



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 041002

Introduced November 18, 2004

Councilmember DiCicco

**Referred to the
Committee on Streets and Services**

AN ORDINANCE

Amending Title 12 of The Philadelphia Code, entitled "Traffic Code," by adding a new Chapter regulating the use and operation of Electric Personal Assistive Mobility Devices and by making conforming amendments to other sections of the Title, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

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

TITLE 12. TRAFFIC CODE.

* * *

§12-102. Definitions.

* * *

(20) "*Electric Personal Assistive Mobility Device*" or "*EPAMD*". *A self-balancing two-nontandem-wheeled device designed to transport only one person with an electric propulsion system. This term does not include self-propelled wheelchairs or electrical mobility devices operated and designed for the exclusive use of persons with mobility related disabilities.*

* * *

§12-700. [RESERVED]. *Electric Personal Assistive Mobility Device Regulation and Penalties.*

§12-701. *Operation on Streets.*

(1) *Every person operating an EPAMD upon a street shall have all the rights and shall be subject to all of the duties applicable to a vehicle operator under the provisions of this Title and The Vehicle Code.*

City of Philadelphia

BILL NO. 041002 continued

§12-702. Operation on Sidewalks.

(1) No person shall operate an EPAMD upon a sidewalk within a business district, as such district is defined in The Vehicle Code.

(2) No person shall operate an EPAMD upon a sidewalk in the following areas:

(a) Center City, bounded by Spring Garden Street, South Street, the Delaware River, and the Schuylkill River;

(3) No person shall operate an EPAMD upon a sidewalk at a speed in excess of five miles per hour.

(4) Whenever any person is operating an EPAMD upon a sidewalk, such person shall yield the right-of-way to any pedestrian.

(5) Notwithstanding the provisions of Section 12-811 of this Chapter, the penalty for violation of this Section shall be a fine of \$300, together with the costs of prosecution.

(6) This Section does not prohibit the operation of an EPAMD by a person with a mobility related disability.

(7) The parent, legal guardian, or other adult legally responsible for any child under the age of eighteen (18) years who violates this Section shall also be in violation of this Section.

§12-703. Parking and Stopping of EPAMDs.

(1) No person shall park or stop an EPAMD upon a street other than against the curb.

(2) No person shall park or stop an EPAMD upon the sidewalk in such a way as to restrict the pedestrian path to less than 48” or one-half the sidewalk width, whichever is greater.

(3) Any person violating this Section shall be liable for payment of fines, costs and additional fees prescribed and assessed in accordance with the provisions of Chapter 12-2800 of this Title.

* * *

§12-2809. Civil Penalties and Costs.

* * *

(2) Any person violating the following provisions of Title 12 shall, upon a final finding of liability pursuant to this Chapter 12-2800, be liable for payment of the Civil penalty indicated, in addition to the costs and fees set forth in subsection 12-2809(1):

Code Provision	Violation Description	Penalty
12-703 (1)	EPAMD Illegal Stopping or Parking in Street	\$50.00

City of Philadelphia

BILL NO. 041002 continued

<i>12-703 (2)</i>	<i>EPAMD Illegal Stopping or Parking on Sidewalk</i>	<i>\$50.00</i>
<i>12-807(1)</i>	<i>Bicycle Illeg. Parking</i>	<i>\$15.00</i>

* * *

SECTION 2. This Ordinance shall take effect immediately.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate matter added.

City of Philadelphia

BILL NO. 041002 continued