

# MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC# **269-2018**

LETTER TO COMMISSION

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: May 15, 2018

SUBJECT: New Enforcement Initiative Re: Motorized Devices

This Letter to Commission (LTC) is prepared to advise the Mayor and Commission of a new enforcement initiative underway by the Police Department regarding certain motorized devices that are operated in the City of Miami Beach in violation of state law. Based on conferral with the City Attorney's Office, the Police Department has concluded that certain newer-style motorized devices (visual examples attached) are not permitted to be operated on city streets or public property in Florida. Many of these devices are routinely rented and ridden throughout the City and South Beach in particular. Members of the Commission are well familiar with complaints we have all received about the manner in which these devices are operated. They have become a public safety hazard.

The new determination that these types of devices are unlawful has resulted in an immediate effort by the Police Department and Code Enforcement to warn the local businesses that are renting such devices to cease and desist from doing so. The warning notice, attached, is being hand-delivered by Code Enforcement personnel to the impacted businesses in Miami Beach this week.

Enforcement by the Police Department will begin this weekend. Drivers of these types of motorized devices will be stopped by our police officers and given a Uniformed Traffic Citation under F.S. 316.605, which governs the licensing of vehicles and requires a proper state Tag/License Plate. Since these motorized devices are ineligible to obtain such a tag, operating such a device is a traffic offense. The motorized devices will be impounded.

This is not the first time the Police Department has engaged in such an effort. Members of the Commission may recall when the triangle-style motorized scooters known as "trikes" used to be operated in Miami Beach. In 2015, the MBPD made a similar determination that those devices were not legal on public streets, engaged in a similar notice and enforcement effort, and eliminated those devices from our city streets.

Chief Oates is prepared to answer any questions Commissioners may have regarding this enforcement effort.

ATTACHMENTS

  
JLM:DJO:tr

MIAMIBEACH  
**POLICE**

Miami Beach Police Department, 1100 Washington Ave, Miami Beach, FL 33139, www.miamibeachfl.gov  
OFFICE OF THE CHIEF OF POLICE  
Tel: 305.673.7925, E-mail: danieloates@miamibeachfl.gov

## NOTICE

RE: Rental of Motorized Scooters and Other Vehicles which must be Registered and Licensed

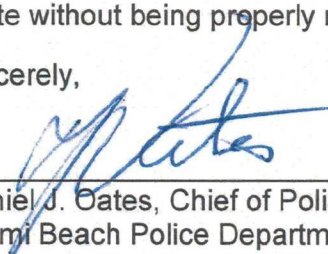
Dear Sir or Madam:

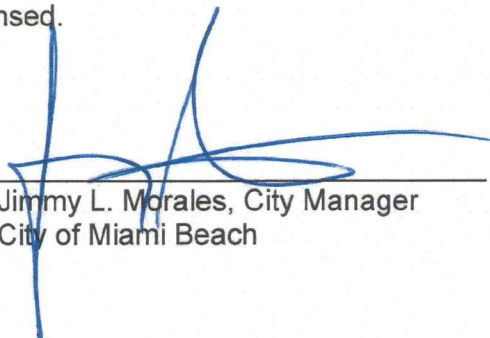
Please be advised that all motorized scooters and other vehicles must be licensed and registered with the State of Florida Department of Highway Safety and Motor Vehicles before being legally operated upon City streets or other public property.

Florida law does not authorize motorized scooters to be registered and licensed and, therefore, they cannot be legally operated on public roadways within the City of Miami Beach. Additionally, any other vehicles you are renting to customers that have not been properly registered or fail to display a license tag are not permitted to be legally operated on public roadways. Furthermore, motorized scooters, and various other motorized vehicles that you are renting, are prohibited on public property including bicycle paths, sidewalks and sidewalk areas pursuant to Section 316.1995 of the Florida Statutes. You and/or your business are legally responsible for any vehicles that are rented for use on the public roadways without having been properly registered and licensed.

This Notice shall serve as formal notification that the City of Miami Beach will take all appropriate enforcement action to ensure that these motorized scooters and other vehicles are properly registered and licensed, in compliance with Florida law, prior to being operated on public roadways. The enforcement may include, but is not limited to, issuing uniform traffic infraction citation(s) for failing to have a registration certificate, or the failure to have the vehicle properly licensed. Furthermore, you (as the owner) may be subject to criminal charges for failure to register these vehicles, if such motorized scooters or other motorized vehicles are operated on the public roadways without being properly registered, and you are also subject to the impoundment of these motorized scooters and vehicles which cannot be legally operated on the public roadways of this State without being properly registered and licensed.

Sincerely,

  
\_\_\_\_\_  
Daniel J. Oates, Chief of Police  
Miami Beach Police Department

  
\_\_\_\_\_  
Jimmy L. Morales, City Manager  
City of Miami Beach

RECEIVED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_





