

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	June 7, 2021
Action Required:	Approval of Ordinance Change
Presenter:	Jason Vandever, City Treasurer
Staff Contacts:	Jason Vandever, City Treasurer Amanda Poncy, Bicycle and Pedestrian Coordinator
Title:	Electric Power-Assisted Bicycle License Change

Background:

In 2005 City Council passed an ordinance requiring any city-resident owner of a moped, electric personal-assistive mobility device, or electric power-assisted bicycle to purchase an annual license from the City of Charlottesville to operate such device. The license price was set at \$25 a year. The relevant code section is Section 15-39.

Discussion:

While staff believes the annual license requirement for mopeds is still a valuable tool for enforcement, the license for electric personal-assistive mobility devices and electric power-assisted bicycles seems unnecessary and outdated. Additionally, there is no mechanism for enforcement, as the purchase of electric powered mobility devices and e-bikes is not reported to DMV or the City. Moped owners are required to title and register their vehicle at DMV, and the City license fee is paid in lieu of personal property tax.

Removing the licensing restriction for e-bikes and mobility devices would encourage the use of e-bikes and decrease the cost and burden of ownership for City residents. Removing this registration requirement would also remove any burden for law enforcement officers to try to enforce this regulation by having to stop e-bike riders on City streets to verify registration.

Staff is recommending an amendment to the City ordinance to remove the requirement for residents to license electric power-assisted bicycles and personal assistive mobility devices (these devices are defined as a self-balancing two-nontandem-wheeled device).

Alignment with City Council's Vision and Strategic Plan:

This proposal aligns with the following City Council Strategic Plan Goals:

- 3.3 Provide a variety of transportation and mobility options
- Goal 2: Healthy and Safe City

Community Engagement:

This issue was raised by several residents concerned about how the current ordinance was being enforced. After reviewing the ordinance, input was solicited from the City's Traffic Engineering Division, Police Department, Bicycle and Pedestrian Coordinator, and the Bicycle & Pedestrian Advisory Committee.

Budgetary Impact:

None. No revenue is currently being collected for e-bike registrations.

Recommendation:

Approval of the ordinance change.

Alternatives:

Council could elect to decline approval of a change at this time.

Attachments:

Proposed ordinance change.

**AN ORDINANCE
AMENDING AND REORDAINING SECTION 15-39
OF ARTICLE II OF CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC)**

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Section 15-39 of Article II of Chapter 15 of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained, as follows:

ARTICLE II – LOCAL VEHICLE LICENSE

Sec. 15-39. - License required for mopeds, mobility devices, etc.

- (a) On or after August 1, 2005, it shall be unlawful for the city-resident owner of any moped,~~electric personal-assistive mobility device, or electric power-assisted bicycle~~ to operate such vehicle or device, or permit its operation, unless the vehicle or device is currently licensed pursuant to the provisions of this section. For the purposes of this section the terms *moped*,~~*electric personal assistive mobility device*~~, ~~and *electric power-assisted bicycle*~~ shall mean and refer to the vehicles defined by ~~these~~ such terms within § 46.2-100 of the Virginia Code. Any such vehicles operated or parked on any city street and not displaying a current, valid license plate, sticker or decal issued by the city shall be reputably presumed to be operated in violation of this section. This licensing requirement shall not apply to any vehicles or devices owned by the city and operated by a public safety officer.