

City of Philadelphia



(Bill No. 160008)

AN ORDINANCE

Amending Title 12 of The Philadelphia Code, entitled “Traffic Code,” to provide requirements regarding the safe operation of self-propelled mobility devices and to provide for enforcement and penalties, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 12 of The Philadelphia Code is hereby amended to read as follows:

TITLE 12. TRAFFIC CODE.

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CHAPTER 12-100. GENERAL PROVISIONS.

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§12-102. Definitions.

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(16.1) Self-Propelled Mobility Device. A self-balancing two non-tandem-wheeled device or a self-balancing one-wheeled device, designed to transport only one person with an electric propulsion system. This term includes, but is not limited to, hoverboards and one-wheeled electric transporters. This term does not include: (i) self-propelled wheelchairs; (ii) electrical mobility devices, operated and designed for the exclusive use of persons with mobility related disabilities; or (iii) electric personal assistive mobility devices (“EPAMDs”), regulated under the Pennsylvania Vehicle Code, 75 Pa.C.S. §101et seq.

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CHAPTER 12-3300. SELF-PROPELLED MOBILITY DEVICES.

§ 12-3301. Operating Requirements.

(1) A child under twelve (12) years of age shall not operate a Self-Propelled Mobility Device unless:

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(a) The child is wearing a pedalcycle helmet that meets the requirements of Section 3510 of the Pennsylvania Vehicle Code, the Act of July 19, 1991, P.L. 88, as amended, 75 Pa.C.S. § 3510, (relating to pedalcycle helmets for certain persons); and

(b) The child is wearing protective knee pads, elbow pads and wrist guards.

(2) Subsection (1)(a) (helmet requirement) shall not apply to any child under twelve (12) years of age who can produce a statement from the family's church or other religious authority, attesting that it is against the tenets of the family's religion to wear a helmet.

§ 12-3302. Enforcement and Penalties.

(1) Notices of violation shall be issued by police officers or any other person authorized to enforce ordinances, pursuant to the procedures set forth in Section 1-112 of this Code. The amount required to be remitted in response to a notice of violation is twenty-five (25) dollars. Contested charges shall be resolved, penalties shall be imposed, and payments shall be collected and processed by the Director of Finance and the Office of Administrative Review (or such other office as the Director of Finance shall designate).

(2) Any person who violates Section 12-3301(1) shall be subject to a civil penalty not to exceed three hundred (300) dollars. The parent, legal guardian or adult legally responsible for a child in violation of Section 12-3301(1) shall be jointly and severally liable with the child for the amount of the fine imposed. Any police officer or other person authorized to enforce ordinances, who finds a minor in prima facie violation of the provisions of Section 12-3301(1), shall obtain information from such minor as to his or her name and address, age and the identity of the minor's parent, guardian or other custodian.

SECTION 2. This Ordinance shall take effect 30 days after it becomes law.

Explanation:

Italics indicate new matter added.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on February 25, 2016. The Bill was Signed by the Mayor on March 8, 2016.

A handwritten signature in cursive script, reading "Michael A. Decker".

Michael A. Decker
Chief Clerk of the City Council