



THE CITY OF SAN DIEGO

COUNCIL PRESIDENT PRO TEM BARBARA BRY

FIRST DISTRICT

January 15, 2019

Assemblymember Heath Flora
P.O. Box 942849
Sacramento, CA 94249-0013

RE: Request to Revisit Assembly Bill-2989 Motorized Scooters Rules

Assemblymember Flora:

I respectfully request that you clarify and possibly amend Assembly Bill-2989.

The San Diego City Attorney has advised us that given the passage of AB-2989, the City of San Diego does not have the authority to require scooter riders to wear a helmet. Therefore, I ask that the State Legislature first clarify the intent of AB-2989 in regards to city municipalities. If the intent was to preempt local authority, I am requesting that the State Legislature pass an amendment providing local jurisdictions with the ability to regulate helmet usage.

The key responsibility of state government is to protect the health, safety and well-being of its citizens. On January 1, 2019, Assembly Bill-2989 went into effect and amended previous law¹, which required all users of electric scooters to wear helmets. I find this contradictory to the duty of state officials who are charged with protecting the health and safety of all Californians.

Chief of medical staff at Scripps Mercy Hospital in San Diego, Michael Sise, has publicly stated his serious concerns regarding the use of electric scooters. "Injuries are coming in fast and furious... it is only a matter of time before someone is killed." Similar concerns are shared by Wally Ghurabi, Director of the Nethercutt Emergency Center at UCLA Medical Center, "... if you lose control and get ejected into the air at 15 miles per hour and land on your head in the street, that is enough force to kill you." It is time that we heed the advice of health experts on the frontlines who witness these scooter-related injuries daily.

Thank you for your consideration.

Sincerely,


Council President Pro Tem Barbara Bry

¹ CAL. VEH. CODE § 21235