

## TRAINING BULLETIN

A PUBLICATION OF THE SAN DIEGO POLICE DEPARTMENT

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### TITLE

#### ENFORCEMENT OF BOARDWALK BAN FOR MOTORIZED TRANSPORTATION DEVICES

##### **I. PURPOSE**

To provide enforcement guidelines on the Boardwalk Ban for Motorized Transportation Devices.

##### **II. SCOPE**

This Training Bulletin applies to all sworn members of the Department.

##### **III. BACKGROUND**

Until recently, motorized Shared Mobility Devices (SMD's) such as bicycles and scooters have been permitted to operate on City boardwalks and walkways. On January 28, 2020, the San Diego City Council passed San Diego Municipal Code (SDMC) Section 84.18 which, prohibits the operation of Motorized Transportation Devices on designated City boardwalks, and walkways.

##### Definition:

Motorized Transportation Device (MTD) – Any motorized device used for personal transportation, whether rented or owned, as defined under Section 84.18. This includes, but is not limited to, shared mobility devices in any motorized form, such as electric bicycles, motorized bicycles, and motorized scooters.

It also includes motorized hover boards, motorized hover wheels, motorized hover skates, and motorized unicycles.

### Signage:

Signs posted at the impacted locations prohibit the use of motorized vehicles, scooters, bicycles and devices; however, the SDMC section listed on the signs, Section 84.18(b), is **not** applicable to motor vehicles, motorcycles, or mopeds. Officers citing persons for the use of a motor vehicle, motorcycle, or moped should instead follow the citation issuance guidelines listed in Section V below.

## **IV. PROCEDURES**

### Citation issuance for Motorized Transportation Devices:

Specific SDMC sections have been identified for citation issuance, depending on the type of transportation being used, and the location of its use. It is unlawful for any person to operate an MTD in the locations designated in Section 84.18(b) and officers may cite the following sections:

- 84.18(b)(1) SDMC - Ocean Front Walk & Ocean Boulevard, from the South Jetty to Law Street;
- 84.18(b)(2) SDMC - Bayside Walk, from San Diego Place, to Corona Oriente Road (terminus of Crown Point Park);
- 84.18(b)(3) SDMC - The public walkway on the east side of Mission Bay Park, from De Anza Road, to the South Shores Boat Launch and Park; and
- 84.18(b)(4) SDMC - La Jolla Shores boardwalk, from Avenida De La Playa, north to the terminus of Kellogg Park at its northeast corner.

Violations above may be cited into the San Diego Traffic Court as an infraction, with no appearance time listed.

### Exception:

Section 84.18(c) SDMC provides an exemption for disabled persons as follows:

“The prohibition in section 84.18 shall not apply to any physically disabled person using a *motorized transportation* device in these locations.” This enables disabled persons to operate an MTD such as a mobility scooter at each of the above locations.

### New/Future Devices:

Any newly introduced motorized or electric device; which, is not defined in the California Vehicle Code (CVC), and, whose use is not regulated by the CVC in the above areas, may fall within the definition of a Motorized Transportation Device if it has a motor. Any such device found to be operating in the above

areas is subject to regulation under SDMC Section 84.18(b), sub-sections 1 through 4, and officers should take appropriate enforcement action.

**V. Motor Vehicle, Motorcycle, and Moped Enforcement**

1. Motor vehicles, motorcycles, or mopeds observed operating on any beach, sidewalk, adjacent turf, or on Ocean Front Walk, Bayside Walk, or the La Jolla Shores boardwalk may be cited under section 63.20.7(a) SDMC:

63.20.7(a) SDMC “Driving Vehicles On Beach Prohibited” states:

“Except as permitted by the Director and except as specifically permitted on Fiesta Island in Mission Bay, no person may drive or cause to be driven any motor vehicle as defined in the California Vehicle Code on any beach, any sidewalk or turf adjacent thereto; provided, however, that motor vehicles which are being actively used for the launching or beaching of a boat may be operated across a beach area designated as a boat launch zone.”

Violations of SDMC Section 63.20.7(a) may be cited into the San Diego Traffic Court as an infraction, with no appearance time listed.

2. Motor vehicles, motorcycles, or mopeds observed operating within any public park or plaza, or public beach or beach areas, or on the public walkway on the east side of Mission Bay Park, from De Anza Road, to the South Shores Boat Launch and Park should be cited under section 63.0102(b)(19) SDMC.

63.0102(b)(19) SDMC states in part:

Motorcycles or any other motorized vehicles are prohibited except on roads designated and established for automotive traffic.

Violations of SDMC Section 63.0102(b)(19) may be cited into the San Diego Traffic Court as an infraction, with no appearance time listed.

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If you have any questions concerning the information provided in this bulletin, please e-mail Sergeant Leonard Flake at [lflake@pd.sandiego.gov](mailto:lflake@pd.sandiego.gov).