

1 **BILL NO. 2005-3**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO MODIFY THE DISCLOSURE REQUIREMENTS FOR MERCHANTS WHO
4 SELL MOTORIZED SKATEBOARDS OR MOTORIZED SCOOTERS, TO REQUIRE
5 MERCHANTS TO MAKE CERTAIN DISCLOSURES IN CONNECTION WITH THE SALE OF
6 MINI-MOTORCYCLES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

6 Sponsored by: Councilman Michael Mack

Summary: Modifies the disclosure requirements
7 for merchants who sell motorized skateboards or
8 motorized scooters, and requires merchants to
9 make certain disclosures in connection with the
10 sale of mini-motorcycles.

9 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
10 AS FOLLOWS:

11 SECTION 1: Title 11, Chapter 70, Section 10, of the Municipal Code of the City of
12 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **11.70.010:** For purposes of this Chapter:

14 "Mini-motorcycle" means a motorcycle whose height is thirty inches or less.

15 "Motorcycle" means a motor vehicle as described in NRS 484.083.

16 "Motorized scooter" means a scooter that is powered by a motor having a maximum piston
17 displacement of less than twenty-five cubic centimeters, or an electric driven motor, and is capable
18 of a maximum speed of no more than twenty-five miles per hour on a flat surface. The term does not
19 include a scooter that is designed or intended by its manufacturer to be used primarily as an assistive
20 device to increase, maintain, or improve the mobility of an individual with a disability or other
21 physical condition that limits or impairs the individual's ability to walk.

22 "Motorized skateboard" means a self-propelled device that has a motor, a deck on which a
23 person may ride and at least two tandem wheels in contact with the ground.

24 SECTION 2: Title 11, Chapter 70, Section 20, of the Municipal Code of the City of
25 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **11.70.020:** It is unlawful for a merchant to sell a mini-motorcycle, motorized skateboard or
27 motorized scooter without making the [disclosures] applicable disclosure required by Sections
28 11.70.030 and 11.70.040.

1 SECTION 3: Title 11, Chapter 70, Section 30, of the Municipal Code of the City of
2 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 **11.70.030:** Any merchant who sells mini-motorcycles, motorized skateboards or motorized
4 scooters within the City shall:

5 (A) Post, in a prominent place at each location where mini-motorcycles, motorized
6 skateboards or motorized scooters are on display, a [notice] disclosure regarding the need to determine
7 and comply with the requirements of State motor vehicle laws [regarding] pertaining to the operation
8 of mini-motorcycles, motorized skateboards and motorized scooters on public streets and sidewalks;
9 and

10 (B) Provide a copy of such [notice] disclosure to each purchaser of a mini-motorcycle,
11 motorized skateboard or motorized scooter, either before or in connection with the purchase.

12 SECTION 4: Title 11, Chapter 70, Section 40, of the Municipal Code of the City of
13 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **11.70.040:** [The notices] The disclosure required by Section 11.70.030 shall be written in both
15 English and Spanish[.] and shall indicate, at a minimum, that mini-motorcycles, motorized
16 skateboards and motorized scooters (as the case may be):

17 (A) May not be operated on a sidewalk;

18 (B) May not be operated on a public street without the appropriate operator's
19 license;

20 (C) May not be operated on a public street, and therefore may be restricted to off-
21 road use only, unless they have certain minimum safety equipment required by law; and

22 (D) Are subject to all State motor vehicle laws that govern the operation of either
23 motorcycles or mopeds.

24 SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or
25 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
26 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
27 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
28 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2005, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2005, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____
9 VOTING "NAY": _____
10 ABSENT: _____

11
12 APPROVED:

13
14 By _____
15 OSCAR B. GOODMAN, Mayor

16 ATTEST:
17 _____
18 BARBARA JO RONEMUS, City Clerk
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