



## MUNICIPAL TAXATION AND REVEUE ADVISORY COMMITTEE

### RECOMMENDATION #7

#### **Personal Use Vehicles**

**The city should adopt a comprehensive ordinance governing the use personal motor vehicles within the city.**

Such ordinance should:

- require the registration and numbered decaling of each commercially leased or rented motor scooter, motorbike, motorized bicycle, Segway, or Low Speed Vehicle entering and/or operating within the city limits.
- require the owner of each commercially leased or rented vehicle operating within the municipal limits of the City of Cape May to register each vehicle with the City of Cape May. Each said vehicle registration fee will be \$75 per vehicle. The owner of each said vehicle shall provide written instruction to the renter or lessee on the safe and legal operation of the vehicle.
- Require that the operator of said commercially leased or rented motor vehicle shall possess and provide a lease or rental agreement from the owner of the rented or leased vehicle, including instruction for safe and legal operation, and in the case of a LSV shall provide a valid drivers license from any jurisdiction.
- Establish that the rental owner and operator of commercially leased or rented motor vehicle will be subject to fines and penalties for the violation of this ordinance.
- Require that a Cape May resident who owns and/or operates any of these said vehicles for exclusive personal use within the city register for and receive an annual decal indicating "resident owner" at a cost not to exceed the cost of the decal.

#### **Findings**

In 2014, Cape May City passed an Ordinance Amending Chapter 7 of the Cape May City Code permitting the Operation of Low-Speed Vehicles. These LSVs are regulated with the same rules as any motor vehicle. They must possess all the safety provisions of a motor vehicle (seatbelts,

lights, mirrors, blinkers, etc.), be insured and the driver must be licensed. LSVs are street legal on roads with a speed limit of 35 mph or less, which encompasses all the City's roadways.

Since permitting these vehicles, usage within the City has flourished. Users have enjoyed their smaller size, ease of use and parking. The environmental quality of the city also benefits from the increasing use of smaller, cleaner vehicles.

The City should continue to promote their usage. Parking zoning regulations should be evaluated and consider a percentage of LSV sized parking to count toward off-street parking requirements. LSV parking and space sharing should be added in strategic locations around the City's commercial areas.

While adopting Chapter 500.1 in 1997, the Mayor and Council found that the leasing of motor scooters, motor bikes, and motorized bicycles will greatly increase hazards to pedestrians and vehicular traffic in and around the streets and highways of the City, will precipitate noise so as to constitute a nuisance and detract from the peaceful enjoyment of the residents and visitors to the City, and will otherwise create problems involving the health, safety and welfare of the residents and visitors of the City, and deemed it unlawful to lease, bail or rent motor scooters, motor bikes, motorized bicycles, or motorcycles within the City. Council added Segways to this prohibition in 2004. There is no such prohibition for LSV's.

Notwithstanding the prohibition on the rentals of some of these vehicles, their use has flourished through out the city due in large measure to Cape May resident ownership as well the existence of businesses outside of the city whose customers rent the vehicles elsewhere but use them in Cape May. In addition, rented LSV's are increasingly driven or delivered into city for use as a short-term tourist activity. These businesses create a significant burden on the resources of the city without any reasonable compensation for that burden.

The popularity of these vehicles has rapidly become a tourist attraction, unfortunately accompanied by an increased threat to the public safety of both residents and visitors. As the use of the vehicles further expands the public safety resources of the city will be impacted both for the enforcement of laws governing the operation of these vehicles and for emergency medical services for both residents and visitors.