

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AMENDING MESA CITY CODE TITLE 10 (TRAFFIC) CHAPTER 1, SECTIONS 1 THROUGH 21 AND BY ADDING NEW SECTIONS 22 AND 23.

Text written in **BOLD ALL CAPS** indicates new language.  
~~Strikethrough~~ fonts indicates deletions

WHEREAS, the City has evaluated shared active dockless devices regulations from other municipalities to understand the regulatory schemes associated with these devices; and

WHEREAS, the City had a substantial interest in regulating the right-of-way, promote public safety and ensure the public right-of-way remains unobstructed; and

WHEREAS, the City values ways to increase transportation accessibility through sustainable and innovative transportation devices.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

CHAPTER 1

**BICYCLES, SCOOTERS, SHARED ACTIVE TRANSPORTATION VEHICLES, AND SKATEBOARDS**

SECTION:

- 10-1-1: DEFINITIONS
- 10-1-2: REGISTRATION **OF NON SATVS**~~BICYCLES~~
- 10-1-3: FEES
- 10-1-4: ~~DATE OF REGISTERING~~ **BICYCLE RENTAL AGENCIES OR OPERATOR**
- 10-1-5: ~~RENTAL AGENCIES LICENSING OF SHARED ACTIVE TRANSPORTATION~~ **VEHICLES**
- 10-1-6: ~~BICYCLE DEALERS~~ **APPLICATION OF TRAFFIC LAWS**
- 10-1-7: ~~TRAFFIC LAWS APPLICABLE TO PERSONS RIDING BICYCLES~~ **OBEDIENCE TO TRAFFIC-CONTROL DEVICES**
- 10-1-8: ~~OBEDIENCE TO TRAFFIC-CONTROL DEVICES~~ **RIDING ON ROADWAYS AND BICYCLE PATHS**
- 10-1-9: ~~RIDING ON ROADWAYS AND BICYCLE PATHS~~ **SPEED**
- 10-1-10: **SPEED EMERGING FROM ALLEY OR DRIVEWAY**
- 10-1-11: ~~EMERGING FROM ALLEY OR DRIVEWAY~~ **CLINGING TO VEHICLES**
- 10-1-12: ~~CLINGING TO VEHICLES~~ **CARRYING ARTICLES AND PASSENGERS**
- 10-1-13: ~~CARRYING ARTICLES~~ **PARKING**
- 10-1-14: ~~PARKING~~ **RIDING ON SIDEWALKS**
- 10-1-15: ~~RIDING ON SIDEWALKS~~ **LAMPS AND OTHER EQUIPMENT**
- 10-1-16: ~~LAMPS AND OTHER EQUIPMENT ON BICYCLES~~ **CITY BUILDING AND PARK RESTRICTIONS**

- 10-1-17: ~~SKATEBOARDING~~ **MOTORIZED SKATEBOARDS**
- 10-1-18: ~~MOTORIZED SKATEBOARDS~~ **SHARED ACTIVE TRANSPORTATION VEHICLES**
- 10-1-19: ~~VIOLATION OF PROVISION OF CHAPTER;~~ **FAILURE OR REFUSAL TO DO OR PERFORM REQUIRED ACT PARENT OR GUARDIAN LIABILITY**
- 10-1-20: ~~PARENT OR GUARDIAN LIABILITY~~ **AGE**
- 10-1-21: ~~PENALTY~~ **APPEAL HEARING**
- 10-1-22: RECKLESS RIDING; PENALTY**
- 10-1-23: REFUSING TO PROVIDE THRUTHFUL NAME AND DATE OF BIRTH WHEN LAWFULLY DETAINED; PENALTY**
- 10-1-24: CIVIL PENALTY**

10-1-1: DEFINITIONS

- (A) ~~For the purposes of this Chapter, a bicycle~~ **“Bicycle” is defined as MEANS** any two- (2-) wheeled vehicle having a tandem arrangement of the wheels and having cranks, levers, or pedals for its propulsion by the feet.
- (B) **“BUSINESS LICENSING ADMINISTRATOR” MEANS THE BUSINESS LICENSING AND REVENUE COLLECTIONS ADMINISTRATOR OF THE CITY OR HIS/HER DESIGNEE.**
- (C) **“ELECTRIC BICYCLE” MEANS THE SAME AS DEFINED IN ARIZONA REVISED STATUTE SECTION 28-101.**
- (D) **“ELECTRIC MINIATURE SCOOTER” MEANS THE SAME AS DEFINED IN ARIZONA REVISED STATUTE SECTION 28-101.**
- (E) **“ELECTRIC STANDUP SCOOTER” MEANS THE SAME AS DEFINED IN ARIZONA REVISED STATUTE SECTION 28-101.**
- (F) **“LICENSING OFFICE” MEANS THE DIVISION OF THE CITY’S BUSINESS SERVICES DEPARTMENT UNDER THE SUPERVISION OF THE CITY’S BUSINESS LICENSING AND REVENUE COLLECTIONS ADMINISTRATOR.**
- (G) ~~For the purposes of this Chapter, a motorized skateboard is defined as a self-propelled device which has a motor, a deck on which a person may ride, and has at least two (2) wheels in contact with the ground and which is not otherwise defined in Arizona Revised Statutes, Title 28, as amended, as a "motor vehicle," "motorecycle," "motor driven cycle," or "motorized wheelchair." (3688)~~ **“MOTORIZED SKATEBOARD” MEANS THE SAME AS STATED IN ARIZONA REVISED STATUTE SECTION 28-101.**
- (H) **“OPERATOR” MEANS THE ENTITY OR PERSON RENTING AND STAGING SHARED ACTIVE TRANSPORTATION VEHICLES IN THE RIGHT OF WAY PURSUANT TO A LICENSE AUTHORIZED BY THIS CHAPTER.**
- (I) ~~“Owner” the term owner shall meanS~~ **any person OR ENTITY who holds legal title to a bicycle, ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, SATV, MOTORIZED SKATEBOARD, SKATEBOARD; or if the bicycle,**

**ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, SATV, MOTORIZED SKATEBOARD, SKATEBOARD** is the subject of a lease or an agreement for the conditional sale thereof, with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee; or if a mortgagor of a ~~vehicle~~ **BICYCLE, ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, SATV, MOTORIZED SKATEBOARD, SKATEBOARD** is entitled to possession, then such lessee, conditional vendee, or mortgagor shall be deemed the owner.

- (J) **“RESIDENTIAL STREET” MEANS A STREET WITH A POSTED SPEED LIMIT OF 25 MPH OR LESS.**
- (K) **“RIDER” MEANS ANY PERSON RIDING A BICYCLE, ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, SATV, MOTORIZED SKATEBOARD, AND SKATEBOARD ON THE SIDEWALK AND/OR IN THE RIGHT-OF-WAY.**
- (L) **“RIGHT-OF-WAY” OR “ROW” MEANS A PUBLIC ROADWAY, HIGHWAY, STREET, SIDEWALK, ALLEY OR UTILITY EASEMENT. RIGHT-OF-WAY DOES NOT INCLUDE A FEDERAL INTERSTATE HIGHWAY, A STATE HIGHWAY OR STATE ROUTE UNDER THE JURISDICTION OF THE ARIZONA DEPARTMENT OF TRANSPORTATION, COUNTY-OWNED HIGHWAY, A PRIVATE EASEMENT, PROPERTY THAT IS OWNED BY A SPECIAL TAXING DISTRICT, OR A UTILITY EASEMENT.**
- (M) **“SHARED ACTIVE TRANSPORTATION VEHICLE” OR “SATV” MEANS A COMMERCIALY-RENTED COASTER, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, BICYCLE, ELECTRIC BICYCLE, OR ANY OTHER MOBILE VEHICLE, EXCLUDING MOTOR VEHICLES, WITH A SELF-CONTAINING LOCKING MECHANISM THAT DOES NOT REQUIRE LOCKING TO A BICYCLE RACK, DOCKING SYSTEM OR OTHER STRUCTURE.**
- (N) ~~For the purposes of this Chapter, a “Skateboard” is defined as~~ **MEANS** a platform mounted on wheels that is propelled by human power, ~~and skateboarding is defined as the use of a skateboard.~~
- (O) **“SKATEBOARDING” MEANS THE ACT OF USING A SKATEBOARD.**
- (P) **“TERMS AND CONDITIONS” MEANS THE SHARED ACTIVE TRANSPORTATION VEHICLE TERMS AND CONDITIONS THAT GOVERN THE USE OF SHARED ACTIVE TRANSPORTATION VEHICLES AS MAY BE AMENDED FROM TIME TO TIME.**

10-1-2: **REGISTRATION OF NON SATVS ~~BICYCLES~~**

**WITHIN 30 DAYS OF ACQUIRING OWNERSHIP,** Every owner of a bicycle, **ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, OR ELECTRIC MINIATURE SCOOTER** before the same shall be operated on any of the public thoroughfares of the Municipality, and every purchaser of a bicycle, **ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, OR ELECTRIC MINIATURE SCOOTER** obtained from a City auction, shall apply for the registration thereof. Registration shall be accomplished through utilization of the Mesa Police Department’s ~~operation~~ **I.D. procedures BICYCLE REGISTRATION PROGRAM. THIS SECTION DOES NOT APPLY TO A SATV.**

10-1-3: FEES:

No fees shall be required for the registration of bicycles, **ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTERS, OR ELECTRIC MINIATURE SCOOTERS.**

~~10-1-4: DATE OF REGISTERING BICYCLE:~~

~~Before January 1 of each year, all bicycles must be registered in compliance with this Chapter, and all persons becoming the owners of a new or rebuilt bicycle must immediately after acquiring such ownership comply with the provisions hereof.~~

10-1-45 RENTAL AGENCIES OR OPERATOR:

A rental agency **OR OPERATOR** shall not rent or offer any bicycle, **ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, OR ELECTRIC MINIATURE SCOOTER**, for rent unless ~~the bicycle IT is licensed and a license plate is attached thereto as provided herein and such bicycle is equipped with lamps and/OR other equipment required in this Chapter.~~ **THIS DOES SECTION DOES APPLY TO A SATV.**

10-1-56: ~~BICYCLE DEALERS:~~ **LICENSING OF SHARED ACTIVE TRANSPORTATION VEHICLES:**

- (A) ~~Every person engaged in the business of buying or selling new or secondhand bicycles shall make a report to the Chief of Police of every bicycle purchased or sold by such dealer, giving the name and address of the person from whom purchased or to whom sold, a description of such bicycle by name or make, the frame number thereof, and the number of license plate, if any, found thereon. (227,1665)~~ **NO SHARED ACTIVE TRANSPORTATION VEHICLE SHALL BE STAGED OR DEPLOYED IN THE CITY RIGHT OF WAY WITHOUT A LICENSE REQUIRED BY THIS CHAPTER.**
- (B) **THE BUSINESS LICENSING ADMINISTRATOR WILL ISSUE, RENEW, DENY, OR REVOKE A SHARED ACTIVE TRANSPORTATION VEHICLE LICENSE IN ACCORDANCE WITH THIS CHAPTER AND THE TERMS AND CONDITIONS AND ADMINISTER THE PROVISIONS OF THE TERMS AND CONDITIONS..**
- (C) **ALL OPERATORS IN THE CITY MUST FIRST OBTAIN A LICENSE FROM THE BUSINESS LICENSING ADMINISTRATOR AS PROVIDED IN THIS CHAPTER BEFORE STAGING OF ANY SHARED ACTIVE TRANSPORTATION VEHICLE.**
- (D) **A LICENSE ISSUED PURSUANT TO THIS CHAPTER SHALL BE GOVERNED BY THIS CHAPTER AND THE TERMS AND CONDITIONS.**

10-1-67: ~~APPLICATION OF TRAFFIC LAWS APPLICABLE TO PERSONS RIDING BICYCLES~~

Every person riding a bicycle, **ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, MOTORIZED SKATEBOARD, OR SATV**, 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 this City applicable to the driver of a vehicle except as to special regulations herein and except as to those provisions of law which by their nature can have no application.

10-1-78: OBEDIENCE TO TRAFFIC-CONTROL DEVICES:

- (A) Any person, operating **OR RIDING ON** a bicycle, **ELECTRIC BICYCLE, ELECTRIC**

**STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, MOTORIZED SKATEBOARD, OR SATV** shall obey the instructions of official traffic-control signals, signs, and other control devices applicable to vehicles unless otherwise directed by a Police officer.

(B) Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no person operating a bicycle, **ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, MOTORIZED SKATEBOARD, OR SATV** shall disobey the direction of any such sign, except where such person dismounts ~~from the bicycle~~ to make such turn, in which event such person shall then obey the regulations applicable to pedestrians.

10-1-89: RIDING ON ROADWAYS AND BICYCLE PATHS:

(A) Every person operating a bicycle, **ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, MOTORIZED SKATEBOARD, OR SATV** upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(B) Persons riding A bicycle, **ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, MOTORIZED SKATEBOARD, OR SATV** upon a roadway shall not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

10-1-940: SPEED:

(A) No person shall operate aN **ELECTRIC BICYCLE IN EXCESS OF THE POSTED SPEED LIMIT OR AT A SPEED GREATER THAN IS REASONABLE AND PRUDENT UNDER THE CIRCUMSTANCES THEN EXISTING.**

(B) **NO PERSON SHALL OPERATE AN ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, MOTORIZED SKATEBOARD, OR SATV THAT IS NOT AN ELECTRIC BICYCLE** at a speed greater than ~~is reasonable and prudent under the conditions then existing.~~ **FIFTEEN MILES PER HOUR.**

10-1-1044: EMERGING FROM ALLEY OR DRIVEWAY:

The operator of a bicycle, **ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, MOTORIZED SKATEBOARD, OR SATV** 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 said sidewalk or sidewalk area and upon entering the roadway, shall yield the right-of-way to all vehicles approaching on said roadway.

10-1-1142: CLINGING TO VEHICLES:

No person riding upon any bicycle, **ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, MOTORIZED SKATEBOARD, OR SATV** shall attach the same or himself to any vehicle upon a roadway.

10-1-1243: CARRYING ARTICLES AND PASSENGERS:

(A) No person operating a bicycle, **ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, MOTORIZED SKATEBOARD, OR SATV** shall carry any package, bundle, or article which prevents the rider from keeping at least one (1) hand upon the handlebars.

(B) **NO PERSON OPERATING A BICYCLE, ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, MOTORIZED SKATEBOARD, OR SATV SHALL ALLOW PASSENGERS WHEN THE BICYCLE, ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, MOTORIZED SKATEBOARD, OR SATV IS IN OPERATION OR MOTION.**

10-1-1344: PARKING:

No person shall park a bicycle, **ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, MOTORIZED SKATEBOARD, OR SATV** 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.

10-1-1445: RIDING ON SIDEWALKS:

(A) **NO PERSON SHALL OPERATE AN ELECTRIC BICYCLE UPON A SIDEWALK.**

(B) When signs are erected giving notice thereof, no person shall ride a bicycle, **ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, SKATEBOARD, MOTORIZED SKATEBOARD, OR SATV** upon a sidewalk within a Pedestrian Overlay Area (POA). The City Traffic Engineer is authorized to erect signs on any sidewalk within a POA prohibiting the riding of bicycles, **ELECTRIC BICYCLES, ELECTRIC STANDUP SCOOTERS, ELECTRIC MINIATURE SCOOTERS**, skateboards, motorized skateboards, ~~or~~ scooters, **OR SATVS** thereon by any person. The boundaries of the POA are the east side of Country Club Drive to the west side of Centennial Way, the south side of 1st Street to the north side of 1st Avenue. The centerline of the aforementioned streets shall be construed to be the boundaries.

10-1-1546: LAMPS AND OTHER EQUIPMENT ~~ON BICYCLES:~~

(A) Every bicycle, **ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, MOTORIZED SKATEBOARD, OR SATV** when in use at nighttime, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet (500') to the front and with a red reflector on the rear of a type which shall be visible from all distances from fifty feet (50') to three hundred feet (300') to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet (500') to the rear may be used in addition to the red reflector.

(B) No bicycle, **ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, MOTORIZED SKATEBOARD, OR SATV** shall be equipped with nor shall any person use upon a bicycle, **ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, MOTORIZED SKATEBOARD, OR SATV** any siren or whistle.

Every bicycle, **ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, MOTORIZED SKATEBOARD, OR SATV** shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

10-1-1647: ~~SKATEBOARDING-CITY BUILDING AND PARK RESTRICTIONS:~~

(A) **OPERATING A SKATEBOARD** ~~Skateboarding,~~ **ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, MOTORIZED SKATEBOARD, OR SATV** is prohibited upon the stairways, handicap access ramps, and other appurtenances of the Mesa City Council Chambers, the City Hall (Municipal) Building, and all other municipal buildings within the City.

(B) **NO PERSON SHALL OPERATE AN ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, OR MOTORIZED SKATEBOARD IN ANY CITY PARKING STRUCTURE OR CITY PARK, EXCEPT FOR USE ON PUBLIC ROADWAYS WITHIN A CITY PARK.**

10-1-1748: ~~MOTORIZED SKATEBOARDS:~~

(A) ~~Obedience to Traffic Laws:~~

1. ~~Except as to those provisions of law which by their nature can have no application, any person operating a motorized skateboard on a roadway or on any shoulder adjoining a roadway shall be granted all the rights and shall be subject to all the duties applicable to the driver of a vehicle by both:~~

(a) ~~The laws of this State declaring rules of the road applicable to vehicles; and~~

(b) ~~The traffic laws of the City applicable to the driver of a vehicle.~~

2. ~~This Section shall not be construed to require the licensing or registration of motorized skateboards; the licensing of motorized skateboard operators or the carrying of insurance covering accidents involving motorized skateboards.~~

(B) ~~Responsibilities of Parents, Guardians, and Custodians:~~

1. ~~The parent, guardian, or legal custodian of any minor or ward shall not authorize or knowingly permit such minor or ward to violate any of the provisions of this Article.~~

~~(C) Operation Prohibited in Certain Areas and at Certain Times:~~

1. ~~No person shall operate a motorized skateboard on any sidewalk except for use in crossing such sidewalk to gain access to any public or private road or driveway.~~

2. ~~No person shall operate a motorized skateboard in any City parking structure or City park, except for use on public roadways within such park on which a motorized skateboard is otherwise allowed.~~

3. ~~No person shall operate a motorized skateboard on any public property that has been posted or designated by the owner of such property as an area in which the operation of motorized skateboards is prohibited.~~

~~4. No person shall operate a motorized skateboard on any private property of another, or any public property which is not held open to the public for vehicle use, without the written permission of the owner, or the owner's authorized agent.~~

~~5. No person shall operate a motorized skateboard on any public roadway having a speed limit established greater than thirty (30) miles per hour.~~

~~6. No person shall operate a skateboard on a City right of way, including streets, roadways, and alley ways, except during daylight and in no event before seven (7:00) A.M. or after eight (8:00) P.M.~~

~~(D) General Operating Restrictions:~~

~~1. No child under the age of fourteen (14) shall operate a motorized skateboard.~~

~~2. No person shall operate a motorized skateboard in excess of the posted speed limit or at a speed greater than is reasonable and prudent under the circumstances then existing.~~

~~3. A person operating a motorized skateboard, approaching a sidewalk, bicycle path, bicycle lane, or multiuse path in order to cross such, shall yield the right of way to all other users.~~

~~4. No person operating a motorized skateboard shall allow passengers when the motorized skateboard is in operation or motion.~~

~~5. No person operating or riding upon a motorized skateboard shall attach themselves or the motorized skateboard in any manner to any other vehicle.~~

~~6. No person shall operate a motorized skateboard while carrying any package, bundle, or article which prevents the operator from keeping both hands upon the steering mechanism at all times.~~

71. No person operating a motorized skateboard shall transport extra fuel in a separate container or alter the fuel reservoir from the original manufacturer's design. This includes the prohibition of physically attaching fuel packs or containers to the operator's person.

82. No person shall operate a motorized skateboard in a manner causing excessive, unnecessary, or offensive noise which disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to a reasonable person of normal sensitivity.

~~(E)~~ Required Safety Equipment:

~~1. No person shall operate a motorized skateboard at any time when there is not sufficient light to render clearly discernible persons and vehicles at a distance of five hundred feet (500') ahead.~~

~~2. No person shall operate a motorized skateboard unless it is equipped with a brake which enables the operator to make a braked wheel(s) skid on pavement.~~

3. A person under the age of eighteen (18) years' operating a motorized skateboard on a roadway shall at all times wear a protective helmet on his or her head in an appropriate and safely secured manner. The helmet shall meet minimum standards of testing and safety inspection as approved by the bicycle industry.



~~4. No person shall operate a motorized skateboard without wearing footwear. The footwear must have a sole and completely cover the feet and toes.~~

~~5. A person operating a motorized skateboard shall wear, at all times, protective glasses or goggles or a transparent face shield of a type approved for motorcycle or motor drive cycle use.~~

~~10-1-1849: VIOLATION OF PROVISION OF CHAPTER; FAILURE OR REFUSAL TO DO OR PERFORM REQUIRED ACT: SHARED ACTIVE TRANSPORTATION VEHICLES:~~

~~No person shall fail to register any bicycle owned by such persons, and no person shall violate any of the provisions of Title 10, Chapter 1 of the Mesa City Code providing for registration and regulation of all bicycles operated in the Municipality.~~

**(A) NO OPERATOR SHALL STAGE ANY SHARED ACTIVE TRANSPORTATION VEHICLE ON CITY-OWNED PROPERTY OR IN THE ROW WITHOUT AN APPROVED LICENSE. ANY SHARED ACTIVE TRANSPORTATION VEHICLE PLACED ON CITY-OWNED PROPERTY OR IN THE ROW WITHOUT A LICENSE MAY BE IMPOUNDED PURSUANT TO THE TERMS AND CONDITIONS**

**(B) LICENSE APPLICATION.**

**AN OPERATOR MUST SUBMIT AN APPLICATION AND PROVIDE INFORMATION AS REQUIRED BY AND IN COMPLIANCE WITH THE TERMS AND CONDITIONS TO THE BUSINESS LICENSING OFFICE.**

**(C) LICENSE RENEWAL, TERMINATION AND REVOCATION.**

**(1) A LICENSE MAY BE RENEWED PURSUANT TO THE TERMS AND CONDITIONS. THE COMPLETED RENEWAL APPLICATION MUST BE SUBMITTED BY THE OPERATOR NO LATER THAN FORTY-FIVE (45) CALENDAR DAYS PRIOR TO THE EXPIRATION OF THE LICENSE ALONG WITH THE APPLICABLE RENEWAL FEE SET FORTH IN THE SCHEDULE OF FEES AND CHARGES. THE LICENSING OFFICE IS AUTHORIZED TO OBTAIN NECESSARY INFORMATION TO UPDATE THE ORIGINAL LICENSE APPLICATION AND TO DETERMINE WHETHER THE LICENSE SHOULD BE RENEWED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS CHAPTER AND THE TERMS AND CONDITIONS.**

**(2) IF AN OPERATOR FAILS TO SUBMIT A COMPLETE RENEWAL APPLICATION AT LEAST FORTY-FIVE (45) CALENDAR DAYS PRIOR TO THE EXPIRATION OF THE TERM OF THE LICENSE, THE LICENSE WILL EXPIRE AT THE END OF THE TERM OF THE LICENSE. UNLESS OTHERWISE PROHIBITED BY THIS CHAPTER, AN OPERATOR WILL STILL BE ELIGIBLE TO APPLY FOR A NEW LICENSE.**

**(3) ANY PARTY AGGRIEVED BY A DECISION OF THE BUSINESS LICENSING ADMINISTRATOR MAY APPEAL THE DECISION TO THE TRANSPORTATION DEPARTMENT DIRECTOR. THE APPEAL MUST BE IN WRITING AND STATE THE GROUNDS FOR THE APPEAL. THE APPEAL MUST BE FILED WITH THE CITY CLERK WITHIN TEN (10) DAYS OF THE DATE OF THE DECISION BEING APPEALED. THE FAILURE OF AN APPEAL TO MEET THE REQUIREMENTS OF THIS SECTION WILL**

**ENTITLE THE BUSINESS SERVICES DIRECTOR TO DENY THE APPEAL WITHOUT FURTHER REVIEW.**

**10-1-1920: PARENT OR GUARDIAN LIABILITY:**

The parent of any minor or the guardian having custody or control of any minor shall not authorize or knowingly permit the minor to violate any of the provisions of this Chapter. If a fine is imposed upon a minor who is found to be in violation of this ~~Ordinance, pertaining to motorized skateboards)~~ **CHAPTER**, the parents or legal guardian having custody or control of the minor shall be jointly and severally liable with the minor for payment of the fine whether or not the parents or guardian knew of, or anticipated, a violation of this Ordinance.

**10-1-2021: PENALTY AGE:**

~~A violation of any provision of this Chapter of the Mesa City Code shall be a civil traffic offense punishable by a fine not to exceed three hundred dollars (\$300.00).~~

**NO ONE UNDER THE AGE OF 16 SHALL OPERATE AN ELECTRIC BICYCLE, ELECTRIC STANDUP SCOOTER, ELECTRIC MINIATURE SCOOTER, OR SATV ON ANY PUBLIC RIGHT OF WAY. THIS IS A SECONDARY OFFENSE.**

**10-1-21: RECKLESS RIDING; PENALTY.**

**(A) IT IS UNLAWFUL FOR A PERSON TO RIDE OR OPERATE A BICYCLE, ELECTRIC BICYCLE, MOTORIZED SKATEBOARD, ELECTRIC STANDUP SCOOTER, OR AN ELECTRIC MINIATURE SCOOTER WITH RECKLESS DISREGARD FOR THE SAFETY OF PERSONS OR PROPERTY.**

**(B) EACH VIOLATION OF THIS SECTION IS A CLASS TWO MISDEMEANOR.**

**10-1-22: 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) EACH VIOLATION OF THIS SECTION IS A CLASS TWO MISDEMEANOR.**

**10-1-23: CIVIL PENALTY:**

**EXCEPT AS PROVIDED IN 10-1-21 AND 10-1-22, A VIOLATION OF ANY PROVISION OF THIS CHAPTER OF THE MESA CITY CODE SHALL BE A CIVIL TRAFFIC**

**OFFENSE PUNISHABLE BY A FINE NOT TO EXCEED THREE HUNDRED DOLLARS (\$300.00).**

**SECTION 2.** The Transportation Department Director is hereby authorized by this Ordinance to modify and amend the Terms and Conditions from time to time.

**SECTION 3.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

**SECTION 4.** This Ordinance shall become effective on the 2nd day of December, 2019.

**SECTION 5.** Any fee that is required by this Ordinance will be set forth in the City's Schedule of Fees and Charges and will not be required until such fee is adopted in the City's Schedule of Fees and Charges.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 7th day of October, 2019.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk