

FILE NO. 98-0804

ORDINANCE NO. 300-98

1 [Skate Transit Pilot Program]

2 AMENDING PART II, CHAPTER XI, OF THE SAN FRANCISCO MUNICIPAL CODE (TRAFFIC
3 CODE), BY AMENDING SECTION 100, WHICH GOVERNS THE USE OF COASTERS, ROLLER
4 SKATES, SKATEBOARDS AND SIMILAR DEVICES, TO REVISE PROVISIONS REGULATING
5 THE USE OF ROLLER SKATES, AND BY ADDING SECTIONS 100.1 TO 100.6, INCLUSIVE, TO
6 REGULATE THE USE OF ROLLER SKATES AND IN-LINE SKATES.

7
8 Note: Additions are underlined; deletions are in ((double parentheses)).

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. Section 100 the San Francisco Municipal Code is hereby amended to read as follows:

11 **SEC. 100. COASTERS, ((ROLLER SKATES,)) SKATEBOARDS AND SIMILAR**
12 **DEVICES, USE OF, RESTRICTIONS.** (a) It shall be unlawful for any person ((upon roller skates
13 or)) riding in or by means of any coaster, skateboard, toy vehicle or other similar device to ((go)) travel
14 upon any sidewalk in any business district(((or upon any roadway within the City and County of San
15 Francisco.

16 (b) It shall be unlawful for any person to operate or ride in or upon a ((roller skate or
17 skates,)) coaster, skateboard, toy vehicle or other similar device upon any roadway or sidewalk within
18 the City and County between the period commencing 1/2-hour after sunset and 1/2-hour before sunrise.

19 (c) Any person ((upon roller skates or)) riding in or by means of any coaster,
20 skateboard, toy vehicle or other similar device upon any roadway or sidewalk shall yield the right-of-
21 way to any pedestrian crossing the roadway within any marked crosswalk or within any unmarked
22 crosswalk at an intersection and shall also yield the right-of-way to any pedestrian approaching on any
23 sidewalk.

24
25

1 (d) ((At)) Any person ((upon roller skates or)) riding in or by means of any coaster,
2 skateboard, toy vehicle or other similar device upon any roadway shall yield the right-of-way to any
3 vehicle approaching upon the roadway.

4 (e) This section shall not apply to roller skates or in-line skates as defined in and under
5 the conditions prescribed in Section 100.1.

6 **SEC. 100.1. ROLLER SKATES, IN-LINE SKATES, USE OF, RESTRICTIONS.**

7 Skating is prohibited upon any sidewalk in any business district within the City and County of San
8 Francisco. Skating is prohibited upon any sidewalk in any non-business district within the City and
9 County of San Francisco between the period commencing 1/2-hour after sunset and 1/2-hour before
10 sunrise. Any skater skating upon any roadway or sidewalk shall yield the right-of-way to any
11 pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an
12 intersection and shall also yield the right-of-way to any pedestrian approaching on any sidewalk.

13 Skating is prohibited upon any roadway within the City and County of San Francisco
14 except as provided in subdivisions (b) and (c) of this Section.

15 (a) Definitions. The following definitions shall apply to the provisions of this Section.

16 (1) “Bike Lane” shall mean a Class II bikeway which is a restricted right-of-way
17 designated by signs or markings, which shall have been posted at the direction of the City and County
18 of San Francisco, or a federal, state, or regional governmental entity, for the exclusive or semi-
19 exclusive use of bicycles with vehicle parking and crossflows by pedestrians, skaters, and motorists
20 permitted.

21 (2) “Bike Path” shall mean a Class I bikeway which is a completely separated
22 right-of-way designated by signs or markings, which shall have been posted at the direction of the City
23 and County of San Francisco or a federal, state, or regional governmental entity, for the exclusive use of
24 bicycles and pedestrians with crossflows by motorists minimized.

1 (3) “Bike Route” shall mean a Class III bikeway which is a right-of-way
2 designated by signs or permanent markings, which shall have been posted at the direction of the City
3 and County of San Francisco or a federal, state, or regional governmental entity, which is used for
4 bicycle travel and shared with pedestrians, skaters, or motorists.

5 (4) “In-Line Skate” shall mean a manufactured or assembled device consisting
6 of an upper portion that is intended to be secured to a human foot, with a frame or chassis attached
7 along the length of the bottom of such upper portion, with such frame or chassis holding two or more
8 wheels that are longitudinally aligned.

9 (5) “Pedestrian” shall mean any person who is traveling on foot.

10 (6) “Protective Helmet” shall mean a helmet meeting the standards of California
11 Vehicle Code section 21212(a), which includes meeting the American National Standards Institute
12 (Ansi Z 90.4 bicycle helmet standards), the Snell Memorial Foundation’s Standards for Protective
13 Headgear for Use in Bicycling, or the American Society of Testing and Materials (ASTM F-1447
14 standards) bike helmet standards.

15 (7) “Roller Skate” shall mean a manufactured or assembled device consisting of
16 a boot having clamps or straps or both for fastening, with a pair of small wheels near the toes and
17 another pair at the heel mounted or permanently attached thereto.

18 (8) “Skater” shall refer to a person who is skating.

19 (9) “Skating” shall refer to the act of moving by means of one or two roller
20 skates or in-line skates.

21 (b) Permitted Routes. For the purposes of the Skate Transit Pilot Program, skating is
22 permitted only on bike routes and bike paths that the Department of Parking and Traffic has determined
23 may safely accommodate skaters, pedestrians, bicyclists, and motorists and has designated by issuing a
24 map identifying such permitted routes. In the event state law is amended to allow skaters to travel in
25 bike lanes, then, upon the effective date of such state law, the Department of Parking and Traffic is

1 authorized to designate permitted routes of travel for skaters on bike lanes that the Department of
2 Parking and Traffic has determined may safely accommodate skaters, pedestrians, bicyclists, and
3 motorists and has designated by issuing a map identifying such permitted routes.

4 In determining permitted routes, the Department of Parking and Traffic shall consult
5 with the Skating Advisory Committee and the Public Transportation Department and shall consider,
6 among others, the following factors: 1) the grade, lighting, and general conditions of the bike route,
7 bike path or, if permitted by state law, bike lane; 2) the prevailing volume and speed of traffic flows,
8 including high-volume Municipal Railway routes, on adjacent or nearby roadways; and 3) the need for
9 north, south, east and west skater access routes.

10 As set forth in subdivision (c)(11) below, every person skating on these permitted routes
11 must obtain and carry at all times while skating a certificate issued by the Police Department. When
12 issuing such certificates, the Police Department shall provide copies of the map of permitted routes
13 prepared by the Department of Parking and Traffic.

14 (c) Restrictions. Skaters traveling upon permitted routes must comply with the
15 following restrictions:

16 (1) Skaters must be ages 18 years or older.

17 (2) Skaters must comply with all applicable provisions of state law.

18 (3) Skaters must yield the right-of-way to any pedestrian, bicyclist, or motorist
19 approaching upon or entering the bike route or bike path.

20 (4) Skaters must travel with the direction of traffic.

21 (5) Skaters must travel in a single file line if traveling in proximity with another
22 person.

23 (6) While skating, skaters must wear a protective helmet.

24 (7) While skating during darkness, every skater shall be equipped with (a) a
25 lamp emitting a white light which, while skating, illuminates the path of travel in front of the skater and

1 is visible from a distance of 300 feet in front and from the sides of the skater; and (b) a red reflector
2 which shall be visible from a distance of 500 feet to the rear when directly in front of lawful upper
3 beams of headlamps on a motor vehicle.

4 (8) Skaters must use appropriate hand signals when turning left or right from the
5 permitted route.

6 (9) While skating, skaters are prohibited from carrying any object that obstructs
7 or impairs their vision in any direction.

8 (10) While skating, skaters are prohibited from using or listening to any device
9 that impairs their ability to hear.

10 (11) Each skater must carry, at all times while skating, a certificate issued by the
11 Police Department. The certificate shall state the following:

12 THE CITY RECOGNIZES THE VALUE AND IMPORTANCE OF
13 ADEQUATE TRAINING IN SKATING. THEREFORE, THE CITY URGES EVERY
14 PERSON TO OBTAIN TRAINING IN HOW TO SKATE SAFELY IN THE
15 ROADWAYS. A LIST OF SEVERAL ORGANIZATIONS, SCHOOLS, AND
16 FACILITIES THAT TEACH PEOPLE HOW TO SKATE SAFELY MAY BE FOUND
17 IN THE YELLOW PAGES OF THE PHONE BOOK. THE CITY URGES YOU TO
18 CONTACT ONE OF THESE ORGANIZATIONS, SCHOOLS, OR FACILITIES TO
19 OBTAIN PROPER TRAINING.

20 I, THE BEARER OF THIS CARD, UNDERSTAND THAT SKATING MAY BE
21 DANGEROUS. I UNDERSTAND THAT I MUST WEAR A PROTECTIVE HELMET
22 AT ALL TIMES WHILE SKATING. I UNDERSTAND THAT SKATING UPON THE
23 ROADWAYS WITHIN THE CITY AND COUNTY OF SAN FRANCISCO IS
24 LIMITED TO THE BIKE ROUTES AND BIKE PATHS DESIGNATED ON THE MAP
25

SUPERVISORS AMMIANO, BIERMAN, YEE
BOARD OF SUPERVISORS

Page 5
9/22/98

1 ACCOMPANYING THIS CERTIFICATE, WHICH THE DEPARTMENT OF
2 PARKING AND TRAFFIC HAS PROVIDED TO ME.

3 BY SIGNING BELOW I ACKNOWLEDGE THAT I HAVE READ,
4 UNDERSTOOD, AND WILL COMPLY WITH THESE PROVISIONS.

5 NAME: _____ SIGNATURE: _____ DATE: _____

6 The Chief of Police may authorize changes in the language of the
7 certificate that more effectively achieve its purposes, including, but not limited to, promoting
8 skater safety awareness and training.

9 (12) No skater shall attach in any manner himself or herself to any street
10 car, bus or other vehicle on the roadway, or in any other way skate in a reckless manner.

11 (13) No skater shall operate skates on any roadway, including a permitted
12 route, or sidewalk, in such a manner as to endanger the safety or property of another.

13 (d) City Actions. To implement this Ordinance, the City and County of San Francisco
14 shall take all reasonable steps to do the following:

15 (1) The Department of Parking and Traffic shall consider installing signs along
16 permitted routes, as designated in subdivision (b), which demark the routes and warn of potential
17 hazards in the roadway. The Department of Parking and Traffic is authorized to accept gifts not to
18 exceed \$500,000 made to the City and County of San Francisco for the purposes of implementing the
19 Skate Transit Pilot Program.

20 (2) The Department of Public Works shall consider installing additional lighting
21 necessary to permit skating at night along permitted routes, as designated in subdivision (b).

22 (3) The Police Department, the Municipal Railway, and the Department of Public
23 Health shall, individually, compile an annual report for each department of known accidents and
24 property damage involving skaters and known incidents of violations in the City and County of San
25 Francisco.

SUPERVISORS AMMIANO, BIERMAN, YEE
BOARD OF SUPERVISORS

1 **SEC. 100.2. CRIMINAL PENALTY.**

2 Any Person who violates any provision of this Ordinance shall be guilty of an infraction, and, upon
3 the conviction thereof, shall be punished for the first offense by a warning or a fine of not less than \$25 nor
4 more than \$50; and for a second offense and each additional offense by a fine of not less than \$50 nor more
5 than \$250. All fines collected for violations of this Ordinance shall be set aside for appropriation to the
6 Department of Parking and Traffic for expenditure by and for the Skate Transit Pilot Program.

7 **SEC 100.3. SEVERABILITY.** If any part or provision of this Ordinance, or the application
8 thereof to any person or circumstance, is held invalid, the remainder of this Ordinance, including the
9 application of such part or provisions to other persons or circumstances, shall not be affected thereby
10 and shall continue in full force and effect. To this end, the provisions of this Ordinance are severable.

11 **SEC. 100.4. CITY UNDERTAKING LIMITED TO PROMOTION OF GENERAL**
12 **WELFARE.** In undertaking the adoption and enforcement of this Ordinance, the City and County is
13 undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers
14 and employees, an obligation for breach of which it is liable in money damages to any person who
15 claims that such breach proximately caused injury.

16 **SEC. 100.5. NOTICE OF PROVISIONS.** The Director of the Department of Parking and
17 Traffic shall publish a map of the permitted routes once, post a copy of such map on a bulletin board in or
18 adjacent to City Hall for a period of 90 days after passage of this Ordinance, and cause a copy of such map to
19 be included in a utility bill sent to the public within 90 days after passage of this Ordinance.

20 The notice requirements of this section are intended to enhance community awareness of the Skate
21 Transit Pilot Program. However, the notice requirements shall be given directive effect only.
22 Accordingly, the failure of the Director of the Department of Parking and Traffic to provide the notice
23 required by this section shall not be a defense to any criminal proceeding or civil action brought to enforce
24 the provisions of this Ordinance nor shall such failure relieve any person of criminal or civil liability for
25 skating in violation of this Ordinance.

1 **SEC. 100.6. SUNSET PROVISION.** Section 100.1 shall expire on December 31, 1999. At
2 that time, the original provisions of Section 100 shall take effect over Section 100.1.

3
4 APPROVED AS TO FORM:

5 LOUISE H. RENNE, City Attorney

6
7 By: Maio Kashou
8 Deputy City Attorney

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SUPERVISORS AMMIANO, BIERMAN, YEE
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
September 22, 1998	§	September 28, 1998
Ayes: Supervisors Ammiano Brown	§	Ayes: Supervisors Ammiano Brown
Katz Leno Medina Newsom Teng Yaki	§	Katz Leno Medina Newsom Teng Yaki
Yee	§	Yee
Noes: Supervisor Kaufman	§	Noes: Supervisor Kaufman
Absent: Supervisor Bierman	§	Absent: Supervisor Bierman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco


Clerk


Mayor

File No.
98-0804

OCT - 9 1998
Date Approved