MEMORANDUM

Agenda Item No. 11(A)(21)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	March 8, 2016
FROM:	Abigail Price-Williams County Attorney	**SUBJECT:**	Resolution directing the County Mayor to prepare proposed regulations for the operation of electric personal assistive mobility devices (such as Segways or Hoverboards) on roads, streets, sidewalks and bicycle paths under the County's jurisdiction and County-owned facilities used by the public; and provide a report to the Board with proposed regulations within 90 days

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Juan C. Zapata.

Abigail Price-Williams
County Attorney

APW/smm

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MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: March 8, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(21)

Please note any items checked.

_____ "3-Day Rule" for committees applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Statement of social equity required

_____ Ordinance creating a new board requires detailed County Mayor's report for public hearing

✓ No committee review

_____ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve

_____ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(21)
3-8-16

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PREPARE PROPOSED REGULATIONS FOR THE OPERATION OF ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES (SUCH AS SEGWAYS OR HOVERBOARDS) ON ROADS, STREETS, SIDEWALKS AND BICYCLE PATHS UNDER THE COUNTY'S JURISDICTION AND COUNTY-OWNED FACILITIES USED BY THE PUBLIC; AND PROVIDE A REPORT TO THE BOARD WITH PROPOSED REGULATIONS WITHIN 90 DAYS

WHEREAS, the use of electric personal assistive mobility devices, such as Segways or Hoverboards, has become increasingly popular as a means for pedestrian residents and visitors of Miami-Dade County to navigate through roads, streets, sidewalks and bicycle paths in public spaces and areas; and

WHEREAS, in an ever-growing dense, urban and congested environment, where County pathways and sidewalks are shared by walkers, runners, cyclists, skaters and Segway/Hoverboard users, it is imperative that this Board and County government explore policies and regulations that promote public safety while respecting our residents' and visitors' decisions on how they best enjoy navigating through our pathways and sidewalks; and

WHEREAS, Florida Statutes § 316.2068(5) provides that "[a] county or municipality may regulate the operation of electric personal assistive mobility devices on any road, street, sidewalk, or bicycle path under its jurisdiction if the governing body of the county or municipality determines that regulation is necessary in the interest of safety"; and

WHEREAS, Florida Statutes § 316.008(7) provides that a county may enact an ordinance to permit, control, or regulate the operation of electric personal assistive mobility devices on sidewalks or sidewalk areas such as establishing a speed limit; and

WHEREAS, this Board also wants to explore policies and regulations defining the operation of electric personal assistive mobility devices in County-owned facilities open to and used by the public; and

WHEREAS, other local governments in Florida including the City of Miami Beach have enacted ordinances regulating the use of Segways and/or Hoverboards such as establishing speed restrictions on sidewalks, sidewalk areas and bicycle paths and prohibiting the operation of Segways and/or Hoverboards in certain high congestion areas,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Directs the County Mayor or County Mayor's designee to prepare proposed regulations for the operation of electric personal assistive mobility devices (such as Segways and Hoverboards) on roads, streets, sidewalks and bicycle paths under the County's jurisdiction and in County-owned facilities open to and used by the public. In preparing the proposed regulations, the County Mayor or County Mayor's designee shall analyze and consider the ordinances, regulations and laws of other Florida counties, cities, municipalities and local governments regulating the operation of electric personal assistive mobility devices.

Section 2. Directs the County Mayor or County Mayor's designee to provide a report to this Board within 90 days containing the proposed regulations requested in this resolution and place the completed report on agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Juan C. Zapata. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of March, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA

BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Eduardo W. Gonzalez