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MAYOR

RANDALL KEITH BENJAMIN, II  
DIRECTOR

**City of Charleston**  
South Carolina

**DEPARTMENT OF TRAFFIC AND TRANSPORTATION**

**MEMORANDUM**

**TO:** Council Committee of Traffic and Transportation  
**FROM:** Keith Benjamin, Director Department of Traffic and Transportation  
**SUBJECT:** To amend the code of the city of Charleston Chapter 19, Sections 91 and 92 regarding motorized scooters  
**DATE:** September 24, 2019

Micromobility/Shared Active Transportation (vehicles that can carry one or two passengers), micro-transit (flexible routing/scheduling of minibus vehicles) and transportation network companies (matches passengers with vehicles via mobile apps) are going to be quintessential aspects of mitigating congestion, providing affordable choice and creating greater connectivity in urban cores all over the country. That being said, every community is unique and should be considerate of how they embrace new innovations.

Since the initial prohibition executed on September 18, 2018, the following are collaborative efforts that have been started or continue to elevate the mobility needs within the community and identify solutions that are applicable to our city and region:

- ❖ Participation in the completion of the National Association of City Transportation Officials (NACTO) Guidelines for Regulating Shared Micromobility
- ❖ Continued Coordination through SCDOT’s Committee on Urban Design as well as the Road Safety Audits of Meeting St, King St, St. Phillip and Calhoun.
- ❖ Participation in Berkeley-Charleston-Dorchester Council of Governments CHATS Safety Improvements Committee
- ❖ Continued Coordination between the Police Department and Department of Traffic and Transportation through the monthly Traffic Workgroup Committee
- ❖ Continued Coordination of Department of Traffic and Transportation, Legal and Chief Innovation Officer on state regulated transportation network companies and car share pilot partnership opportunities.
- ❖ Identification of People Pedal priority projects by the city’s Bike and Pedestrian Citizen’s Advisory Committee

Though the ordinance language is specific to the prohibition of motorized scooters, staff remains interested in fulfilling the recommendations in the 2016 Rethink Folly Road Plan, 2017 Plan West Ashley, 2018 Citywide Transportation Plan, and 2019 Parking Study to identify ways to

ensure the right of way welcomes the appropriate collection of transportation modes through complete streets. The opportunities to explore a pedal-assist system, increased TNC/rideshare options and integration of micromobility to compliment projects like the Lowcountry Bus Rapid Transit system should be a part of broader efforts to prioritize the movement of people. The Holy Spokes bike share led by Gotcha Group is one of those examples. Launched in May 2017, it now boasts 28,000 members and over 111,000 miles traveled on an average trip of 2 miles per ride.

As Charleston is a member city of the National Association of City Transportation Officials, staff referenced their most recent policy guidelines for the “Regulation and Management of Shared Active Transportation” released on July 2018. The guidelines were clear that “as cities look to manage Shared Active Transportation, they need to be clear on where and when company goals align with public benefits and to carefully define the terms of success.” The 17 cities referenced that welcomed scooters and other micro-mobility options had common threads in policy, staffing, design standards, and budget that Charleston is still aiming to make strides in:

- ❖ Multimodal transportation prioritized in local municipal budget via Capital Improvements Program, parking revenue, bond funds and/or local sales taxes.
- ❖ Staff identified in a Department of Transportation or Public Works to oversee implementation of multimodal plans, micro-mobility operations, and/or roadway safety priorities
- ❖ Proper accommodations for alternative modes of transportation within the public of the right-of-way using complete streets standards as outlined in updated design guidelines ie AASHTO 7th Edition “Green Book,” NACTO Urban Street Design, FHWA Guidebook for Measuring Multimodal Network Connectivity.

It is the recommendation of the Department of Traffic and Transportation that as the need to maximize our existing street network grows, City Council be judicious in its assessment of micromobility/shared active transportation, micro-transit and transportation network companies as viable options in addressing the citizen’s concerns regarding equitable accessibility, safety and connectivity for all people throughout our city.



Ratification  
Number \_\_\_\_\_

## A N O R D I N A N C E

TO AMEND THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, CHAPTER 19, SECTIONS 91 AND 92 TO PROHIBIT THE RENTAL, OFFER FOR RENTAL, AND THE USE OF RENTED MOTORIZED SCOOTERS ON THE PUBLIC RIGHT-OF-WAY.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS IN THE CITY COUNCIL ASSEMBLED:

**Whereas**, on September 18, 2018, the City of Charleston's City Council adopted an ordinance prohibiting the use, rental, offer for use, or make available to patrons a motorized scooter for the purpose of using it on a public right-off-way.

**Whereas**, the above mentioned ordinance was set to expire on September 18, 2019, but was extended by City Council at their September 10, 2019 meeting for an additional sixty days to allow the City to draft and introduce an ordinance based upon the City's findings gathered from the one-year study period.

**Whereas**, the study period is set to expires on November 9, 2019, and it is the intent of the Traffic and Transportation Committee and the City Council to prohibit the rental and use of motorized scooters within the City of Charleston until such time that the City's right of way infrastructure can safely accommodate such a mobility apparatus.

**Section 1.** Chapter 19, Article V, Section 91 of the Code of the City of Charleston is hereby amended by deleting the following stricken phrases, which shall read as follows:

**"Sec. 19-91. - Regulation of use of roller skates, in-line skates, toy scooters, coasters, and motorized toy vehicles, and motorized scooters.**

**(A) Roller skates, in-line-skates, toy scooters, coasters, and motorized toy vehicles.**

(a) It shall be unlawful for any person upon roller skates, in-line skates, or any coaster, toy scooter, motorized toy vehicle or other similar device to:

(1) Go upon any roadway designed for vehicular traffic posted more than twenty-five (25) miles per hour except while crossing a street at a crosswalk;

(2) Use these devices in a city-owned or leased parking garage or surface lot;

(3) Unless designated otherwise, use these devices upon a city-owned or leased athletic field or tennis court;

(4) Unless designated otherwise, go upon any sidewalk or roadway in a school overlay zone or in a commercially zoned area on the peninsula as delineated on the zoning map of the city and as the zoning map may hereafter be amended by the ordinances of the city;

(5) Use these devices in a reckless manner. Persons operating these devices on a sidewalk shall exercise due care for the safety of others using the sidewalk and yield the right-of-way to pedestrians; or

(6) Operate these devices in a manner which causes damage to public or private property.

(b) For purposes of this section a motorized toy vehicle shall mean any toy vehicle which is powered by a twelve-volt battery and when operated at full throttle does not exceed fifteen (15) miles per hour. Any scooter, motorized toy vehicle, coaster, or other similar device which can be operated at a speed greater than fifteen (15) miles per hour shall not be operated on a public sidewalk.

#### B) Motorized Scooters

(a) It shall be unlawful for any person to operate a motorized scooter, other than a motor scooter owned by that individual, to go:

(1) Upon any roadway designed for vehicular traffic;

(2) Upon any public sidewalk;

(3) In a city-owned or leased parking garage or surface lot;

(4) Upon a city-owned or leased athletic field or tennis court;

(b) It shall be unlawful to use a motorized scooter on private property in a reckless manner. Persons operating these devices on private property shall exercise due care for the safety of others using the property and yield the right-of-way to pedestrians or other vehicular traffic.

(c) It shall be unlawful to rent, offer for rent, or make available for rent a motor scooter for the use on a public right-of-way.

(d) Any motor scooter left physically unattended on the public property may be removed and held by the city for twenty-four (24) hours. A confiscated motorized scooter shall be released upon proof of ownership and payment of a forty-five dollar (\$45.00) fee for removal and storage. Motorized scooters held for over twenty-four (24) hours may be disposed of by discarding.

donation, auction, or any other manner deemed appropriate by the city. The city shall bear no responsibility to a motorized scooter owner or operator for loss of or damage to a confiscated motor scooter, including any chain or locking mechanism. in its enforcement of this section.

(e) For purposes of this section a motorized scooter shall mean a two-wheeled or three wheeled device that has handlebars, a floorboard that is designed to be stood upon when riding, and is powered by a motor.

(C) Any person found in violation of this ordinance shall be guilty of a misdemeanor and upon conviction, shall be subject to a maximum fine of fifty dollars (\$50.00).

**Section 2.** Chapter 19, Article V, Section 92 of the Code of the City of Charleston is hereby repealed in its entirety.

**Section 3.** This Ordinance shall become effective November 8, 2019.

Ratified in City Council this \_\_\_\_\_ day of \_\_\_\_\_ in  
the Year of Our Lord, 2019, in the \_\_\_\_\_ Year of  
Independence of the United States of America.

By:

\_\_\_\_\_  
John J. Tecklenburg,  
Mayor, City of Charleston

ATTEST:

\_\_\_\_\_  
Vanessa Turner Maybank  
Clerk of Council

City of Charleston Bicycle and Pedestrian Advisory Committee

Memorandum

To: City of Charleston Traffic & Transportation Committee of Charleston City Council

From: Bicycle and Pedestrian Advisory Committee

Date: September 19, 2019

Subject: Complete Streets Budget Requests, FY 2020+

After careful consideration and review of the below facts and others, the City of Charleston Bicycle and Pedestrian Advisory Committee recommends more investment, above and beyond the institution of policy, in order to protect our city’s vulnerable road users and advance safe infrastructure and route options. We request the following non-prioritized list be included in the City of Charleston’s budget on an annual basis, beginning in Fiscal Year 2020:

- a dedicated line item for sidewalk projects in the Department of Public Works mirroring the city of Greenville’s Neighborhood Sidewalk Targeted Expansion Program (NSTEP)
- continue to fund the line item for People Pedal CHS implementation in the Department of Traffic & Transportation FY 2020 budget
- a dedicated line item for the hiring and employment of a Multimodal Safety Programs Manager in the Department of Traffic & Transportation FY 2020 budget
- dedicated funding for the Ashley River Bicycle and Pedestrian Bridge project (and when complete, this funding would shift to address the City of Charleston’s jurisdictional portions of the North Bridge, James Island Connector, and Wappoo Cut Bridge)
- dedicated funding for design and implementation of the Lowcountry LowLine project

In August 2008, Charleston City Council adopted a Complete Streets Policy, recognizing that, “streets are our most prominent public spaces and great streets must achieve a balance between mobility needs, adjoining land uses, environment and community interests” as well as asserting that, “the City of Charleston is committed to creating thoroughfares that safely accommodate all modes of transportation including bicyclists, pedestrians, public transit and motorized vehicles in a manner sensitive to the context of the neighborhood.” Since the passage of the City of Charleston’s Complete Streets Policy, our region has become mired in a public health crises, experiencing increasing numbers of injuries and fatalities of people on bikes and foot each year.

From 2008-2017:

- 49,340 people across the nation were killed by motorists while walking—more than 13 people per day, or one person every hour and 46 minutes;
- South Carolina reported 9,149 crashes involving pedestrians—an average of 1,016 per year;
- South Carolina’s 6th Congressional District was the third most dangerous in the nation for people on foot, with 270 pedestrian fatalities;
- South Carolina’s number of reported pedestrian crashes has been trending upward, increasing by 4%;
- African-Americans on foot in South Carolina are disproportionately impacted by crashes and were 1.9 times more likely to be a victim of a pedestrian crash than whites or Latinos;
- The Berkeley-Charleston-Dorchester Council of Governments holds the second highest rate of bicycle and pedestrian crashes among South Carolina MPOs;

- The majority of reported bicycle and pedestrian crashes and injuries in the state occurred in Charleston County.

Additionally, in less than a decade, at least thirteen people have been severely injured or killed while walking or biking on the Ashley River Bridges, the Wappoo Cut Bridge, the James Island Connector, or the North Bridge. In the past five years alone, at least 99 bicycle or pedestrian crashes occurred within a one-mile radius of the Ashley River Bridges.

**Bicycle and Pedestrian Advisory Committee Members:**

Councilmember Michael Seekings (Council Co-Chair)

Councilmember James Lewis

Matthew Moldenhauer, Planner, Charleston County Parks and Recreation Commission (Citizen Co-Chair)

Marijana Boone, citizen at large (Vice Chair)

Karl Brady Jr., Director of Development, The Salvation Army

William “Rusty” Griffith, Founder & CEO, Peloton Partners

Dr. David Lewin, Director, Gastrointestinal Pathology, MUSC

Nina Magnesson, Catalyst for Citizenship & Social Innovation, Boomtown

Fatima Sakarya, Paralegal, Healthcare Trust of America, Inc

Katie Zimmerman, Executive Director, Charleston Moves

Stephen Zoukis, CEO, Raven Cliff Co.