

Chapter 126 - TRAFFIC

ARTICLE I. - IN GENERAL

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10:1c. - Definitions.

Words and phrases used in this chapter shall have their usual and customary meaning, provided, however, that all words defined in the Michigan Vehicle Code shall have the meaning specified therein; provided, further, that the following words and phrases shall have the meanings respectively ascribed to them in this section as follows:

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(15) Personal mobility vehicle is any vehicle intended to carry no more than two persons abreast, that is not a motor vehicle or trailer required to be registered by the state of Michigan, that weighs less than 175 pounds, and that is propelled either by the power of a person riding or by the power of a person riding in combination with a single or multiple electric motors capable of speeds no greater than 20 mph.

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**Commented [RM1]:** Definition here is different than state law.

ARTICLE VIII. - MISCELLANEOUS RULES

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10:90. - Vehicles shall not be driven on a sidewalk.

The driver of a vehicle that is not a personal mobility vehicle shall not drive upon or within any sidewalk area except at a driveway, unless he shall first obtain the written permission of the Chief of Police or the project management unit manager.

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10:97. - Clinging to vehicles.

No person riding upon any ~~bicycle, motorcycle, motor-driven cycle, coasting wagon, sled, roller skates,~~ personal mobility vehicle, or any toy vehicle shall attach the same or himself to any vehicle upon any street or highway.

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**Commented [HR2]:** With the exception of motorcycle, wouldn't these all fall under our new definition of personal mobility vehicle?

ARTICLE XII. - MOTORCYCLES AND MOTOR-DRIVEN CYCLES

10:145. - Reserved.

10:146. - Bicycle lanes; bicycle paths.

(1) As used in this section title:

**Commented [RM3]:** This is an odd title for the Article; consider revising.

- (a) "Bicycle lane" means a portion of a roadway that is established for the use of persons riding bicycles or personal mobility vehicles.
- (b) "Bicycle path" means a portion of a street or highway that is separated from the roadway by an open, unpaved or paved space or by a barrier and that is established for the use of persons riding bicycles or personal mobility vehicles.
- (2) A person shall not operate a vehicle on or across a bicycle path or a bicycle lane, except:
  - (a) At the point of turning into or leaving property adjacent to the roadway; or
  - (b) At the point of turning onto another public or private roadway at an intersection; or
  - (c) At the point of changing lanes on a roadway; or
  - (d) If the vehicle is a bus that is taking on or discharging passengers; or
  - (e) If the vehicle is being operated for the purpose of providing a city service; or
  - (f) If the vehicle is a personal mobility vehicle, as defined in this title.
- (3) A person shall not park a vehicle on a bicycle path or on a bicycle lane, except:
  - (a) Where parking is permitted by official signs; or
  - (b) If the vehicle is a bus that is taking on or discharging passengers; or
  - (c) If the vehicle is being operated for the purpose of providing a city service.

(4) Notwithstanding any other provision of this section, a person ~~is~~ shall not operate a vehicle that is not a personal mobility vehicle on or across a bicycle lane that is protected by bollards, stanchions, or barriers of any kind.

10:147. - Reserved; Safety; sidewalks; pedestrians; impoundment.

(1) A person operating a personal mobility vehicle on a sidewalk or a pedestrian crosswalk shall yield the right-of-way to pedestrians and shall give an audible signal before overtaking and passing a pedestrian.

(2) A person shall not operate a personal mobility vehicle upon a sidewalk or a pedestrian crosswalk, or in any other place or manner prohibited by a traffic control device or order.

(3) A person operating a personal mobility vehicle upon a sidewalk or a pedestrian crosswalk has the same obligations as a pedestrian doing the same.

(x) A person operating a personal mobility vehicle on a sidewalk shall not exceed a speed of 7 mph.

(4) Absent a city contract or franchise, and subject to the remainder of this section, a person may park a personal mobility vehicle only in the manner that would be lawful for a bicycle.

(5) A person shall not park a personal mobility vehicle in a manner inconsistent with this title or in any manner that would permit its seizure and impoundment.

**Commented [RM4]:** This is MCL 257.660, word for word. We therefore do not need it unless it's because of differences between PMV as defined here and the MVC's definitions, which are slightly different.

**Commented [RM5]:** Once we're in streets and highways, I'm wary of regulating things differently than we do under the MVC.

**Commented [HR6]:** Rationale: 7mph is consistent with a jogging speed and I think this would address people's concerns over riding too fast on the sidewalk. I don't want to outright prohibit personal mobility vehicles so as to avoid the unintended consequences (prohibit bicyclists (all ages), scooters, hoverboards, segways, skateboards from riding on ANY sidewalk in the City). Keep in mind, much of the City does not have bikelanes and I suspect we don't want skateboards (for example) riding down the middle of Washtenaw.

**Commented [HR7]:** Is this actually defined in City Code? I did a quick search and couldn't find bike parking regulations.

**Commented [HR8R7]:** There is a section of the MVC related to bike parking. There is a notable lack of language about locking to a tree or street furniture

(6) An individual may park a personal mobility vehicle on a highway or street at any location where parking is allowed for motor vehicles, may park at any angle to the curb or the edge of the highway, and may park abreast of another personal mobility vehicle.

(7) Absent a city contract to the contrary:

(a) Any personal mobility vehicle left or parked in a street, as defined by section 1:8 of the Code, may be seized and impounded by the city if: (i) it impedes the flow of vehicular, or any other, traffic, (ii) is parked inconsistent with any city ordinance, resolution, sign, traffic control device, or traffic control order, (iii) remains left for more than 4 hours, (iv) is left by a person arrested or otherwise detained by city police, or (v) appears to a reasonable person to be stolen.

(b) Any impounded personal mobility vehicle may be recovered only upon presentation of proof of ownership of the personal mobility vehicle and upon payment of fees set by the City Administrator.

(8) After a personal mobility vehicle is impounded, if the city knows the identity of its owner and the owner's address, the city shall, within a reasonable time, give that owner written notice of the impoundment at his or her last known address.

(9) The city may sell, or otherwise dispose of, any impounded personal mobility vehicle if such vehicle remains unrecovered more than 1 month after its impoundment. Any sale shall conform to section 1:64, Chapter 4, Title I of the Code of the City of Ann Arbor.

(10) A person operating a personal mobility device, shall not carry any article that impairs or prevents the person's control of the vehicle.

(11) A person riding a personal mobility vehicle on a street or highway shall be granted all of the rights, and shall be subject to all of the duties, applicable to the driver of a vehicle under this code and state law.

(x) The City Council may by resolution designate locations and times at and during which personal mobility vehicles may not be operated. The restrictions contained in any such resolution shall be posted on signs within the area designated by the resolution.

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10:149. - Skateboards.

The City Council may by resolution designate locations and times at and during in which skateboards that are not vehicles may not be operated on sidewalks or other public property. (See Resolution R 412-7-88). The restrictions contained in any such resolution shall be posted in signs within the area designated by the resolution. No person shall operate a skateboard contrary to the

**Commented [RM9]:** We should discuss approach here. What ultimately are we trying to accomplish, when considered alongside our licenses?

**Commented [RM10]:** MVC bans mopeds and low speed vehicles and commercial quadricycles on sidewalks. To whatever extent these are PMVs, we'd purport to allow them. What's the intent?

**Commented [RM11]:** I thought we'd agreed to get rid of these revisions, but cannot confirm it from my notes. Please advise. Also, we should consider whether we truly want to create uniform treatment across the board for bicycles and PMVs. We've created a definition of PMVs that includes bicycles. Do we want to ensure that all provisions pertaining to bikes (both that provider bicyclists rights and impose duties) also apply to PMV operators? See e.g. Chapter 126, Article II, Section 10:18, Article XIII, Section 10:152, Chapter 127,

**Commented [HR12R11]:** My read of the PMV definition is that it would include skateboards. If this is correct, then this skateboard section seems unnecessary. As such, I reflected a truncated version of this language above. Note: including such language would allow City Council to address concerns raised by Art Fair to prohibit scooters through the Fair.

**Commented [RM13]:** I thought we'd agreed to get rid of these revisions, but cannot confirm it from my notes. Please advise. Also, we should consider whether we truly want to create uniform treatment across the board for bicycles and PMVs. We've created a definition of PMVs that includes bicycles. Do we want to ensure that all provisions pertaining to bikes (both that provider bicyclists rights and impose duties) also apply to PMV operators? See e.g. Chapter 126, Article II, Section 10:18, Article XIII, Section 10:152, Chapter 127,

**Commented [HR14R13]:** My read of the PMV definition is that it would include skateboards. If this is correct, then this skateboard section seems unnecessary. As such, I reflected a truncated version of this language above (though I'm not convinced it is a good idea).

terms of the resolution. A police officer apprehending a person for violating this section may impound the skateboard. The skateboard shall be released by the Police Department only after payment of the fine and costs and upon proper identification. Persons 18 years of age or older must produce proof of payment of the fine and costs and proof of proper identification. Persons under the age of 18 must produce proof of payment of the fine and costs and must appear at the Police Department with a parent or guardian; however, if no such parent or guardian resides in the city, the owner of the skateboard must provide a letter from a parent or guardian requesting that it be released.

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**Commented [HR15]:** Delete this section

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