



Agenda Item #: _____

Staff Report

City of Manhattan Beach

TO: Honorable Mayor Tell and Members of the City Council

THROUGH: Geoff Dolan, City Manager

FROM: Rod Uyeda, Chief of Police

DATE: February 20, 2007

SUBJECT: Adoption of an Ordinance to Prohibit and Regulate Electric Personal Assistive Mobility Devices (EPAMD) throughout the city.

RECOMMENDATION:

Staff recommends that the City Council **Adopt Ordinance No. 2095.**

FISCAL IMPLICATION:

Implementation of this ordinance may require some additional staff time for enforcement and fine collection, however, the increase is expected to be slight and accomplished by existing staff and resources.

BACKGROUND:

On February 6, 2007, the City Council unanimously approved the introduction of Ordinance No. 2095. Ordinance 2095 will prohibit and regulate Electric Personal Assistive Mobility Devices throughout the city.

DISCUSSION:

With the introduction of the EPAMD to the City of Manhattan Beach, one cannot help but be concerned for pedestrian safety on our already narrow and crowded sidewalks within certain high density shopping areas such as downtown and within the Metlox Shopping Center.

Existing law prohibits the use of skateboards in the downtown area and at the Metlox Shopping Center. In some ways, an EPAMD is potentially more dangerous than skateboards due to the near silent operation of the device and the combined weight of the device (69 – 96 pounds) and rider. Braking is accomplished by “reverse torque” and there is no actual friction brake used to stop an EPAMD. Segway claims that a Segway can stop faster than a human being traveling at the same speed. If the battery should fail, the device will likely fall, however, an alarm will activate 30 seconds prior to losing all power. In addition, there are no age restrictions, no licensing requirements, nor any requirements for a helmet or other safety equipment. To date, there have been no reports of any incident involving an EPAMD in Manhattan Beach, however, the number of EPAMDs operating in the city appears to be very low.

Locally, there are several cities that have enacted laws restricting the use of an EPAMD. In Hermosa Beach, EPAMDs are restricted from operating on their Strand and/or Bike Path. The Cities of Burbank and Pasadena limit EPAMDs to areas where pedestrian traffic is not considered dense. In the City and County of San Francisco, EPAMDs are unlawful to operate on any sidewalk. The cities of Hermosa Beach and Pasadena have granted exemptions to government entities operating EPAMDs in the official course of their duties as well as to handicapped persons.

While use of EPAMDs by the general public has been minimal, a few have been seen operating in Manhattan Beach, and recently, the Shade Hotel has started a rental business involving the Segway EPAMD to their customers.

The police department is concerned with the potential for accidents in the crowded downtown area between an EPAMD and a pedestrian; especially for a novice rider with little training and experience.

However, an EPAMD can be a valuable tool for Public Safety and other government entities with a trained rider who is focused on citizens and less apt to be distracted by various sights in and about Manhattan Beach. An officer, paramedic or postal employee can cover large geographical areas on an EPAMD much quicker and efficiently than on foot, especially when you consider the additional 30 pounds of equipment they often carry. EPAMDs can be very useful for Public Safety during events such as Concerts in the Park, the Hometown Fair, 6-person and AVP volleyball, Holiday Fireworks Show and the variety of community and downtown programs offered here. Police agencies that have used EPAMDs have found that citizens naturally gravitate towards officers on an EPAMD and create more opportunities for positive police and citizen interaction.

The Segway EPAMD has been used extensively by police, postal workers and other civil servants in New York, Chicago, Atlanta and California. The Segway EPAMD can rotate in place and can allow officers to get in and around traffic more efficiently than with a car, bicycle, or motorcycle. Locally, Segway EPAMDs are used by the Los Angeles County Sheriff's Department, California State University at Long Beach, the City of Culver City, and the Redondo Beach Police Department. Segway EPAMDs are also used by personnel at Disneyland and Disney World.

By utilizing an EPAMD in Manhattan Beach, the police department can provide better and more efficient coverage for a variety of events that regularly occur in the city. No where is this more important than in the downtown area where officers could patrol the entire shopping district, all of the parking structures and the Strand, all while being very accessible to citizens and utilizing very little energy. The Segway EPAMD also gives the rider eight inches of additional height which makes it very easy to see over crowds and traffic. Any officer authorized to utilize an EPAMD would undergo extensive training that would focus on pedestrian safety prior to being deployed into the field.

Staff feels that EPAMDs can pose a threat to pedestrians in certain areas of Manhattan Beach; especially if operated by a novice rider. The areas being considered for restricted use have the potential for high density pedestrian traffic, including the Downtown Area, Strand and Pier.

The California Vehicle Code does provide for local jurisdictions to restrict/regulate the use of EPAMDs under section 21282 which states "assuring the safety of pedestrians and others using

sidewalks and bike paths, a city, county, or city and county may, by ordinance, regulate the time, place, and manner of the operation of electric personal assistive mobility devices.”

The proposed ordinance will:

- Prohibit EPAMDs from the Downtown Area, Strand, and Pier.
- Require operators to be at least 17 years of age and wear safety helmets.
- Authorize the Chief of Police to designate areas in the City where EPAMDs will be prohibited and cause the posting of signs listing the prohibition.
- Grant an exemption to disabled persons and city employees conducting city business.

ATTACHMENTS: a. Ordinance No. 2095