



DATE: June 24, 2014

CATEGORY: New Business

DEPT.: Police/Fire

TITLE: **Repeal Chapter 7 of the Mountain View City Code, Bicycle Licensing**

RECOMMENDATION

1. Introduce an Ordinance Repealing Chapter 7 of the Mountain View City Code Relating to Bicycle Licensing, to be read in title only, further reading waived, and set the second reading for September 9, 2014 (Attachment 1 to the Council report).
2. Adopt a Resolution Amending the City of Mountain View Master Fee Schedule to Repeal the Bicycle Licensing Fee, to be read in title only, further reading waived (Attachment 2 to the Council report).

BACKGROUND

California Vehicle Code Section 39002 allows cities to adopt local ordinances to require bicycles be licensed. In 1975, the City Council adopted Chapter 7 of the Mountain View City Code, Bicycle Licensing (Attachment 3), which makes it unlawful for any person to use a bicycle on City streets without first obtaining a license unless a license from another jurisdiction has been obtained.

While the purpose of the ordinance is not clearly defined, the licensing requirement is believed to have been implemented because prior to 1977, bicycles did not have serial numbers and the license was a means to identify lost and stolen bicycles. Since 1977, bicycle manufacturers have been required to place serial numbers on all bikes making bicycle registration through the City obsolete.

The program is administered by the Police and Fire Departments. A bicycle license can be purchased at any of the City's fire stations seven days a week between the hours of 4:00 p.m. and 5:00 p.m. The Fire Department forwards the licensing information to the Police Department where the license and bicycle information is entered into the Police Department's Records Management System. Should a lost or stolen bicycle be recovered, the license information would potentially connect the bicycle to its owner.

The City Code requires a One Dollar (\$1.00) fee for the license. Fees collected for bicycle licenses are deposited into the General Operating Fund. The City purchases bicycle license stickers from the State at a cost of One Dollar (\$1.00) each. With personnel time to process the licenses, the City's cost exceeds the license fee. Fee limits imposed by State law preclude the City from recovering the actual costs of providing the service.

Historically, compliance with the requirement has been minimal. Twelve (12) licenses were issued in 2012, and 67 were issued in 2013. The Police Department anticipates that when corporate bicycle share programs seek to comply with the ordinance, there could be upwards of 2,800 license requests. This represents about 70 hours of staff time to process, and would direct services away from other functions, such as processing crime and collision reports.

ANALYSIS

Police Department staff researched bicycle licensing trends. The cities of Santa Clara, San Jose, and Sunnyvale no longer require licensing. Bicyclist advocacy groups generally oppose bicycle licensing or registration requirements. Some have worked to repeal municipal requirements, such as in San Diego and Los Angeles. Some communities promote voluntary registration through such programs as the National Bicycle Registry. There are various websites that allow bicycle registration online free of charge such as *bicycleregistry.com*, *bikeregistry.com*, and *stolenbikeregistry.com*. Having a voluntary registration through these websites enables the owner to upload photos and keep track of the serial number and the bicycle "identity." It can help the owner quickly file an accurate and detailed police report, enhancing the probability of recovery, as well as file a loss claim with the homeowner's insurance company.

Voluntary registration is a viable alternative to the City's licensing requirement. In addition, eliminating the licensing requirement would not impact the Department's efforts to reunite recovered bicycles with owners through social media websites, and the Department would continue to provide information to the community on bicycle theft prevention. Since bicycles now have unique serialized numbers assigned to them, should there be a theft, the owner can still make a police report of the theft and the bicycle is entered into the State-wide Automated Property System (APS). Any law enforcement agency that comes across a stolen bike will run the bike in APS and can reunite the property with the owner.

FISCAL IMPACT

There would be minimal financial impact to the General Operating Fund. Eliminating the program would result in efficiencies and capacity for other tasks.

CONCLUSION

Bicycle licensing is a dated solution to a problem that no longer exists. Other means are available to identify lost and stolen bicycles, and this program is not cost-effective nor an efficient use of staff time.

ALTERNATIVES

1. Do not repeal Chapter 7 of the Mountain View City Code.
2. Provide other direction to staff.

PUBLIC NOTICING – Agenda posting.

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- Attachments:
1. Ordinance Repealing Mountain View City Code, Chapter 7
 2. Resolution Eliminating Bicycle Licensing Fees
 3. Mountain View City Code, Chapter 7, Bicycle Licensing