



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

October 27, 2004

Ordinance 15050

Proposed No. 2004-0369.3

Sponsors Constantine and von Reichbauer

1 AN ORDINANCE relating to motorized foot scooters;
2 regulating the use and operation of such vehicles; adding a
3 new chapter to K.C.C. Title 46 and prescribing penalties.
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5

6 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

7 SECTION 1. Findings. King County makes the following findings regarding the
8 current unregulated use of motorized foot scooters within the county's jurisdiction:

9 A. RCW 46.61.710 has authorized use of motorized foot scooters upon the
10 highways of the state but allowed for local jurisdictions to limit or otherwise regulate the
11 use of such devices;

12 B. Article 11, Section 11, of the Washington State Constitution outlines the
13 county's general authority to enact local police regulations;

14 C. Citizens of unincorporated King County have expressed confusion as to where
15 and in what manner motorized foot scooters may be lawfully operated;

16 D. Unregulated operation of motorized foot scooters upon the roadways, trails
17 and sidewalks of unincorporated King County increases either or both:

18 1. The risk of accidental injury to motorized foot scooter operators and other
19 vehicular or pedestrian traffic; and

20 2. Damage to property; and

21 E. Shared use of sidewalks by pedestrian and motorized vehicular traffic
22 increases risk of injury to sidewalk users and could reduce the desirability of foot traffic
23 as an alternative to motor vehicle use within the unincorporated King County area;

24 F. Complaints of excessive and unusual noise can be associated with the
25 operation of gas motorized foot scooters;

26 G. RCW 46.61.710 does not establish minimum age or training requirements for
27 the operation of a motorized foot scooter, which increases the risk of injury caused by
28 either or both untrained operators and youthful operators who lack sufficient judgment to
29 safely operate a motorized vehicle upon public roadways; and

30 H. RCW 46.61.710 does not make use of helmets mandatory for motorized foot
31 scooter operators, although there is a risk of serious injury for operators who do not wear
32 helmets.

33 SECTION 2. Sections 3 through 10 of this ordinance should constitute a new
34 chapter in K.C.C. Title 46.

35 NEW SECTION. SECTION 3. Authority and purpose.

36 A. The county is authorized to restrict or otherwise limit the access of motorized
37 foot scooters on facilities and properties under its jurisdiction under RCW 46.61.710.

38 B. The county is also authorized under Article 11, Section 11 of the Washington
39 State Constitution to enact local police regulations.

40 C. The purpose of this chapter is to regulate the use and operation of motorized
41 foot scooters on county roads, alleys and sidewalks and also on recreational trails and
42 county park property in accordance with K.C.C. chapter 7.12.

43 NEW SECTION. SECTION 4. Definitions. The definitions in this section
44 apply throughout this chapter unless the context clearly requires otherwise.

45 A. "Alley" means a public highway not designed for general travel and used
46 primarily as a means of access to the rear of residences and business establishments.

47 B. "County road" means every public highway or part thereof, outside the limits
48 of cities and towns and which has not been designated as a state highway.

49 C. "Director" means the director of the department of transportation.

50 D. "Electric motorized foot scooter" means a motorized foot scooter powered
51 solely by an electric motor.

52 E. "Gas motorized foot scooter" means a motorized foot scooter powered in
53 whole or in part by an internal combustion engine.

54 F. "Motorized foot scooter" means a device with no more than two ten-inch or
55 smaller diameter wheels that has handlebars, is designed to be stood or sat upon by the
56 operator, and is powered by an internal combustion engine or electric motor that is
57 capable of propelling the device with or without human propulsion. A motor-driven
58 cycle, a moped, an electric-assisted bicycle or a motorcycle is not a motorized foot
59 scooter.

60 G. "Muffler" means a device consisting of a series of chambers, or other
61 mechanical designs for the purpose of receiving exhaust gas from an internal combustion
62 engine and effective in reducing noise resulting there from.

63 H. "Operator or driver" means every person who drives or is in actual physical
64 control of a vehicle.

65 I. "Pedestrian" means a person who is afoot or who is using a wheelchair, a power
66 wheelchair or a means of conveyance propelled by human power other than a bicycle.

67 J. "Roadway" means that portion of a highway improved, designed, or ordinarily
68 used for vehicular travel, exclusive of the sidewalk or shoulder even though such
69 sidewalk or shoulder is used by persons riding bicycles. If a highway includes two or
70 more separated roadways, "roadway" refers to any such a roadway separately but does
71 not refer to all such roadways collectively.

72 K. "Sidewalk" means that property between the curb lines or the lateral lines of a
73 roadway and the adjacent property, set aside and intended for the use of pedestrians or
74 such a portion of private property parallel and in proximity to a public highway and
75 dedicated to use by pedestrians.

76 L. "Vehicle" includes every device capable of being moved upon a public
77 highway and in, upon or by which any persons or property is or may be transported or
78 drawn upon a public highway, including bicycles. "Vehicle" does not include a power
79 wheelchair or device other than a bicycle moved by human or animal power or used
80 exclusively upon stationary rails or tracks.

81 NEW SECTION. SECTION 5. Rules for motorized foot scooters. The
82 following rules of operation apply to both gas and electric motorized foot scooters:

83 A. A motorized foot scooter shall be equipped with a brake that will enable the
84 operator to make the braked wheels skid on dry, level, clean pavement;

85 B. A motorized foot scooter may not be in use at any time from a half hour after
86 sunset to a half hour before sunrise.

87 C. A gas motorized foot scooter may not be operated on county roads, alleys and
88 sidewalks and county recreational trails and park property unless the operator is at least
89 thirteen years of age. There is no minimum age requirement to operate an electric
90 motorized foot scooter. No operator's license is required from the state Department of
91 Licensing to operate a motorized foot scooter.

92 D. Any person operating a motorized foot scooter or riding as a passenger on a
93 motorized foot scooter upon any county road, alley, sidewalk, recreational trail or park
94 property shall wear a protective helmet designed for bicycle safety that meets or exceeds
95 the safety standards adopted by the United States Consumer Product Safety Commission
96 or set by the American National Standards Institute, or such subsequent nationally
97 recognized standard for bicycle helmet performance as the county may adopt by
98 ordinance. The helmet must be equipped with either a neck strap or chinstrap that shall
99 be fastened securely while the motorized foot scooter is in motion.

100 E. Any persons operating a motorized foot scooter shall obey all rules of the road
101 applicable to vehicle or pedestrian traffic, as well as the instructions of official traffic-
102 control signals, signs and other control devices applicable to vehicles and pedestrians,
103 unless otherwise directed by a law enforcement officer.

104 **NEW SECTION. SECTION 6. Areas of operation for motorized foot**
105 **scooters.**

106 A. Gas motorized foot scooters are prohibited from being operated on sidewalks.

107 B. All motorized foot scooters are prohibited from being operated in the
108 following areas:

109 1. On any county road with a posted maximum speed limit greater than twenty-
110 five miles per hour; and

111 2. With regard to use of these devices on King County parks facilities, including
112 parks, recreational trails, open space or other property under the jurisdiction of the parks
113 and recreation division of the department of natural resources and parks, the operation of
114 motorized foot scooters is prohibited unless the facility has been specifically designated
115 and posted for that use in accordance with K.C.C. chapter 7.12.

116 NEW SECTION. SECTION 7. Noise.

117 A. Every gas motorized foot scooter shall at all times be equipped with a muffler
118 in a good working order and in constant operation to prevent excessive or unusual noise.

119 B. The use of a cutout, bypass or similar muffler elimination device, is prohibited
120 on any gas motorized foot scooter.

121 NEW SECTION. SECTION 8. Application to other devices. The provisions of
122 this chapter regarding motorized foot scooters, gas motorized foot scooters, and electric
123 motorized foot scooters apply to any device that:

124 A. Matches the definition of a motorized foot scooter, gas motorized foot scooter
125 or electric motorized foot scooter except for the size of the device's wheels; and

126 B. Cannot be defined as a motor-driven cycle, a moped, an electric-assisted
127 bicycle or a motorcycle.

128 NEW SECTION. SECTION 9. Violation - penalty. A person violating this
129 chapter commits a traffic infraction and is subject to a penalty not to exceed one hundred
130 twenty five dollars.

131 NEW SECTION. SECTION 10. Responsibility. A person shall not violate this
132 chapter. The parent of a child or the guardian of a ward shall not authorize or knowingly
133 permit the child or ward to violate this chapter.

134 SECTION 11. Severability. If any provision of this ordinance or its application

Ordinance 15050

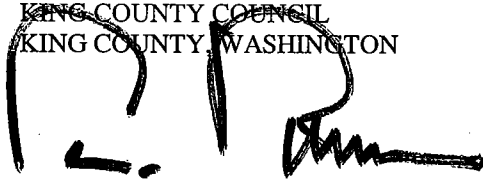
135 to any person or circumstance is held invalid, the remainder of the ordinance or the
136 application of the provision to other persons or circumstances is not affected.

137

Ordinance 15050 was introduced on 7/26/2004 and passed as amended by the Metropolitan King County Council on 10/25/2004, by the following vote:

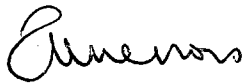
Yes: 13 - Mr. Phillips, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr. Pelz, Mr. McKenna, Mr. Ferguson, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons, Ms. Patterson and Mr. Constantine
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



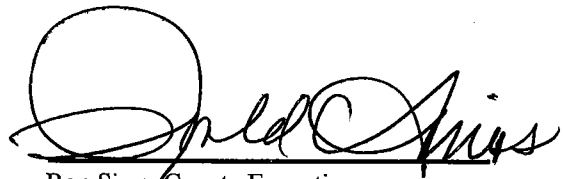
Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 8 day of November, 2004.



Ron Sims, County Executive

Attachments None

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CLERK
KING COUNTY COUNCIL