

Ordinance 2023-10

SHORT TITLE:

AN ORDINANCE AMENDING PROVO CITY CODE REGARDING  
MICROMOBILITY DEVICES. CITYWIDE APPLICATION. (23-022)

I  
PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL


DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	KATRICE MACKAY	✓		
CW 2	DAVID SHIPLEY	✓		
CD 1	BILL FILLMORE	✓		
CD 2	GEORGE HANDLEY			Excused
CD 3	SHANNON ELLSWORTH	✓		
CD 4	TRAVIS HOBAN	✓		
CD 5	RACHEL WHIPPLE	✓		
TOTALS		6	0	

This ordinance was passed by the Municipal Council of Provo City, on the 18<sup>th</sup> day of April 2023, on a roll call vote as described above. Signed this 11th day of May 2023

  
\_\_\_\_\_  
Chair

II  
APPROVAL BY MAYOR

This ordinance is approved by me this 11th day of May 2023.

  
\_\_\_\_\_  
Mayor

Ordinance 2023-10

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 22nd day of May 2023 and was published on the Utah Public Notice Website on the 19<sup>th</sup> day of April 2023. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2023-10.



A handwritten signature in cursive script, reading "Heidi Allman", is written over a horizontal line.

City Recorder



47 Provo City Code Sections 9.15.200, 9.32.020, and 9.32.170 are repealed in their entirety.  
48 A new Provo City Code Section 9.32.170 is enacted as set forth in Exhibit A.

49  
50 PART II:

51  
52 A. If a provision of this ordinance conflicts with a provision of a previously adopted  
53 ordinance, this ordinance shall prevail.

54  
55 B. This ordinance and its various sections, clauses and paragraphs are hereby  
56 declared to be severable. If any part, sentence, clause or phrase is adjudged to be  
57 unconstitutional or invalid, the remainder of the ordinance shall not be affected  
58 thereby.

59  
60 C. The Municipal Council hereby directs that the official copy of the Provo City  
61 Code be updated to reflect the provisions enacted by this ordinance.

62  
63 D. This ordinance shall take effect immediately after it has been posted or published  
64 in accordance with Utah Code 10-3-711, presented to the Mayor in accordance  
65 with Utah Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

66  
67 END OF ORDINANCE.

## Exhibit A

### 68 **9.32.170 Micromobility devices**

69

70 (1) (a) Micromobility device means a human-, motor-, or electric-powered transportation  
71 device that is driven by the user personally.

72 (b) Micromobility device includes, but is not limited to, the following as defined in Utah  
73 Code Section 41-6a-102:

74 (i) electric personal assistive mobility device;

75 (ii) electric assisted bicycle;

76 (iii) motor assisted scooter;

77 (iv) moped;

78 (v) bicycle; and

79 (vi) motor-driven cycle.

80 (c) Micromobility device includes, but is not limited to, any device that would be  
81 described in Subsection (1)(b) but for the fact that it is capable of speeds greater than  
82 those set forth in Utah Code Section 41-6a-102 in the relevant definition.

83 (d) Micromobility device includes, but is not limited to, skateboards, roller skates, roller  
84 blades, hoverboards, non-motor-assisted scooters, and any other small, lightweight,  
85 wheeled conveyance that meets the definition in Subsection (1)(a) and is not specifically  
86 excluded in this Section.

87 (e) Micromobility device does not include automobiles, motorcycles, golf carts, manual  
88 or electric wheelchairs, or other such vehicles.

89

90 (2) A person may not operate a micromobility device at a speed greater than 10 miles per hour on  
91 a public sidewalk. A violation of this subsection (2) is an infraction.

92

93 (3) It is unlawful to ride or use a micromobility device on a public street or sidewalk after dark  
94 unless the user is equipped with reflective material of sufficient size and reflectivity to be visible  
95 from both sides for five hundred (500) feet when directly in front of lawful lower beams of head  
96 lamps on a motor vehicle, or in lieu of reflective material, with a lighted lamp visible from both  
97 sides from a distance of at least five hundred (500) feet. "After dark" shall mean one-half (1/2)  
98 hour after sunset.

99

100 (4) It is unlawful to leave a micromobility device obstructing pedestrian travel on the sidewalk,  
101 in a pedestrian crosswalk, or in a roadway except in an area where it would be lawful to park a  
102 motor vehicle.

103

104 (5) Whenever any person is riding a micromobility device, such person shall yield the right-of-  
105 way to any pedestrian and shall give an audible signal before overtaking and passing such  
106 pedestrian.

107

108 (6) A property owner may prohibit micromobility devices generally, specific types of  
109 micromobility devices, and/or specific uses of micromobility devices on the owner's property by  
110 posting signs that give reasonable notice of the prohibited device(s) and/or use(s). It is unlawful  
111 to use a micromobility device on any property contrary to the prohibitions posted by the owner.

112

113 (7) It is unlawful for any company to provide micromobility device rentals for use upon City  
114 streets unless done on behalf of the City pursuant to a contract with the City.

115

116 (8) It is unlawful to operate any micromobility device described in Subsection (1)(c) on city  
117 sidewalks.

118

119 (9) No person shall ride a micromobility device upon a sidewalk contiguous to University  
120 Avenue between 400 North Street and 100 South Street, and on a sidewalk contiguous to Center  
121 Street between 100 East Street and 500 West Street.