordinance**

([/Assets/ScottsdaleAZ/News/News+Images/News+documents/Draft+bicycle+ordinance-03-2018.pdf](#)), which also includes electric bikes and stand-up electric mini-scooters.

Following is a timeline of opportunities for the public to provide comment:

Attachment 3

- The Scottsdale Transportation Commission will receive public comment at its regular August meeting:

(/home)

## CITY OF SCOTTSDALE



### Transportation Commission Meeting

What are you looking for?



**6 p.m. Thursday, Aug. 16**

City Hall

3939 N. Drinkwater Blvd.

(<https://www.google.com/maps/place/3939+North+Drinkwater+Boulevard+Scotts>

- The Transportation Commission will make a recommendation to the City Council at the Oct. 18 commission meeting:

### Transportation Commission Meeting

**5:15 p.m., Thursday, Oct. 18**

City Hall

3939 N. Drinkwater Blvd.

(<https://www.google.com/maps/place/3939+North+Drinkwater+Boulevard+Scotts>

- The Neighborhood Advisory Commission will review and make recommendations at its regular meeting:

### Neighborhood Advisory Commission Meeting

**5 p.m., Wednesday, Oct. 24**

Community Design Studio

7506 East I

(<https://www.google.com/maps/place/7447+East+Indian+School+Road+Scottsdale>  
ndian School Road

(<https://www.google.com/maps/place/7447+East+Indian+School+Road+Scottsdale>

- Scottsdale City Council adoption of the ordinance is tentatively scheduled for its Nov. 13 meeting:

### City Council Meeting

**5 p.m., Tuesday, Nov. 13**

City Hall

3939 N. Drinkwater Blvd.

CITY OF **SCOTTSDALE**

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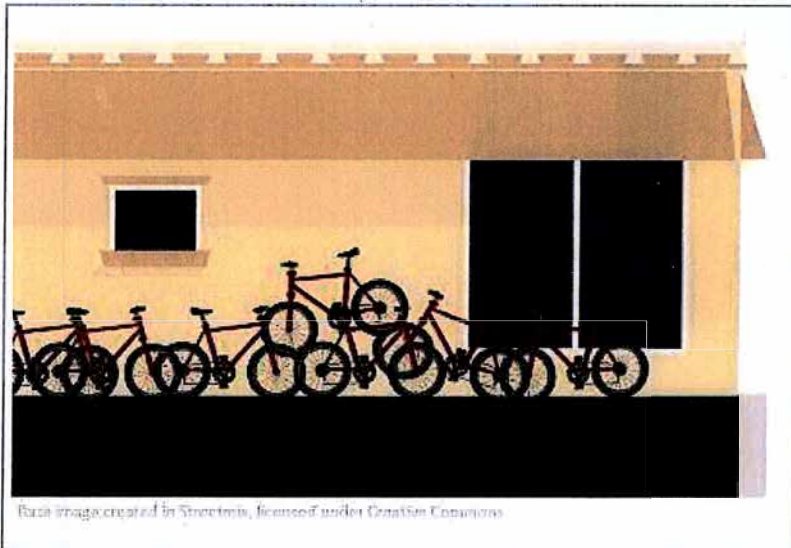
What are you looking for?



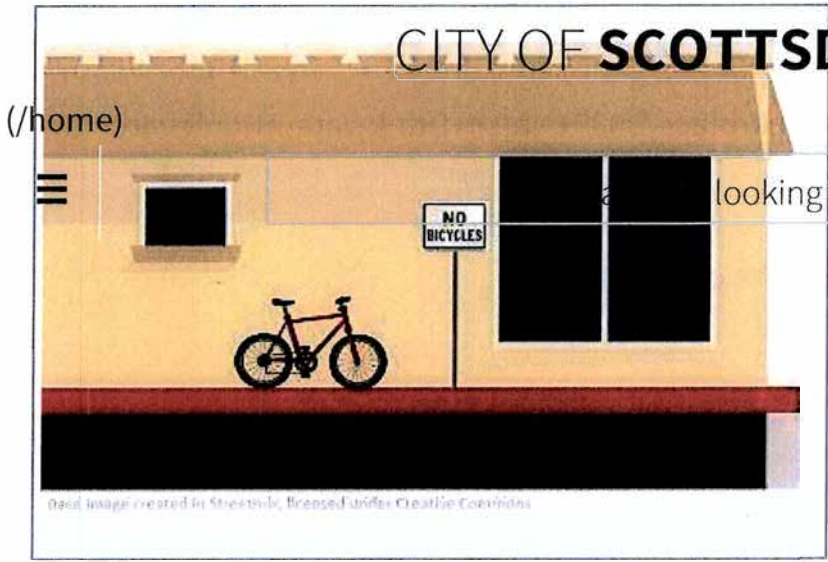
Comments can also be submitted to the city via **email**  
(mailto:feedback@scottsdaleaz.gov).

## Examples of proposed changes

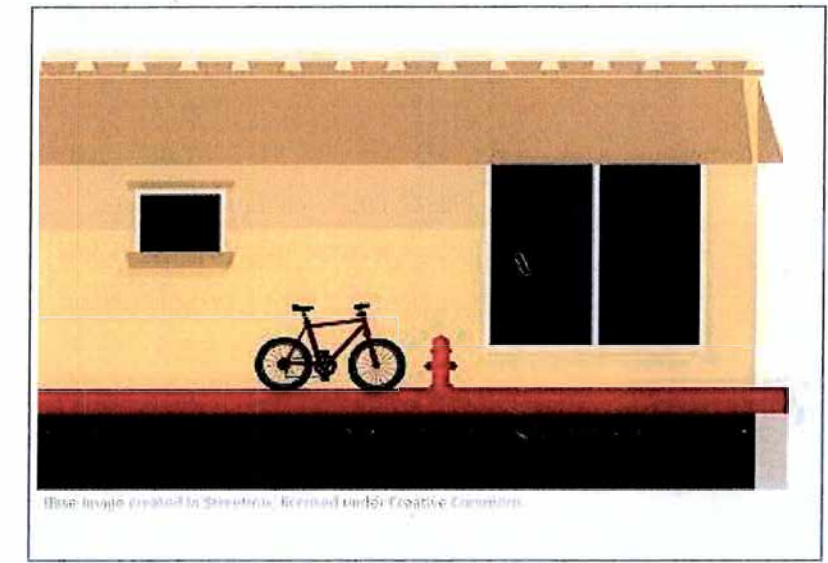
The following examples would also apply to electric bikes and stand-up electric mini-scooters.



Don't park more than five bikes from the same owner within 200 feet of each other.



Don't park where prohibited by signs or where the curb is painted red.



Don't park within 15 feet of a fire hydrant or 20 feet of a fire station entrance.

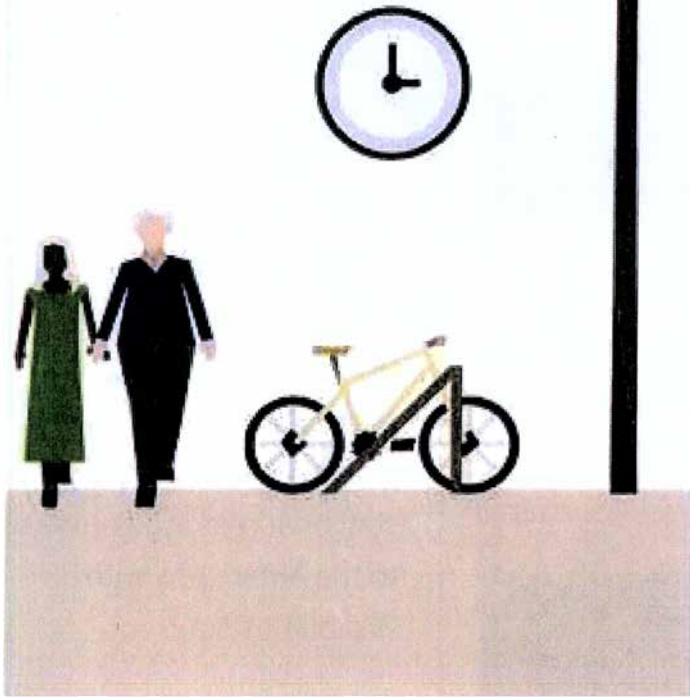


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# CITY OF SCOTTSDALE

Don't park in the same public location for longer than 72 hours.



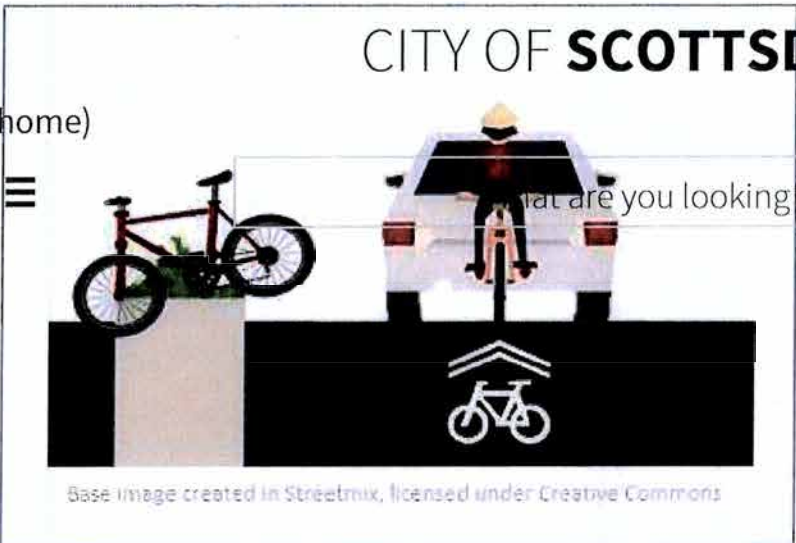
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Don't park within transit stops, unless at designated areas.

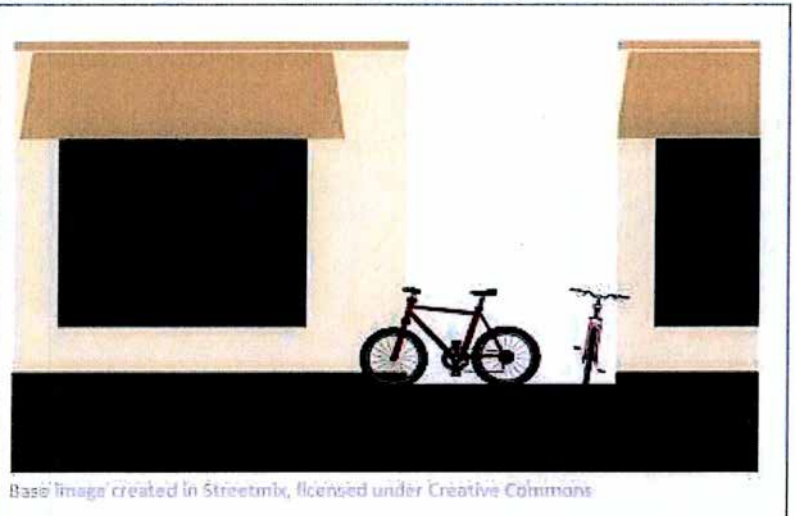
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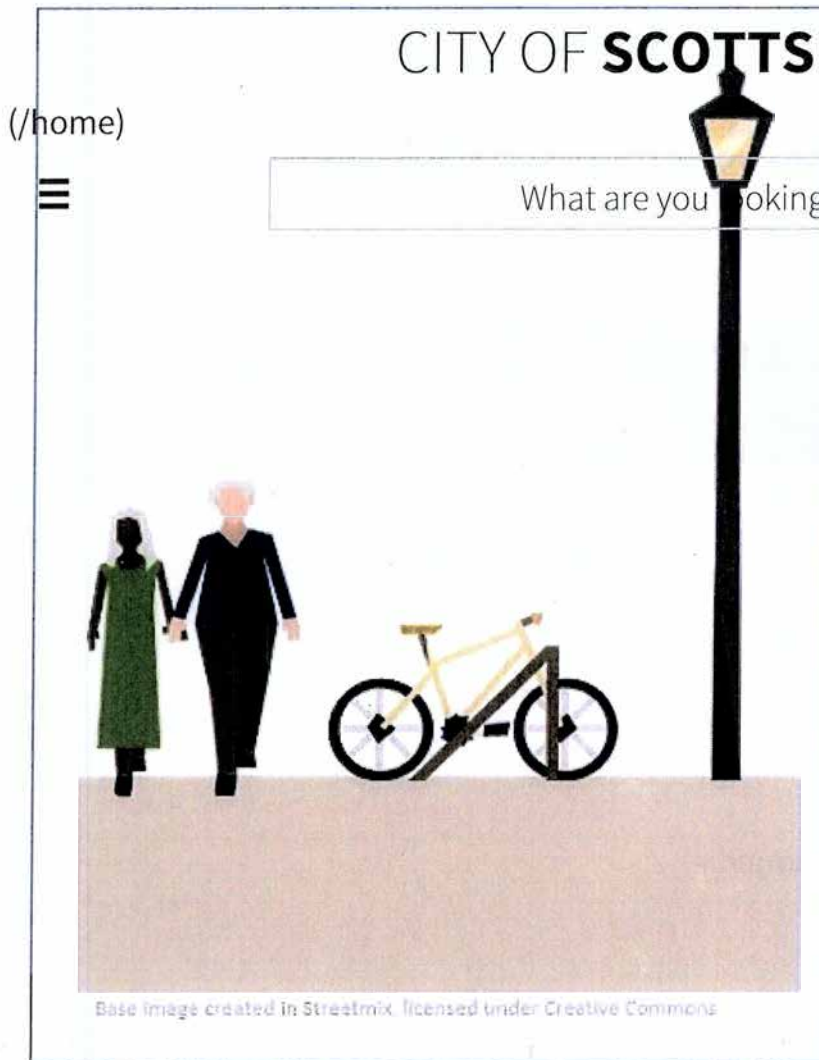
Don't park within a landscaped area, median, bicycle lane, crosswalk, intersection or turn lane.



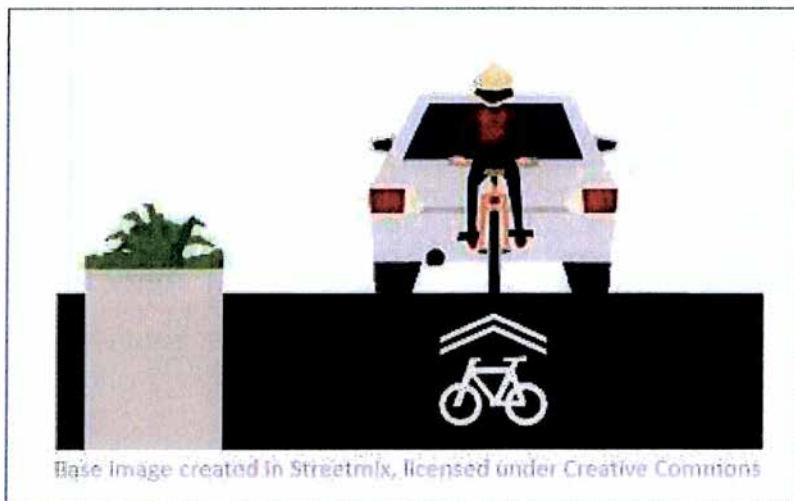
Don't park on a public sidewalk, path or trail or within a handicapped parking stall or access area pursuant to the Americans with Disabilities Act.



Don't park in front of or within a driveway or alley entrance.



Park bikes within bike racks or designated zones.




Yield to pedestrians and vehicles when emerging from an alley, driveway or building, and maintain a reasonable speed.

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**CITY OF SCOTTSDALE**

Do not park bikes on private property without permission of the owner of that property.

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<http://www.govtech.com/dc/digital-cities/Digital-Cities-Survey-2015-Winners-Announced.html>

**Ordinance No. 4372**  
**Bicycle and Related Devices**

City Council Meeting  
November 13, 2018

**Bicycles, electric/motorized bicycles and stand-up electric mini-scooters are covered by the ordinance**

**Key Question: where don't we want these devices?**



## **Keep sidewalks open for pedestrians**

Parking is prohibited on a public sidewalk obstructing the pedestrian through zone (the portion of the sidewalk used primarily by pedestrians for travel, accessing transit or buildings).

## **Require owner to keep devices properly parked**

Devices should be parked in a rack or designated parking area, and 15 areas are outlined where parking is prohibited. Requires an owner such as a bike share company to remove an improperly parked device upon notification from any person within two hours.

## **Devices should be operable and used**

Inoperable devices must be removed within two hours after notification. It is illegal for devices to remain in the same location on public property for more than 72 hours. This requires them to be used at least once every three days. Improperly parked, inoperable or abandoned devices may be impounded.

## **Maintain aesthetics by proper spacing**

There is a maximum of five parked devices by the same owner within 200 feet (unless authorized by city permit, such as a special event permit). This helps address aesthetics issues seen particularly in Old Town. The police chief or designee may designate or limit device parking areas if particular areas become problematic.

## **Respect private property**

Devices can only be on private property with owner permission (except commercial and multi-family residential property if located in racks or designated parking areas).

## **Additional public safety requirements**

Stand-up electric mini-scooters and most electric bikes would be allowed on sidewalks and shared-use paths. However, Class 3 electric bicycles will continue to be prohibited on paths and sidewalks. Stand-up electric mini-scooters will be limited to roadways with speed limits of 35 mph or less. Travel at speeds greater than reasonable and prudent is prohibited, as is operation with reckless disregard for safety, and device use under the influence of alcohol or drugs.

## **What if Ordinance No. 4372 isn't enough?**

Licensing or permitting process for shared devices or prohibition from public property and rights of way are possibilities.

# **Adopt Ordinance No. 4372**

Amending City Code sections relating to bicycles and related devices



Item 34

**Ordinance No. 4372**  
**Bicycle and Related Devices**

City Council Meeting  
November 13, 2018

1

**Bicycles, electric/motorized bicycles and stand-up  
electric mini-scooters are covered by the ordinance**

**Key Question: where don't we want these devices?**

2

**Key criteria:**

- 1. Keep sidewalks open for pedestrians**
- 2. Require owner to keep devices properly parked**
- 3. Devices should be operable and used**
- 4. Maintain aesthetics by proper spacing**
- 5. Respect private property**

3

**Keep sidewalks open for pedestrians**

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4

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5

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6

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7

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8

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9

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10

## **Adopt Ordinance No. 4372**

Amending City Code sections relating to bicycles and related devices