

**TOWN OF NASHVILLE ORDINANCE NUMBER 2021-03**  
**AN ORDINANCE REGULATING THE USE OF MOTORIZED SCOOTERS AND**  
**THE LICENSING OF SHARED USE MOTORIZED SCOOTERS**

**WHEREAS**, digital technology has enabled the development and use of motorized scooters that provide a transportation option to walking short distances; and

**WHEREAS**, the Town of Nashville has striven to maintain a pedestrian friendly ecosphere; and

**WHEREAS**, the Town of Nashville has a duty to regulate the use of its sidewalks, public parks and pedestrian walkways to maximize the safety of residents and visitors to the Town; and

**WHEREAS**, neighboring cities and towns have seen an influx of shared use motorized vehicles rented by companies such as *Lime* and *Bird* and others that when used in a limited environment such as Nashville's narrow sidewalks and pedestrian walkways create a substantial hazard to their users and to pedestrians; and

**WHEREAS**, the business of renting shared use vehicles is a service business subject to reasonable licensing regulations as are other businesses in the Town;

It is therefore **ORDAINED** as follows:

**1. DEFINITIONS:**

- A. "Motorized Scooter" is hereby defined as a conveyance or device propelled by a motor, not having a seat or saddle for the use of the rider, with one or more wheels in contact with the ground, and with a floorboard for the user to stand upon. The term does not include a device used to aid a person with a disability, including, but not limited to a motorized wheelchair.
- B. "Shared use Motorized Scooter" is hereby defined as a conveyance or device propelled by a motor, not having a seat or saddle for the use of the rider, with one or more wheels in contact with the ground, with a floorboard for the user to stand upon, and that is held out for rent, lease, or otherwise made available for use by members of the public. The term does not include a device used to aid a person with a disability, including, but not limited to a motorized wheelchair.

- 2. OPERATION, WHERE PROHIBITED:** No motorized scooter or shared use motorized scooter shall be operated on any sidewalk, pedestrian walkway or public park.
- 3. ABANDONMENT:** No motorized scooter or shared use motorized scooter shall be left unattended on the streets, alleys, sidewalks or in a public parking area of the Town of Nashville for more than twelve (12) hours. Scooters left in violation of this regulation shall be impounded.
- 4. OPERATION, WHERE PERMITTED:** Motorized scooters and shared use motorized scooters operated on the public streets, alleys, roads, and highways within the Town of

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Nashville shall be subject to the same "rules of the road" and licensing requirements of the State of Indiana (I.C. Title 9) and the Town of Nashville (Title VII, Ch. 70-73, Town of Nashville Indiana Code of Ordinances) as are similar vehicles.

5. **OPERATION, SAFETY:** No motorized scooter shall be operated by a person under the age of sixteen years. All operators and passengers shall wear DOT approved protective headgear.
6. **LICENSING:** The rental of shared use motorized scooters is a service business and shall be subject to the Town of Nashville Business Licensing Ordinance (Title XI, Ch. 110.01-110.08). Each scooter shall be deemed a separate business, identified by a distinct number and display compliance with the licensing requirements of this ordinance.
7. **RENTAL OPERATION:** Shared use motorized scooters shall be rented from a fixed location on private property. The address of the location shall be stated on the business license for each scooter. All scooters shall be returned to this location after use.
8. **PENALTIES:** In addition to the penalties set out in the Traffic Code and Business License Ordinance, violation of this Ordinance shall be punished by a fine not to exceed fifty dollars (\$50) per violation. Each day of violation shall be deemed a separate violation. This ordinance may be enforced by citation.
9. **SEVERABILITY:** If any section, sentence, or provision of this ordinance, or the application thereof to any person, entity or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.
10. **EFFECTIVE DATE:** This ordinance shall be in full force and effect upon passage and publication as required by law.

It is so **ORDAINED** this 17<sup>th</sup> day of JUNE 2021

Prepared by and  
approved for form:  
James T. Roberts  
Town Attorney

Jane Gore yea nay abstain  
President Jane Gore

Vice-President Alisha Gredy yea nay abstain

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APPROVED BY REMOTE ACCESS yea nay abstain  
Council Member Anna Hofstetter

Dave Rudd yea nay abstain  
Council Member Dave Rudd

ATTEST:

Brenda K. Young  
Clerk-Treasurer, Brenda K. Young