CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2005-167

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON,
CREATING SECTION 46.20 OF THE SAMMAMISH MUNICIPAL CODE
REGULATING MOTORIZED FOOT SCOOTERS, MOTORIZED VEHICLES
NOT REQUIRING A LICENSE TO OPERATE, AND VEHICLES POWERED BY
ELECTRIC MOTORS REQUIRING A LICENSE TO OPERATE AND
ADOPTING BY REFERENCE TITLE 9 OF THE KING COUNTY HEALTH CODE ENTITLED "BICYCLE HELMETS"

WHEREAS, the State Legislature has amended Chapter 46.61 RCW to allow
motorized foot scooters to have access to highways of the state to the same extent as
bicycles; and

WHEREAS, motorized foot scooters may be operated on a multipurpose trail or
bicycle lane, but local jurisdictions may restrict or otherwise limit the access of motorized
foot scooters; and

WHEREAS, the use of other types of motorized vehicles not requiring a license to
operate, and vehicles powered by electric motors requiring a license to operate, is
becoming more common; and

WHEREAS, the use of such vehicles on public property increases the risk of
injury to pedestrians, property and other vehicles; and

WHEREAS, it is in the interest of the public health, safety, and welfare, that the
City regulate the use of motorized foot scooters, motorized vehicles not requiring a
license to operate, and vehicles powered by electric motors requiring a license to operate
within the City;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF
SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. SMC 46.20. Created. A new Section 46.20, entitled "Motorized Foot
Scooters and Other Vehicles" is hereby added to the Sammamish Municipal Code to read
as follows:

46.20 Motorized Foot Scooters and Other Vehicles

46.20.010. Definition.
   a. "Motorized foot scooter" means a device with no more than two ten-inch
      or smaller diameter wheels that has handlebars, is designed to be stood or
      sat upon by the operator, and is powered by an internal combustion engine
or electric motor that is capable of propelling the device with or without human propulsion, such as scooters or pocket bikes.

b. For purposes of this ordinance, a motor-driven cycle, a moped, and an electric-assisted bicycle, a motorcycle, a power wheelchair, electric personal assistive mobility device, or motorized wheelchairs being utilized by persons with temporary or permanent disabilities are specifically excluded from this ordinance.

46.20.020. Duty to obey traffic control devices and rules of the road.

a. Except as otherwise provided in this chapter, any person operating a motorized foot scooter, a motorized vehicle not requiring a license to operate, or a vehicle powered by an electric motor requiring a license to operate (hereafter referred to as “vehicle” or “vehicles”), shall obey all rules of the road applicable to automobiles, bicycles, or pedestrians, as well as the instructions of official traffic control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.

b. It shall be unlawful to operate any vehicle on a public roadway other than as close as practicable to the right-hand curb or the right edge of the roadway, as is safe, except while preparing to make or while making a turning movement.

46.20.030. Unsafe use prohibited. Vehicles shall not be ridden in a negligent or unsafe manner, but shall be operated with reasonable regard for the safety of the operator, and other persons, and in a manner to avoid damage to real or personal property. For purposes of this section, to operate “in a negligent or unsafe manner” means operation of a vehicle in such manner as to endanger or be likely to endanger any person or property.

46.20.40. Prohibited areas.

a. Motorized foot scooters **powered by an internal combustion engine** are prohibited from being operated:

1. On sidewalks within the City limits;
2. In City parks;
3. On multiple use trails including bicycle paths, bikeways, equestrian trails, hiking trails and recreation trails, except where such trails are specifically marked stating that such use is permitted; and
4. On any City street with a posted maximum speed limit greater than 25 miles per hour.

b. Motorized foot scooters **powered by an electric motor** are prohibited from being operated:
b. Motorized foot scooters **powered by an electric motor** are prohibited from being operated:

1. In City parks;
2. On multiple use trails including bicycle paths, bikeways, equestrian trails, hiking trails and recreation trails, except where such trails are specifically marked stating that such use is permitted; and
3. On any City street with a posted maximum speed limit greater than 25 miles per hour.

46.20.050. **Minimum age requirements.** No vehicle shall be operated on public property unless the operator is at least 12 years of age.

46.20.060. **Helmets required.** Any person operating a vehicle, and any person riding as a passenger on such vehicle, upon any public area in the City of Sammamish, shall wear an approved helmet designed for safety that meets or exceeds the requirements of standard Z-90.4 set by the American Nationals Standard Institute (ANSI) or the Snell Foundation, or a subsequent nationally recognized standard for helmet performance as the City may adopt. The helmet shall be worn over the head and equipped with either a neck or chinstrap that shall be fastened securely while such vehicle is in motion.

46.20.070. **Lights required.** Every vehicle in use at any time from a half hour after sunset to a half hour before sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of five hundred feet ahead shall be equipped with and operate: (a) a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet to the front; and (b) a red reflector on the rear, of a type approved by the state patrol, which shall be visible from all distances up to five hundred feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet to the rear may be used in addition to the red reflector. A light-emitting diode flashing taillight visible from a distance of five hundred feet to the rear may also be used in addition to the red reflector.

46.20.080. **Noise restriction.** Operation of motorized foot scooters is subject to the provisions SMC 8.15 entitled “Public Disturbance Noises.”

46.20.090. **Parental Responsibility.** A parent who has custody of any child under the age of eighteen years and the guardian of any ward under the age of eighteen years shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this section.

46.20.100. **Adoption by Reference of Title 9 of the King County Health Code.** Title 9 of the King County Health Code, entitled “Bicycle Helmets”, is hereby adopted by reference and incorporated herein.
46.20.110. Penalties.

a. Violation of any provision of this ordinance shall be a civil infraction with a penalty of $50.00 for each violation. The disposition of an infraction issued under this chapter shall follow the procedures adopted under WAC 308-330-700 and the applicable sections of Chapter 46.63 RCW.

b. When a violation of any provision of this chapter by a child under the age of 16 years occurs, the City may impound the vehicle if, in the discretion of the officer, there is not a parent who has custody of the child or guardian of the child available to whom the vehicle can be released and taking custody of the vehicle is: (1) reasonably necessary to ensure compliance with this chapter; or (2) reasonably necessary to protect persons or property. Thereafter, the vehicle shall be released to the parent or guardian upon written request.

Section 3. Severability. Should any section, paragraph, sentence, clause, or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 4th DAY OF JANUARY 2005.

CITY OF SAMMAMISH

[Signature]
Mayor Don Gerend

ATTEST/AUTHENTICATED:

[Signature]
Melonie Anderson, City Clerk
Approved as to form

Bruce L. Disend, City Attorney

Filed with the City Clerk: November 10, 2004
First Reading: November 16, 2004
Passed by the Council: January 4, 2005
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