



## Legislation Details (With Text)

<b>File #:</b>	Ord. 2020-28(b)	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>		Individual Consideration	
<b>File created:</b>	5/5/2020	<b>In control:</b>		City Council	
<b>On agenda:</b>	5/19/2020	<b>Final action:</b>			
<b>Title:</b>	Consider approval of Ordinance 2020-28, on the second of two readings, amending Chapter 82, Traffic and Vehicles, of the San Marcos City Code, by adding a new Article 9 that prohibits the placement and use of Motor-Assisted Scooters owned by Commercial Scooter Companies on public property, streets and sidewalks; providing a savings clause; providing for the repeal of any conflicting provisions; providing for penalties; and providing an effective date.				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Scooter Ordinance - Final.pdf				

Date	Ver.	Action By	Action	Result
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### **AGENDA CAPTION:**

Consider approval of Ordinance 2020-28, on the second of two readings, amending Chapter 82, Traffic and Vehicles, of the San Marcos City Code, by adding a new Article 9 that prohibits the placement and use of Motor-Assisted Scooters owned by Commercial Scooter Companies on public property, streets and sidewalks; providing a savings clause; providing for the repeal of any conflicting provisions; providing for penalties; and providing an effective date.

**Meeting date:** May 19, 2020

**Department:** General Services / Legal

### **Amount & Source of Funding**

**Funds Required:** Click or tap here to enter text.

**Account Number:** Click or tap here to enter text.

**Funds Available:** Click or tap here to enter text.

**Account Name:** Click or tap here to enter text.

### **Fiscal Note:**

**City Council Strategic Initiative:** [Please select from the dropdown menu below]

Multi Modal Transportation

Choose an item.

Choose an item.

**Comprehensive Plan Element (s):** [Please select the Plan element(s) and Goal # from dropdown menu below]

- ☐ Economic Development - Choose an item.
- ☐ Environment & Resource Protection - Choose an item.
- ☐ Land Use - Choose an item.
- ☐ Neighborhoods & Housing - Choose an item.
- ☐ Parks, Public Spaces & Facilities - Choose an item.
- ☒ Transportation - Choose an item.
- ☐ Not Applicable

**Master Plan:** [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

**Background Information:**

- Texas Transportation Code Chapter 551.352. (b) states: *“a county or municipality may prohibit the operation of a motor-assisted scooter on a street, highway, or sidewalk if the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.”*
- During the Council work session on April 2, 2019, the City Council (7-0) directed staff to draft an ordinance prohibiting the use of a motor-assisted scooter in the public right-of-way, including sidewalks and streets
- On December 17, 2019, Council approved the first reading of an ordinance prohibiting the use of motor-assisted scooters in the public right-of-way, including sidewalks and streets, and provided direction for staff as follows:
  - Add a delayed enforcement period to the ordinance
  - conduct a public outreach campaign
  - Reduce the maximum fine for violations of the ordinance from \$500 to \$25 for private use
- On January 7, 2020, during consideration of the (amended per direction above) ordinance on second reading, the City Council postponed this item.
- On March 24, 2020 a Work Session was held and Council provided direction to staff to bring an Ordinance forward that includes the following elements:
  - Prohibits Commercial Scooter Dumping or use
  - Allow Private Scooter ownership and use
  - Considers a future pilot program

The attached ordinance:

- Prohibits the placement, abandonment or use of motor-assisted scooters owned by commercial scooter companies on public property, streets and sidewalks;
- Establishes the City's impoundment authority and penalties for illegal motor-assisted scooters;
- Remains silent on privately-owned scooters and use;
- Makes an exception for commercial scooters provided under a city-approved pilot program
- Requires two (2) readings
- Takes effect after second reading approval and publication

**Council Committee, Board/Commission Action:**

Click or tap here to enter text.

**Alternatives:**

Click or tap here to enter text.

**Recommendation:**

Staff recommends approval of the ordinance.