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OFFICE OF THE CITY MANAGER

NO. LTC# 101-2015

## LETTER TO COMMISSION

TO: Mayor Philip Levine and Members of the City Commission  
FROM: Jimmy L. Morales, City Manager  
DATE: March 9, 2015  
SUBJECT: Confiscation of Trikes

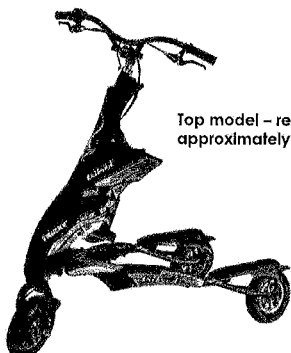
This Letter to Commission is prepared to summarize an enforcement operation jointly undertaken by the Police Department, the City Attorney's Office and the Code Enforcement Department to address the problem of electric trikes in the city that culminated on Friday, March 6, with the confiscation of 37 trikes from 2 businesses.

### Background

Electric Trikes are three wheel, battery operated devices. There are several variations of the machine designed by a number of different companies. Trikke Tech Incorporated is the leading manufacturer of the device.

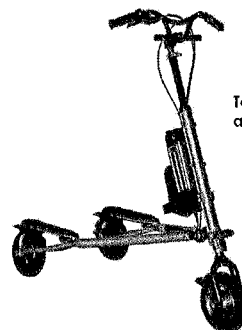
Trikes are relatively small, foldable devices. They typically weigh less than 50 lbs. which makes them easy to carry and store. On some models, riders can travel a distance of 24 miles at speeds up to 16 mph. An entry level unit retails for approximately \$1300 and top models for approximately \$1900. The modest cost of the low maintenance device coupled with its ability to be folded and easily stored, has made it a new favorite for Miami Beach rental stores, which traditionally rented scooters and or Segway's to the general public.

Trikes have no headlights or taillights and no exterior or rear view mirrors. As such, they cannot be registered legally in the state of Florida. Despite this, in recent months trikes have become popular among tourists -- so much so that rental companies have designed tours for renters. The increased use and popularity of the devices has had an adverse effect on the quality of life of residents and visitors. Riders often times operate them on sidewalks, bicycle paths and roadways. Such use violates F.S. 316 and F.S. 320 and has been the source of numerous complaints made to City administrators. Legally, the devices may only be operated on private property.



Top model - retails for approximately \$1900

Image from [www.Galoro.com](http://www.Galoro.com)



Top model - retails for approximately \$1900

Image from [www.Trikke.com](http://www.Trikke.com)

**Joint Letter to Renters**

The complaints about Trikes interfering in the quality of life of the City had reached such a level that an initiative by the Police Department and Code Enforcement was begun address the issue. The City Attorney's office provided excellent support in preparing this enforcement action.

On February 11, 2015, Police Chief Daniel Oates and Code Compliance Director Hernan Cardeno sent a joint letter to all Miami Beach trike rental companies. It informed the establishments of the requirements of F.S. 316.1995 and placed them on notice of impending enforcement if compliance to the law was not adhered. The letter was hand delivered to the businesses and a representative signed a copy of it as proof of receipt.

**Disregard for State Law**

Despite the letter being hand delivered and the law being properly explained, the rental of trikes and use of devices on public sidewalks, bicycle paths and roadways continued to be a visible issue and continued to directly impact the quality of life of Miami Beach residents and visitors.

**Police Undercover Detail**

On Wednesday, March 4, 2015 a small squad of police officers were given a list of trike rental companies and directed to implement an undercover detail to determine if the companies were complying with the law. The officers visited 11 stores known to rent trikes in the City. Eight of the stores were no longer renting trikes, an apparent impact of the warning letter. Undercover officers were able to rent the devices from the two stores below for approximately \$50 per hour. (A third company expressed interest in renting the devices to the officers, but did not do so.)

Name of Rental Company	Company's Address
Hot Wheels	233 – 14 <sup>th</sup> Street
South Florida Trikke	226 – 14 <sup>th</sup> Street

**Confiscation of Trikes**

On Friday, March 06, 2015, based on the rentals made two days before, uniformed police officers, along with code enforcement officers, responded to Hot Wheels and South Florida Trike. Fifteen (15) and twenty-two (22) devices were respectively seized and impounded as evidence by the officers. Both companies were also cited by Code Enforcement.

**Summary**

Trikes are a three wheel, battery operated, portable devices that have grown in popularity and use on Miami Beach. The operation of the devices on sidewalks, bicycle lanes and the roadway is illegal, as they are motorized vehicles which cannot be registered in the State of Florida. Moreover, such illegal operation has also impacted the quality of life of residents and visitors. A letter was hand delivered to Trikke rental companies. It notified them of the illegality of operating the devices on public property and of City officials' plans to take enforcement actions if the law was not adhered to. Undercover officers attempted to rent trikes from a total of 11 companies, but were successful in doing so at only 2. A total of 37 trikes were subsequently seized and impounded from the two companies.

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