

February 27, 2024
Delivered via email

To: Mayor, City Council, City Manager, City Clerk

Re: INTRODUCTION OF AN ORDINANCE TO THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING CHAPTER 5 - BICYCLES TO INCLUDE THE OPERATION OF REGULATED MOBILITY DEVICES

Honorable Mayor and City Council,

Thank you for the opportunity to comment on this item. As a regular bike commuter and active member of the Oceanside Bike & Pedestrian Committee, I agree with and support the vast majority of the [ordinance](#) before you. With the rise in ridership of bicycles, ebikes, and other mobility devices, it is important that the municipal code is updated to create consistent rules and regulations for bicycles and mobility devices. However, as written, Section 5.14(e) will create unintended consequences for riders in Oceanside, including forcing them to ride with traffic in dangerous, fast-moving streets that lack adequate bike lanes. I would like to propose language to avoid this unintended consequence.

Section 5.14(e) reads: *No person shall operate or ride a mobility device **upon any sidewalk**, in any public drainage facility, culvert, ditch, channel, or any other public athletic/sports court, or gymnasium in the city.* (emphasis added)

In theory, I agree with this rule and so would the majority of bikers and mobility device users. The problem is that in Oceanside and most of Southern California, the current state of bicycle/mobility device infrastructure does not allow riders to safely ride with traffic in the street at all times.

In Oceanside, for example, there are times when I've been forced onto the sidewalk due to unsafe riding conditions, lack of bike lanes, fast-moving traffic, or all of the above. When these dangers exist, riders must occasionally ride on the sidewalk in order to avoid serious injury or death. This typically occurs in an area with no pedestrians, or at best, an extremely low density of pedestrians. Sidewalks are very much a last resort for responsible riders who obey traffic laws.

To protect the rights of riders concerned with their own safety and well-being in a city whose road network was built solely for automobiles, I would like to propose carveout language to better accommodate the real dangers we face without criminalizing us via a blanket-ban on sidewalk riding. Such language could be added to Section 5.16: Exemptions:

(2) Notwithstanding any other provision of this chapter, the City shall not prohibit the operation of a bicycle or mobility device on a sidewalk adjacent to a highway or corridor that does NOT include a Class I, Class II, or Class IV bikeway, as defined in Section 890.4 of the Streets and

Highway Code. This exemption does not include residential streets with a speed limit of 25mph or less. When riding on a sidewalk, a person shall not operate a mobility device in excess of 10 miles per hour, must ride in the same direction as street traffic, must yield to the right-of-way to any and all pedestrians, and must dismount within 50 feet of pedestrians on any sidewalk less than 5 feet wide.

I believe that this language, or something similar, provides the right balance in protecting the safety of bikers, mobility device operators, pedestrians, and motorists. It offers law enforcement the same tools they need to enforce safety for mobility device users. Please consider making such a change to the ordinance to avoid criminalizing the necessary measures that my fellow riders and I must occasionally take to preserve our lives under very dangerous riding conditions that we are in no way responsible for creating.

Thank you for the opportunity to comment.

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