



Traffic Safety Committee

Date: 12-5-13
Time: 6:00 pm
Emergency Operations Center
Sonoma Police Department
175 First Street West, Sonoma CA

Committee Members

Thomas Haeuser, Chair
John Bouldt
Freddie Diaz
Donna Keegan
Rosemary Sutcliffe
Christopher Woodcock - Alternate

MEETING AGENDA

1. CALL TO ORDER
2. COMMENTS FROM THE PUBLIC
At this time, members of the public may comment on any item not appearing on the agenda. It is recommended that you keep your comments to three minutes or less. Under State Law, matters presented under this item cannot be discussed or acted upon by the Traffic Safety Committee at this time. For items appearing on the agenda, the public will be invited to make comments at the time the item comes up for Committee consideration.
3. REVIEW AND APPROVAL OF MINUTES – November 27, 2012
4. REGULAR CALENDAR
 - 4.1 Denial of Red Curb “Driveway Tipping” request at 341 First Street West (Silvestri Apartments)
 - 4.2 Discussion and recommendation regarding proposed update to Sonoma Municipal Code 10.74.010 – Operation of bicycles and other conveyances on public sidewalk, or pedestrian and bike path
 - 4.3 Discussion, update and recommendation regarding driveway access to Safeway Store from 5th Street West.
5. FINAL COMMENTS
6. ADJOURN

I do hereby certify that a copy of the foregoing agenda was posted on the Police Department bulletin board on November 27, 2013.

Darcy Proctor
Sonoma Police Department

Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are available for public inspection the Monday before each regularly scheduled meeting at the Sonoma Police Dept, located at 175 First St West,, Sonoma CA. Any documents subject to disclosure that are provided to all, or a majority of all, of the members of the Traffic Safety Committee regarding any item on this agenda after the agenda has been distributed will be made available for inspection at the Sonoma Police Dept, 175 First Street West, Sonoma CA during regular business hours.

In accordance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk (707) 933-2216. Notification 48-hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

CITY OF SONOMA

**Traffic Safety Committee
Emergency Operations Center, 175 First Street West
November 27, 2012**

MINUTES

I hereby declare under penalty of perjury that the agenda for this meeting was posted on Friday, November 26, 2012, on the bulletin board outside the front of Sonoma City Hall, No. 1 The Plaza, and 175 First Street West Sonoma, California. Chair Haeuser called the meeting to order at 6:00 p.m. in the Emergency Operations Center, Sonoma Police Department 175 First Street West.

Roll Call:

Present: Chair Haeuser, Members Diaz, Golenpaul, Sutcliffe, Keegan,
Woodcock (Alternate)

Absent:

Others: Police Chief Sackett, Traffic Deputy Baraz, Street Supervisor Merrill,
Present: Administrative Aide Proctor, Administrative Assistant Morris, City Traffic
Engineer Penry

Chair Haeuser stated that no additional items would be heard unless mentioned during the start of the meeting. Any decisions made tonight can be appealed within 15 days to the City Council. He reminded everyone to turn off cell phones and pagers.

COMMENTS FROM THE PUBLIC: None

APPROVAL OF MINUTES: Chair Haeuser made a motion to approve the minutes of January 11, 2012 as submitted. The motion was unanimously approved 5-0.

CORRESPONDENCE: None

Item 4.1 – Public Hearing – Appeal of a denial of a red curb on Broadway and Clay

Contact: Robert Mosher

Chief Sackett presented staff's report.

A primary concern is pedestrian safety stemming from potential right of way issues. It was noted that there have been no significant reported accident history with records indicating only 2 incidents within the last 10 years. Pictures were projected on the overhead screen illustrating the apparent blocked view. The limit line, according to the vehicle code, allows a stop (existing protected shoulder) then a turn when a sight line is sufficient.

Chair Haeuser, opened the public comment.

Robert Mosher, neighbor, speaks on behalf of a group that frequents the intersection. He feels the photos are good but not a completely accurate portrayal. They agree that the billboard is not a visual obstruction.

Phyllis Mosher, neighbor, cautions people to hesitate before proceeding through the intersection.

Karen Carroll, resident, feels that crossing Broadway is very unsafe.

Charlene Thomason, resident, avoids the intersection since it is problematic.

Chair Haeuser closed the public comment.

Committee Discussion:

Members discussed the pros and cons of installing a red curb on Broadway (North of Clay) and on a portion of Clay Street. The consensus is that the intersection is dangerous since cars need to cautiously proceed to avoid traffic and pedestrians crossing Broadway. Members Golenpaul and Diaz prefer Staff to determine how much red paint is needed.

Recommendation to Staff:

Member Keegan requests that 25 ft. be painted for a safer intersection. Member Diaz seconded. Further discussion suggested 25 feet may not provide sufficient sight line clearance, so the committee authorized staff to use their discretion and paint up to 50 feet of red curb on Broadway, as well as an additional 10 feet on Clay to prevent cars from encroaching on the crosswalk. The motion was unanimously approved 5-0. The consensus is to uphold the appeal and direct the Public Works Department to install up to 50' of painted red curb on Broadway and 10' on Clay Street.

Item 4.2 – Public Hearing – Review of the Bike Lane usage rates on Fifth Street West and W. MacArthur. A citizen is requesting the City consider removing the Bike Lane.

Contact: E.S. Sprague

Chief Sackett presented staff's report.

Traffic Engineer Penry explained the details regarding the bike lane usage rates, funding for the project and the process by which the bicycle routes were chosen.

Chair Haeuser, opened the public comment.

Sandy and Renee Sprague, residents, are of the opinion that bike riders do not use the lanes and parking spaces should not have been removed.

Joe Harikian, resident, sees children riding their bikes on the sidewalk instead of the bike lanes.

The public represented felt that the results of the study were biased since the count was done on Bike and Walk to School Day (10-3). They were concerned about the loss in parking spaces decreasing their property values and noted that high school students ride on the sidewalk not the bike lanes.

Chair Haeuser, closed the public comment.

Committee Discussion:

A discussion ensued led by Traffic Engineer Penry. He discussed the implemented Pedestrian and Bicycle Improvement Plan. Members expressed their opinion that the bike lanes are underutilized and more public outreach is necessary.

Chair Haeuser asked about the possibility of eliminating a bike lane if there was a financial impact for the City. Chief Sackett explained the topic could be explored at another time. (Informational meeting re: removing bike lanes)

Recommendation to Staff:

It was suggested that Associate Planner Atkins could assist with another traffic study count. Alternate Member Woodcock, 1st District representative on the Sonoma County Bicycle Coalition, will communicate further outreach to promote the use of the Pedestrian and Bicycle lanes.

Item 4.3- Review of improvement to the intersection at Fourth Street East and Brazil, which includes a proposed “No Parking Zone” on Fourth Street East approximately 25’ prior to the stop sign.

Contact: Karen Carroll, Allen (Bud) Maffei

Chief Sackett presented staff’s report.

A primary concern is pedestrian safety stemming from potential right of way issues. It was noted that there has been no significant reported accident history with records indicating only 2 incidents within the last 10 years, neither of which involved pedestrians

Chair Haeuser opened the public comment.

Allen (Bud) Maffei, resident, views the new stop sign as a big improvement and would favor speed bumps to slow down traffic.

John Bouldt, resident, considers the area, based on lack of demarcation, “dangerous to the public’s health and safety” and has viewed many “near miss accidents” over the years with the speeding traffic passing through. He requested a re-assessment of Brazil Street and suggests that it be widened since it is only 15 feet wide or made a one way.

Susan Harris, resident, likes the botts’ dots and stop signs.

Bill Harris, resident, supports 25 ft. for a no parking zone (South of the stop sign).

Mark Henevald, Planning Commissioner, comments that residents have expressed their position to have no sidewalks to retain the rural nature of the area. Some property owners have been granted exceptions for sidewalk improvements.

Michael Carroll, resident, has observed several traffic concerns from large trucks, tour buses, and children and would like a stop sign going West and a sidewalk exception.

Rebecca Slazinski, resident, wants to preserve the picturesque area without compromising safety.

Chair Haeuser closed the public comment.

Committee Discussion:

Members evaluated a variety of options to alleviate the concerns expressed by the public. Chief Sackett's goal is to provide additional safety measures without compromising too much of the allowable parking spaces. He will analyze the stop sign, speed bumps and red zone enforcement.

Recommendation to Staff:

The Public Works Department will evaluate the possibility of placing speed bumps on both Brazil Street and Fourth Street East and install a stop sign for the westbound traffic on Brazil Street. Traffic Engineer Penry will conduct the stop sign warrant analysis.

Chief Sackett will work with public works and the resident at 405 4th Street East to install a no parking zone from the stop sign south along the east curb line.

Item 4.4- Consideration of traffic safety impact in response to a recently approved tasting room facility at 143 West Spain Street.

Chief Sackett presented staff's report.

Contact: Philip Rosasco

Chair Haeuser opened the public comment.

Philip Rosasco, neighbor, expressed concerns about the negative impact associated with the future use of the building. An increase of people will cause more traffic congestion.

Mark Henevald, Planning Commissioner, would like to see more interaction with the Traffic Safety Committee on issues that might be addressed before the Planning Commission makes a decision.

Chair Haeuser closed the public comment.

Committee Discussion:

Members suggested making the street one way which would require more public outreach and City Council approval.

Recommendation to Staff:

Public Works will consider refreshing the red zones, follow up with the property owners on either side of the Church Street Alley about trimming the hedges (regulations) for more visibility and re-evaluate in 6 months after the Tasting Room has opened.

Member Comments (General):

Member Golenpaul is concerned about disabled parking. Parking enforcement makes citations in the major parking lots.

Comments from the Audience: None

Adjournment: Chair Haeuser made a motion to adjourn. Member Diaz seconded. The meeting adjourned at 9:07 p.m. to the next regular meeting scheduled for 6:00 p.m. to be determined.

Approved:

Cristina Morris, Administrative Assistant

City of Sonoma Traffic Safety Committee
Staff Report
11/26/13

Item #1: Denial of Red Curb “Driveway Tipping” request at 341 First Street West (Silvestri Apartments)

Request: A resident at the Silvestri Apartments submitted a request to the Traffic Safety Subcommittee for red curb driveway tipping at the apartment complex. According to the resident, the ingress/egress driveways at the complex are narrow. There is currently room for four (4) vehicles to be legally parked along 1st Street West, although space is limited (approximately 80 feet). As such, when four cars are parked along 1st Street West, it is not uncommon for vehicles to be parked very close to the driveway aprons due to the limited space. In addition, a PGE utility pole is placed right along the south property line (perhaps encroaching a few inches into the apartment complex property). This makes entering/exiting the complex difficult. In order to avoid hitting the utility pole, vehicles entering/exiting the complex usually take a wide turn, which is difficult when vehicles are parked so close to the driveway apron.

According to the citizen, there have been 4 accidents associated with vehicles entering/exiting the driveway. These accidents have not resulted in official accident reports. The citizen requests red curbs to be painted north of the south driveway and south of the north driveway to provide more space to complete the turning maneuver.

Background: Driveway red tipping is a special type of red zone that is installed at driveways. Short sections of red curbing, typically requested by property owners, can be installed on either side of a driveway to promote better maneuverability into and out of the driveway and to improve visibility from the driveway. Driveway red tipping can be installed to eliminate non-standard parking spaces (less than 18 feet) between driveways; a condition that sometimes leads to one or both driveways being partially blocked by parked vehicles. A typical driveway red-tipping installation would include five feet of red curbing on either side of the driveway. However, the length of red curb installed at each location could be adjusted on a case-by-case basis depending on other factors, such as adjacent parking and operations at adjacent driveways. Parking restrictions for driveway red tipping is enforceable just as any other no-parking zone in the City (i.e., any vehicle, including that of the property owner, can be cited for parking in a driveway red tipping zone).

Response: The City of Sonoma does not have a formal policy on driveway red tipping, but relies on the engineering judgment of the City Engineer / Public Works Administrator. Over the past several years, the City has authorized a small handful of driveway red tipping requests on a case by case basis, but these requests are becoming far more frequent.

The Traffic Safety Subcommittee met to discuss this request. After considerable discussion, the subcommittee denied the request for driveway red tipping. This decision was based upon the following criteria:

- No strong accident data for driveway egress hazard
- Will not increase sight line visibility significantly
- No precedent with other cities or traffic standards
- Difficult to set clear criteria for approval or denial
- Added Maintenance burden
- Added Enforcement burden
- Parking inventory loss
- Inequitable treatment of properties
- Vehicles parked blocking ingress/egress can be addressed through a parking citation and/or vehicle removal

Egress from any driveway in the City inherently demands extra caution. It is expected that vehicles exiting a driveway will approach the travel way very slowly, watching both directions for approaching, vehicles, bicycles and pedestrians. Inching the front end of the exiting vehicle toward the travel way, gives notice to approaching vehicles to also be cautious.

There are hundreds of driveways throughout Sonoma, and many thousands in other jurisdictions, that experience the same or greater egress challenge that demands extra caution. If a precedent is set to paint red curb tips at every narrow driveway, then that will significantly detract from other more critical traffic safety maintenance.

In many redevelopment projects, City standards are modified to accommodate existing site conditions, such as narrow driveway egress. Those variances from City standards are not allowed with any expectation of future traffic markings or calming measures. Rather, they are granted with the expectation that vehicle operators will exercise extra caution and attentiveness. Education should be provided to apartment residents, urging them to exercise greater caution when exiting the driveway.



South Driveway



South Driveway



North Driveway



North Driveway

Staff recommendation: Deny the appeal.

Other options: Uphold the appeal and recommend the installation of driveway red tipping at 341 First Street West.

Attachment A – Email for citizen requesting driveway red tip

Item #2 – Discussion and recommendation regarding proposed update to Sonoma Municipal Code 10.74.010 – Operation of bicycles and other conveyances on public sidewalk, or pedestrian and bike path

Background: In response to a bicycle v pedestrian accident and subsequent legal action, the City Attorney is proposing an update to the city’s municipal code pertaining to bicycles and other conveyances on public sidewalks and pedestrian or bicycle paths. For the purpose of this discussion, I will focus our conversation on the operation of bicycles on public sidewalks.

Per the vehicle code, a bicycle is considered a vehicle and must adhere to the same rules of the road that pertain to vehicles. However, 21100 CVC allows local agencies to adopt rules and regulations by ordinance or resolution regarding the “operation of bicycles...on the public sidewalk.” Pursuant to this authority, a local agency may adopt an ordinance or resolution that reflects the community norms and standards. For instance, some municipalities may allow bicycles to be operated on all public sidewalks, while others may prohibit riding them on all public sidewalks or the prohibition may apply only in certain locations.

Our current ordinance, which was adopted in 1999, allows for the operation of bicycles on all public sidewalks. However, the ordinance states it shall not be “at such speed or in such manner as evidences willful, wanton or reckless disregard of the safety of other pedestrians in the vicinity.” As written, the threshold for a violation – willful, wanton or reckless disregard – is difficult to prove in court and, therefore, does not truly regulate the operation of a bicycle on a public sidewalk.

In addition, when pedestrians and bicycles share the public sidewalk (or any right of way for that matter), there is a safety concern about potential conflicts between the two modes of transportation. Obviously, this potential conflict is greater in areas that have high pedestrian use.

Response: In conferring with the City Attorney, we are proposing two notable changes to the ordinance to address these areas of concern. First, we are recommending the ordinance language state that no person shall ride, use, or operate a bicycle or other conveyance on a public sidewalk “at a speed greater than is reasonable or prudent having due regard for weather, visibility, traffic, width of sidewalk or path, or at a speed or in such a manner which endangers the safety of persons or property.” This language is nearly identical to the basic speed law found in the section 22350 of the California Vehicle Code, which requires the rider to exercise a greater degree of caution.

We are also proposing to prohibit bicycle riding on the sidewalks in the downtown Plaza area, which includes the sidewalks on either side of First Street East, First Street West, Napa Street, and Spain Street (bicycles are not allowed on the sidewalks in Plaza Park per the park

ordinance). Since the Plaza area has the great number of pedestrians, this change will substantially address the safety concerns about pedestrian and bicycle conflicts.

Here is a summary of the new ordinance:

- Bicycles or similar conveyances are allowed on all public sidewalks and the public bike/pedestrian path with the exception of the sidewalks around the Plaza
- Bicycles or similar conveyances must be ridden at a reasonable and prudent speed for prevailing conditions on all public sidewalks and the public bike/pedestrian path
- Motorized bicycles or similar conveyances are prohibited on all public sidewalks and the public bike/pedestrian path. However, battery powered bicycles and scooters are allowed on the bike/pedestrian path. This exemption, which was found in SMC 10.56.070, was moved to this chapter for ease of reference and consistency.

Staff Recommendation: Accept staff report and provide recommendation(s) on proposed ordinance.

Attachment B: Sonoma Municipal Code 10.74.010 (Current)

Attachment C: Sonoma Municipal Code 10.74.010 and 10.74.011 (Proposed)

Item #3 – Discussion, update, and recommendation regarding driveway access to Safeway Store from 5th Street West

Background: As part of the City's Bike and Pedestrian Improvement Plan, 5th Street West was reconfigured from a 4 lane roadway (2 lanes in each direction) to a 3 lane roadway (1 lane in each direction, a center turn lane, and a Class 2 bike path in each direction). In addition, the crosswalks at 5th Street West and Studley Street and 5th Street West and Curtin Lane were enhanced to include pedestrian warning lights and an audible warning system.

In late 2012, two teenage boys were hit while in the crosswalk on 5th Street West at Curtin Lane and, several weeks later, an elderly man was killed while in the crosswalk on 5th Street West at Studley Street. In both of these cases, the investigation revealed the crosswalk warning devices were fully operational and had been activated by the pedestrian, but the driver simply failed to yield the right of way.

In response to these accidents, the City received several Traffic Hazard Report forms pertaining to safety concerns pertaining to the crosswalk on 5th Street West at Studley Street, specifically pertaining to the entrance/exit at Safeway.

Response: City staff has been studying this segment and researching potential solutions. Since both of the accidents mentioned can be attributed to driver neglect, it is difficult to definitely state the roadway needs to be modified or re-engineered.

In a review of accident data for the prior 5 years, we discovered there has been a total of 13 reported accidents, 5 of which required no formal police report. Considering the volume of traffic on 5th Street West, the accident rate is consistent with other main thoroughfares.

The City also wants to be sensitive to Safeway so we don't negatively impact the traffic flow in to/ out of their parking lot by unilaterally or haphazardly restricting turning maneuvers. In addition, we need to be sure that any changes to the driveway on 5th Street West will not negatively impact the driveways on West Napa Street.

Recently, the City contracted with a private company to provide vehicle, pedestrian, and bicycle counts at this intersection, so we can have a detailed analysis of the activity at this intersection. The report will provide us the number of cars/pedestrians/bicycles that turn left, right, or go straight, etc. We received this report last week and will discuss it at our next subcommittee meeting.

At this point, staff wishes to seek the input of the Traffic Safety Committee in terms of their experience with this location and any suggestions they may have.

Staff Recommendation: Discussion item only.

Attachment: None

ATTACHMENT A

Bret Sackett

From: [REDACTED]
Sent: Thursday, September 19, 2013 2:38 PM
To: Bret Sackett
Cc: [REDACTED]
Subject: I Need your Assistance Please

Chief Sackett:

My name is [REDACTED], I spoke to Mayor Brown and he has directed me to contact you. I live at 341 1st street west, apartment 5 , the Silvestri Apartments. We have a situation that needs your attention.

On 1st street we have two driveways that lead into a rear parking lot for at least 20 vehicles. There is presently room for approximately 4 vehicles to park on 1st street west in front of the building. We are having a problem with parking blocking the driveway accesses. Many years ago when the utility poles were installed one to the south of the building encroached on the driveway. I believe it would not be cost effective to consider moving a pole. In the last year no less 4 (reported) accidents have occurred because of the proximity of the pole to our driveway to reach 1st street west.

What has been happening to avoid, the miss-located pole drivers are forced to take it wide and with cars parked along the front of the building access to 1st street is not always possible. 3 of the accidents dented in the side of the cars and one a car was totaled because it was cut open like a can opener by the pole.

Chief what I would like to propose is red curbing , according to city specifications, on either side of both the driveways. A fire hydrant is located to the north and that curb is already red painted. This would change the parking in front of the building to 3 spaces and allow sufficient access to both resident and emergency vehicles and rectify the situation.

Chief it would be my pleasure to show you just what I am referring.

Thank You for your time, I look forward to your response.

Attachment B: Current Ordinance

**Chapter 10.74
BICYCLES, SKATEBOARDS AND
LIKE VEHICLES**

Sections:

10.74.010 Unsafe operation of self-propelled and motorized conveyance in public places and rights-of-way prohibited and declared a nuisance.

10.74.020 Skate park regulations.

10.74.010 Unsafe operation of self-propelled and motorized conveyance in public places and rights-of-way prohibited and declared a nuisance.

No person shall use or operate a bicycle or other means of conveyance propelled by human power, including roller skates, a skateboard, coaster, scooter, tricycle, or any similar conveyance propelled by motor power, any place in the city upon a public sidewalk or public pedestrian or bicycle path, or upon any portion of the city plaza or any public park or public recreation ground, at such speed or in such manner as evidences willful, wanton or reckless disregard of the safety of other pedestrians in the vicinity. Any person who violates any provision of this section is guilty of an infraction, and the operation of any conveyance in any manner prohibited by this section by any person or by any group of persons in company with another, is declared a public nuisance which may be summarily abated by any peace officer in the employment of the city by seizure and impoundment of the conveyance or conveyances used in the offense. Any conveyance seized and impounded under this section shall be held for disposition as may be ordered by the court which hears and disposes of the infraction charge against the offender, or any other court of competent jurisdiction. (Ord. 99-9 § 1, 1999).

10.56.070 Motor-driven vehicles prohibited on bicycle paths.

Except for authorized city personnel, no person shall operate any motor-driven vehicle, including a motor-driven bicycle, scooter or skateboard onto or along any city bicycle path, except those defined as follows:

A. A “motorized bicycle”, which is a device that has fully operative pedals for propulsion by human power and has an electric motor that meets all of the following requirements: has a power output of not more than 1,000 watts; is incapable of propelling the device at a speed of more than 20 miles per hour on level ground; is incapable of further increasing the speed of the device when human power is used to propel the motorized bicycle faster than 20 miles per hour.

B. A “motorized scooter”, which is any two-wheeled device that has handlebars, is designed to be stood or sat upon by the operator, and is powered by human propulsion and electrical energy with a motor that has a power output of not more than 1,000 watts and is capable of propelling the device at a maximum speed of nor more than 15 miles per hour on level ground. (Ord. 2000-4 § 2, 2000; Ord. 99-9 § 1, 1999).

Attachment C

Proposed update to 10.74.010 and 10.74.011

10.74.010 Operation of bicycles and other conveyances on public sidewalks, or bicycle or pedestrian paths

- A. Except as is otherwise provided in this code, it shall be lawful for a person to ride, use or operate a bicycle propelled by human power or other means of conveyance propelled by human power, including roller skates, a skateboard, coaster, scooter, or tricycle, any place in the city upon a public sidewalk or public pedestrian or bicycle path.
- B. It is unlawful for any person to ride, use, or operate a bicycle or other conveyance propelled by human or motor power, including roller skates, a skateboard, coaster, scooter, tricycle, or other similar device any place in the city upon a sidewalk, , or pedestrian or bicycle path, at a speed greater than is reasonable or prudent having due regard for weather, visibility, traffic, width of sidewalk or path, or at a speed or in such a manner which endangers the safety of persons or property.
- C. It is unlawful for any person to ride, use, or operate a bicycle or other conveyance propelled by human or motor power identified in subsection B, upon the sidewalks in the downtown Plaza area, specifically the public sidewalks on either side of First Street West, First Street East, Napa Street, and Spain Street.
- D. Except as is otherwise provided in section 10.74.011 SMC, it is unlawful for any person to ride, use, or operate a bicycle propelled by motor power or other conveyance propelled by motor power any place in the city upon a sidewalk, or pedestrian or bicycle path. This subsection does not apply to (i) self-propelled wheelchairs, motorized tricycles or motorized quadricycles operated by persons who, by reason of physical disability, are otherwise unable to move about as a pedestrian and (ii) means of conveyances that are solely powered by battery, are manufactured for use by children and are commonly considered toys.
- E. Any person who violates any provision of this section is guilty of an infraction, and the operation of any conveyance in any manner prohibited by this section by any person or by any group of persons in company with another, is declared a public nuisance which may be summarily abated by any peace officer retained by the city by seizure and impoundment of the conveyance or conveyances used in the offense. Any conveyance seized and impounded under this section shall be held for disposition as may be ordered by the court which hears and disposes of the infraction charge against the offender, or any other court of competent jurisdiction.
- F. This section shall not apply to authorize city personnel.

Section to be added:

10.74.011 Motor-driven vehicles prohibited on bicycle paths.

Except for authorized city personnel, no person shall operate any motor-driven vehicle, including a motor-driven bicycle, scooter, skateboard or similar device onto or along any city bicycle path, except those defined as follows:

A. A “motorized bicycle”, which is a device that has fully operative pedals for propulsion by human power and has an electric motor that meets all of the following requirements: has a power output of not more than 1,000 watts; is incapable of propelling the device at a speed of more than 20 miles per hour on level ground; is incapable of further increasing the speed of the device when human power is used to propel the motorized bicycle faster than 20 miles per hour.

B. A “motorized scooter”, which is any two-wheeled device that has handlebars, is designed to be stood or sat upon by the operator, and is powered by human propulsion and electrical energy with a motor that has a power output of not more than 1,000 watts and is capable of propelling the device at a maximum speed of not more than 15 miles per hour on level ground.

Repeal 10.56.070 SMC