

Article 3: Alternative Transportation

Division 4: Electric Personal Assistive Mobility Device Businesses

(“Electric Personal Assistive Mobility Device Businesses” added 9-17-2019 by O-21130 N.S.; effective 10-17-2019.)

§83.0401 Purpose and Intent

It is the purpose and intent of this Division to regulate *electric personal assistive mobility device businesses* in the City of San Diego by requiring a *permit* to operate. These regulations are intended to ensure the protection of public health and safety.

(“Purpose and Intent” added 9-17-2019 by O-21130 N.S.; effective 10-17-2019.)

§83.0402 Definitions

For purposes of this Division, defined terms appear in italics. The following definitions apply to this Division:

Electric personal assistive mobility device or EPAMD has the same meaning as in *Vehicle Code* section 313.

EPAMD business means a *person* who manages, owns, or operates a business that offers for rent one or more *EPAMDs*.

Permit means an official authorization issued by the City of San Diego to an *EPAMD business* under this Division.

(“Definitions” added 9-17-2019 by O-21130 N.S.; effective 10-17-2019.)

§83.0403 Permit Required

It is unlawful for any *person* to own or operate an *EPAMD business* without a *permit*.

(“Permit Required” added 9-17-2019 by O-21130 N.S.; effective 10-17-2019.)

§83.0404 Application for Permit

(a) Each *EPAMD business* shall submit a *permit* application containing, at a minimum, the following:

- (1) the *EPAMD business*’ name and business address;
- (2) proof of a valid Business Tax Certificate issued in accordance with Chapter 3, Article 1 of this Code;
- (3) proof of insurance naming the City of San Diego, its officers, and employees, as an additional insured in the form and amounts established by the City Manager; and

- (4) an agreement to indemnify, defend, and hold the City of San Diego, its officers, and employees harmless from claims and damages arising out of or related to the activities of the *EPAMD business* under the *permit* or operation of its business within the City of San Diego.
- (b) The City Manager may require other information as part of the *permit* application, as permitted by law.
- (c) All fees must be paid at the time the *permit* application is submitted.
(“*Application for Permit*” added 9-17-2019 by O-21130 N.S.; effective 10-17-2019.)

§83.0405 Issuance and Term of Permit

- (a) All *permit* applications must be accompanied by a non-refundable fee in accordance with the fee schedule established by resolution of the City Council. This fee covers the City of San Diego’s cost of reviewing and processing the *permit*.
- (b) The City Manager shall issue a *permit* upon the *EPAMD business*’ payment of fees required in this Division and the City Manager’s determination that the *permit* application is complete, accurate, and in compliance with this Division.
- (c) The *permit* shall expire on the same day the *EPAMD business*’ Business Tax Certificate expires.
- (d) If the *permit* application is denied, the notification and reasons therefor shall be set forth in writing and shall be sent to the applicant by means of registered mail or certified mail, or shall be hand-delivered to the applicant.
(“*Issuance and Term of Permit*” added 9-17-2019 by O-21130 N.S.; effective 10-17-2019.)

§83.0406 Safety Regulations

- (a) *EPAMD businesses* shall ensure that their riders obey the following rules:
 - (1) conform to the weight specifications recommended by the *EPAMD* manufacturer;
 - (2) only one rider per *EPAMD*;
 - (3) riders under 18 years old must be accompanied by a parent or guardian;
 - (4) not operate an *EPAMD* under the influence of alcohol, drugs, or controlled substances;
 - (5) groups of two or more riders must travel together in a single-file procession.

- (b) *EPAMD businesses* shall ensure that every *person* employed by the business who conducts guided *EPAMD* tours has a valid California driver’s license.
- (c) *EPAMD businesses* shall ensure that their *EPAMDs* are equipped with safety mechanisms as set forth in *Vehicle Code* section 21281.
- (d) *EPAMD businesses* shall inform their riders of the requirements of *Vehicle Code* section 21281.5 prior to riding an *EPAMD*.

(“Safety Regulations” added 9-17-2019 by O-21130 N.S.; effective 10-17-2019.)

§83.0407 Enforcement Authority

In addition to the remedies provided in Chapter 1 of this Code, the City Manager may revoke a *permit* if the *EPAMD business* violates any provision of this Division or the terms of the *permit*.

(“Enforcement Authority” added 9-17-2019 by O-21130 N.S.; effective 10-17-2019.)