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COUNCIL OF THE CITY OF PHILADELPHIA

3

PUBLIC HEARING

4

COMMITTEE ON PUBLIC SAFETY

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Room 696, City Hall
 Philadelphia, Pennsylvania
 Wednesday, June 11, 2003
 11:00 a.m.

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Resolution No. 030403 - Authorizing public
 hearings of the Committee on Public Safety,
 regarding the proliferation of motorized scooters
 in the City of Philadelphia.

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PRESENT:

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COUNCILMAN ANGEL ORTIZ, Chair
 COUNCILMAN FRANK. J. DI CICCIO
 COUNCILWOMAN BLONDELL REYNOLDS BROWN
 COUNCILMAN DARRELL L. CLARKE
 COUNCILWOMAN DONNA REED-MILLER
 COUNCILMAN RICHARD T. MARIANO
 COUNCILMAN FRANK RIZZO

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2 P R O C E E D I N G S
3 - - -
4 COUNCILMAN ORTIZ: Committee of
5 public safety will come to order. We are here to
6 hear testimony on Resolution 030403.
7 The Clerk will please read the title
8 of the Resolution, please.
9 We have present Councilwoman
10 Blondell Reynolds Brown, Councilman Clarke,
11 Councilwoman Miller, Councilman Rick Mariano,
12 Councilman DiCicco.
13 Please read the title of the
14 resolution.
15 COUNCIL CLERK: Resolution Number
16 030403, authorizing public hearings of the
17 Committee on Public Safety, regarding the
18 proliferation of motorized scooters in the City of
19 Philadelphia.
20 COUNCILMAN ORTIZ: We're going to
21 play a video to begin with. Cartoons will come
22 later.
23 (Videotape set up and played.).
24 COUNCILMAN ORTIZ: We are now
25 looking at pictures of the scooters.

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2 COUNCILMAN MARIANO: This is Erie

3 Avenue. Fellow is driving with the traffic.

4 You'll see he comes back against the traffic.

5 It's quite dangerous. There's not a lot of

6 protection.

7 Now he comes back. This is Erie

8 Avenue, a very busy street.

9 You'll see it again. They're for

10 sale there (Indicating). They look pretty much

11 the same. Ron, you can put that in. That's at

12 Torresdale Avenue.

13 That's Torresdale Avenue and

14 Worrell. They're being moved to -- on the they're

15 being rode on the same streets that trucks are on.

16 And that's another problem. It's hard to drive

17 and take videos, but here's what we got.

18 Cottage industries all over the

19 City. I'm sure these vendors are unlicensed, too.

20 No licenses, a great majority of them.

21 COUNCILMAN ORTIZ: Thank you. We'll

22 begin with Mr. Francis Healy, the Police

23 Department, and someone from the Philadelphia

24 Parking Authority. Mr. Healy, please.

25 Good morning, Council. Francis T.

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2 Healy. I'm Special Advisor to Police Commissioner

3 Johnson.

4 Commissioner Johnson has asked me to
5 testify on his behalf at these hearings, based on
6 the work I've done --

7 COUNCILMAN ORTIZ: Go right ahead.

8 MR. HEALY: -- on legal issues.

9 The mission of the Philadelphia
10 Police Department is obviously to protect lives,
11 property, and to enhance the quality of life
12 throughout Philadelphia.

13 The proliferation of motorized
14 scooters and their illegal and unsafe operation by
15 juveniles, as well as adults, undermines this
16 mission.

17 Therefore, Commissioner Johnson and
18 the Philadelphia Police Department fully
19 appreciate the efforts of Council to address this
20 problem, and the opportunity to speak on this
21 issue.

22 As I have mentioned, the
23 Philadelphia Police Department has identified the
24 illegal and unsafe operation of motorized scooters
25 as a serious threat to public safety, both to

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2 those who actually use the scooters, and the
3 general public.

4 Also, the constant use of such
5 vehicles improperly on the streets and on
6 sidewalks undermines the quality of live in many
7 neighborhoods throughout the City. They create
8 fear, anxiety, and great trepidation.

9 Accordingly, the Philadelphia Police
10 Department has already begun to take action.
11 Nevertheless, any help that Council can afford by
12 way of additional legislation is welcomed by the
13 Police Department.

14 Please allow me to detail some of
15 the efforts that are currently under way. First,
16 the Police Department, as well as PENNDOT are of
17 the opinion that such motorized scooters are
18 vehicles, as defined by the Pennsylvania Vehicle
19 Code.

20 Accordingly, these vehicles, like
21 all others not specifically exempt must be titled,
22 registered, inspected, insured, and the drivers
23 legally licensed to operate on any highway in the
24 Commonwealth.

25 Additionally, as vehicles, they must

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2 be operated in a lawful manner. For example,
3 riding on the sidewalk, in the wrong direction,
4 disregarding stop signs or traffic signals, are a
5 violation of the Pennsylvania Vehicle Code, and

6 the drivers can and are issued traffic citations.

7 However, there appears to be one
8 problem in implementing an overall enforcement
9 campaign. Currently it's unclear whether PENNDOT
10 has the capacity to title, register, or to conduct
11 inspections necessary for these vehicles to
12 operate legally.

13 Consequently, out of fairness, I
14 have directed the commanding officers in the
15 Police Department not to issue any citations for
16 the above-mentioned registration type violations.

17 However, I have authorized the
18 issuance of any licensing or hazardous moving
19 citations, such as if the vehicles don't have a
20 driver's license, or they're suspended.

21 Additionally, if the ownership of
22 those scooters stopped is unclear or uncertain, as
23 with any other vehicle investigation in
24 Philadelphia, I have authorized the temporary
25 impoundment until the driver or owner can

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2 adequately prove ownership.

3 The City intends to work with and
4 urge PENNDOT to create a registration system for
5 these vehicles, however.

6 This is what the Police Department

7 is currently undertaking to address the problem,
8 but we believe more can be done.

9 As vehicles, the Police Department
10 believes these scooters may be subjected to
11 impoundment under the City's Live Stop Program.

12 Currently, the Philadelphia Police
13 Department and the Parking Authority impound
14 vehicles found to be driven by suspended or
15 unlicensed drivers or when a vehicle is found to
16 have a suspended registration or not a
17 registration at all.

18 Since the registration of scooters
19 may be impossible currently, live stopping a
20 vehicle under this basis would be inherently
21 unfair.

22 Nevertheless, until such time that
23 the scooters can be registered, the Police
24 Department believes it may be appropriate to Live
25 Stop those scooters where the operators are

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2 unlicensed or possess a suspended license.

3 This possible strategy is currently
4 being researched by the Administration, and may or
5 may not yet prove to be feasible.

6 Nevertheless, the Police Department
7 believes that the underlying basis for the
8 proliferation of these vehicles on our streets

9 lies in the fact that the average law-abiding
10 citizen is completely unaware of the law and the
11 dangers associated with these vehicles.

12 The perception or, rather,
13 misperception is that these scooters are merely
14 toys, not subject to the law or safety
15 requirements.

16 This perception is in direct
17 conflict with reality. These are clearly not
18 toys, but vehicles, with all the inherent dangers,
19 duties and responsibilities.

20 The public needs to know these
21 facts. Accordingly, the police department in
22 furtherance of our mission, is currently working
23 with the Managing Director's Office, as well as
24 the Parking Authority, to develop a press or
25 public service type announcement to educate the

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2 public.

3 In conclusion, please let me state
4 again that the mission of the Philadelphia Police
5 Department is to protect lives and to enhance the
6 quality of life.

7 It is not our objective or goal to
8 punish, but rather protect both the pedestrians,
9 as well as the drivers.

10 The proliferation of illegal
11 scooters and their illegal use by juveniles and
12 adults undermines this mission.

13 The Police Department, Managing
14 Director's Office and Mayor's Office is fully
15 aware of the dangers of these problems present
16 throughout the City and have already begun to take
17 action.

18 Nevertheless, we appreciate and
19 support any help Council has to assist us in our
20 goals.

21 At this time I'd be happy to answer
22 any questions.

23 COUNCILMAN ORTIZ: Yes. Mr. Healy,
24 are most of the -- I see that most of these
25 individuals are probably under the age of 20, as I

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2 see them. You know, I see a lot of young people
3 driving in the neighborhood.

4 MR. HEALY: I don't have any clear
5 statistic, anecdotal. They seem to be in the age
6 of late teenager, early adult age on most of the
7 scooters, that I've seen personally.

8 COUNCILMAN ORTIZ: And what, if
9 anything, has the Police Department up to this
10 point done, in terms of...

11 MR. HEALY: Well, what we can do --

12 And first, there was a debate on whether or not
13 these were actual vehicles, and whether or not we
14 had authority to issue moving violations on them.

15 And once that was clarified, that
16 we -- the Police Department was always of the
17 opinion, but it was supported by PENNDOT and legal
18 counsel as well.

19 What we've begun to do or have done
20 is when officers do see a moving violation by an
21 individual, they are authorized to issue the
22 obvious moving violation: Driving on the
23 sidewalk, going through a red light or a stop
24 sign.

25 They do not currently impound

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2 routinely the scooters. However, if the owner of
3 the scooter or the driver on the scooter can't
4 prove ownership that this is his scooter, officers
5 have been authorized to take them into the
6 District temporarily, like we would do with any
7 other vehicle, if you don't have proof of
8 ownership.

9 And then either the parent or other
10 types of documentation be brought to prove that
11 it's actually their scooter, and then the scooters
12 are released.

13 COUNCILMAN ORTIZ: But there's no
14 actual prohibition to the sale and buying of these
15 scooters?

16 MR. HEALY: The use of the scooters
17 are legal on private property.

18 COUNCILMAN ORTIZ: Yeah.

19 MR. HEALY: This issue -- Actually,
20 a very similar issue came up in the early '90s
21 with the all-terrain vehicles. Had the same type
22 of problems. They were being used on City
23 streets. And that was addressed through the
24 registration process, through the --

25 COUNCILMAN ORTIZ: But the terrain

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2 vehicles are not to -- are prohibited from being
3 used on City streets.

4 MR. HEALY: Right. Right. These
5 have not been as such. It's a new animal. No
6 one's thought how to legislate yet. But they're
7 vehicles.

8 COUNCILMAN DiCICCO: Point of order,
9 Mr. Chair.

10 COUNCILMAN ORTIZ: Yeah.

11 COUNCILMAN DiCICCO: Thank you,
12 Mr. Healy, for your testimony.

13 Just in your comments to the Chair
14 here, you mentioned something. The Department is

15 not clear yet on the issue of motorized vehicles?

16 MR. HEALY: No. I didn't say that,
17 Councilman.

18 I said we are clear. We've always
19 been of the opinion that these are motor vehicles.

20 Okay. What happened was, there's
21 some type of conflict between whether or not
22 PENNDOT was going to be of the same opinion. We
23 believe and we always have. Basically, my opinion
24 has always been these are vehicles.

25 COUNCILMAN DiCICCO: I understand

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2 that. So you're saying PENNDOT is not clear?

3 MR. HEALY: Well, they are now. It
4 is a motorized vehicle. I mean, it is a motorized
5 vehicle.

6 COUNCILMAN DiCICCO: What was
7 PENNDOT'S concern?

8 MR. HEALY: I can't comment on that.
9 I don't know.

10 COUNCILMAN DiCICCO: Can anyone
11 comment on that? I mean, it may fall under
12 Section 1501 of the Motor Vehicle Code.

13 MR. HEALY: They do. There was
14 debate whether it did or didn't. And basically
15 that's been resolved.

16 COUNCILMAN DiCICCO: What is the
17 conclusion of that?
18 MR. HEALY: Meets the definition of
19 the vehicle, as according to the Vehicle Code.
20 And must be titled, registered, insured.
21 COUNCILMAN DiCICCO: Subject to all
22 of the laws that pertain to any other motorized
23 vehicle and the driver?
24 MR. HEALY: Must be licensed.
25 COUNCILMAN DiCICCO: Must be

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2 licensed.
3 So if a Police Officer sees an
4 individual driving one of these, what is the --
5 what is the criteria for Live Stop? I think I
6 know. But for the record, what is the criteria
7 for Live Stop? Not as it relates to scooters.
8 Motorized vehicles.
9 MR. HEALY: Right. As I mentioned,
10 it's operating with a suspended license or no
11 license, no registration or a suspended
12 registration.
13 COUNCILMAN DiCICCO: Do the Police
14 have to observe a violation before the stop? I
15 think that was a concern when we first started
16 back in the early '90s, where you just couldn't
17 stop someone for the sake of stopping them.

18 MR. HEALY: Yes. There has to be an
19 underlying offense for the stop.

20 COUNCILMAN DiCICCO: So if a Police
21 Officer observes someone, whether they're of age
22 or not, driving -- riding -- driving a scooter the
23 wrong way on a one-way street as an example,
24 that's a reason to stop?

25 MR. HEALY: Absolutely.

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2 COUNCILMAN DiCICCO: When they stop
3 that individual, what is happening now?

4 MR. HEALY: What happens now?

5 COUNCILMAN DiCICCO: Assuming that
6 person is unlicensed.

7 MR. HEALY: If he's unlicensed,
8 there's no impoundment procedure.

9 COUNCILMAN DiCICCO: Okay.

10 MR. HEALY: Just as if prior to Live
11 Stop, we didn't impound cars as well.

12 COUNCILMAN DiCICCO: If they're
13 under age.

14 MR. HEALY: If they're under age and
15 have no license, they're not permitted to continue
16 driving, obviously. They have to either carry it
17 or walk it home or, whatever the case may be.

18 COUNCILMAN DiCICCO: So we can't

19 confiscate it today?

20 MR. HEALY: We can't. We can't
21 confiscate. We don't.

22 We temporarily impound when there's
23 an ownership issue. I mean, that's about the
24 extent of what we can do.

25 We can't take property off people on

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2 the street, just because they're unlicensed.

3 We can now under Live Stop, but
4 that's a different issue.

5 COUNCILMAN DiCICCO: What do we need
6 to do to enable Police to be able to confiscate
7 scooters?

8 COUNCILMAN ORTIZ: Excuse me,
9 Councilman, if I may. If this is those... Those
10 letters dated May 28th, and if this is the
11 operative aspect from PENNDOT, it reads in the
12 last paragraph that for all the foregoing reasons,
13 that is the opinion of the Pennsylvania Department
14 of Transportation that this office that the
15 operation of a motorized scooter on a highway,
16 roadway, or sidewalk in this Commonwealth is
17 currently unlawful and unsafe.

18 A person operating such a vehicle is
19 undoubtedly violating the registration, equipment,
20 inspection and insurance law.

21 COUNCILMAN DiCICCO: Wouldn't that
22 give you the authority to confiscate the vehicle?
23 First time I'm seeing this.

24 MR. HEALY: What we've done is,
25 actually, last week the Parking Authority,

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2 Philadelphia Police Department, myself, and the
3 Managing Director's Office have met to see whether
4 or not we could expand or include the scooters
5 into the Live Stop Program.

6 COUNCILMAN ORTIZ: But you know this
7 raises other questions. Let's say that you're
8 licensed and you are registered. These scooters
9 in many -- in many urban areas right now are being
10 used for really transportation between offices.

11 And instead of taking your car out
12 of the parking garage, a lot of people not -- In
13 midtown Manhattan I see right now with suit and
14 tie on, these scooters, because it's much easier
15 to maneuver in traffic, along those lines.

16 And this paragraph seems to me to
17 say you can't do that in Philadelphia or the
18 Commonwealth.

19 MR. HEALY: Well, not to disagree
20 with Council. What it says is that they can't be
21 currently -- they can't be registered properly or

22 all the registration procedures.

23 If the registration procedures were
24 in place and there was a proper inspection
25 procedure whereas these things can be inspected

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2 for safety, just as a car or a truck would be,
3 they would be vehicles, and according to my
4 understanding, would be permitted to be operated
5 legally on the streets.

6 COUNCILMAN DiCICCO: Mr. Chairman, a
7 scooter has a number of different definitions. I
8 mean, I have actually... looking into the
9 possibility of buying a scooter, which is the
10 Vespa type. I mean, that's considered a scooter.

11 But I think the scooters that we're
12 talking about is... There's an example of one
13 here.

14 COUNCILMAN ORTIZ: Well, but --

15 COUNCILMAN DiCICCO: That are being
16 driven by young people who are unlicensed,
17 uninsured, unregistered.

18 COUNCILMAN ORTIZ: I understand
19 that. But if it is -- if it is done by a young
20 person that is obviously not qualified to ride and
21 drive it -- I don't know how you say it, but at
22 this point in other areas and specifically in big
23 cities, these are modes of transportation that are

24 becoming very popular, because it prevents cars --
25 it prevents people from using their cars and

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2 actually a very positive development if that
3 happens. It avoids congestion, and so on.

4 So we're not saying that people can
5 not drive a scooter in the City of Philadelphia.
6 They have to obey the rules of the road, though.
7 They have to be going on the same direction, as
8 long as they obey all traffic laws, and so on.

9 COUNCILMAN RIZZO: Point of
10 information.

11 COUNCILMAN ORTIZ: Yeah.

12 COUNCILMAN RIZZO: Councilman Ortiz,
13 I think we're missing one important point here.
14 These vehicles do not conform to the safety
15 requirements of a licensed vehicle.

16 They need to have turn signals.
17 They need to have stop brakes. They need to have
18 an array of equipment, like a motorcycle.

19 A motorcycle has stop lights. A
20 motorcycle has head lights. A motorcycle has turn
21 signals.

22 A motor scooter, like you see in
23 Europe has all of these safety DOT required
24 devices, to allow the State of Pennsylvania to

25 license the vehicle.

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2 There are some of these motor
3 scooters or these devices that are upgraded that
4 do qualify for the registration process that come
5 with a certificate of origin.

6 But as you see it, that's a hazard
7 to have on the highway, with no turn signals, no
8 stop lights. And if anybody is riding down...
9 riding --

10 UNIDENTIFIED VOICE: They are.

11 COUNCILMAN RIZZO: In Manhattan,
12 they must be a lawyer.

13 COUNCILMAN MARIANO: What's the
14 difference between minibikes and go-carts? The
15 obvious difference. But where does a minibike and
16 go-cart fall into this category? It's a variation
17 of the minibike.

18 MR. HEALY: It's a variation. As
19 far as we're concerned, it's still motor vehicles.

20 COUNCILMAN MARIANO: You can't drive
21 a minibike into the City of Philadelphia except on
22 private property, from what Councilman Rizzo just
23 said.

24 MR. HEALY: Not -- Agreeing with
25 Councilman Ortiz on the one point is, if these

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2 vehicles could be registered, insured, and had the
3 proper safety equipment, yes, they would be legal
4 vehicles.

5 Okay. So, the answer is yes to,
6 actually, both Councilmen. Yes, if these were
7 legal vehicles according to the Pennsylvania rules
8 and regulations under the Vehicle Code, the Police
9 Department would have no objection to them on the
10 roadway.

11 COUNCILMAN ORTIZ: I'm just saying,
12 because not too long ago, right here in Center
13 City, somebody came with this type of scooter that
14 you just --

15 COUNCILMAN MARIANO: Electric.

16 COUNCILMAN ORTIZ: You stand on it,
17 and you -- and it moves. And you drive it really
18 with the way your body moves, and so on.

19 And it's being marketed as part of
20 really in urban areas, trying to get rid of the
21 huge use of the automobile, as a thing --

22 COUNCILMAN DiCICCO: Councilman, I
23 would agree with that. The only way to get around
24 the limit on parking -- You think it's bad in
25 Philadelphia -- South Philadelphia, Europe has a

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2 much greater problem with cars. And the Vespas --
3 I refer to the Vespa. That's the typical brand.

4 And everyone has it, but they're
5 licensed. As Councilman Rizzo said, they have
6 turn signals, they have brakes, they're
7 registered.

8 You just don't get a motor scooter
9 because your parents think it's okay for you to
10 have it.

11 This is a toy. I think that's the
12 whole issue as to why Councilman Mariano and I got
13 into this, is because of the complaints, that the
14 majority of these things are being driven by
15 people in a haphazard way, without any regard for
16 the rules of the road and public safety.

17 It's not a question of convenience
18 and neighborhood, unclogging our City streets. If
19 we can all move to this kind of a vehicle, I think
20 we'd all be better off.

21 But we're talking mainly about young
22 people who either they purchase it for themselves
23 or their parents are buying it. They want to get
24 the kid -- just satisfy the kid again, you know,
25 give him what he wants.

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2 And I have a friend of mine. He
3 told me he's buying one for his grandson, who's
4 ten years old.

5 I said, for what reason?

6 He says, I'm only going to let him
7 go up and down the block we live.

8 On. These things do 20 miles an
9 hour. He's buying one.

10 You stand on it, not -- without a
11 seat. But it's a motorized vehicle. And I think
12 the message out there has to be to the parents:
13 This is not a toy. You are putting your children
14 in harm's way. You're causing -- It's a public
15 safety issue out there. And it's growing in leaps
16 and bounds.

17 And if it were licensed, folks would
18 be obligated to fall under the Motor Vehicle Code
19 and stuff like that, fine.

20 But in most cases -- and I assume
21 most cases they're unlicensed drivers to begin
22 with, notwithstanding the other issues.

23 COUNCILMAN ORTIZ: I'm saying that
24 that's the way it has to be, but I'm -- You know,
25 the aspect of an adult, you know, demonstrate and

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2 doing all of the things --

3 MR. HEALY: What the Police
4 Department intends to do, number one, education,
5 hopefully, to get across these are vehicles and
6 are dangerous.

7 But also we're going to hopefully
8 work with PENNDOT to see whether or not they can
9 do what needs to be done so people, legitimate
10 people, who want to use these lawfully can. It is
11 not our intention to ban these things. We just
12 want the proper, safe use of them.

13 COUNCILMAN ORTIZ: That's what we
14 should strive for, I mean, the proper use.

15 MR. HEALY: It's the intent of the
16 Police Department --

17 COUNCILMAN ORTIZ: Within an urban
18 area they can be very utilitarian.

19 COUNCILMAN MARIANO: Sergeant Healy,
20 I don't know if you've ever been there. Juniata
21 Park and Frankford.

22 You got to come up there and see how
23 these are used. I mean, the Councilman and this
24 Councilman got the right idea. If we could do
25 that, it would be great. And it may get to the

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2 point where the state regulates them.

3 But what's going on there now is
4 just underage people, four or five, six of them at

5 a time buzzing around 1, 2, 3 o'clock in the
6 morning.

7 I just can't believe a policeman in
8 the 15th or 24th would see someone at 1 o'clock in
9 the morning, obviously under age, or 2 o'clock in
10 the afternoon, see that young man I saw on Erie
11 Avenue -- I was going really slow. But I'd have
12 to be deaf, dumb and blind to be a policeman and
13 not stop him going the wrong way in traffic, for
14 his own personal safety.

15 And the place, K and Erie that
16 because I requested. They're into what Councilman
17 DiCicco was talking about for lack of better
18 words, investigate percent a brand name but
19 cheaper models, different parts of the world.

20 And when they sold these, you signed
21 a paper saying, I realize that these are not legal
22 on the streets of the City of Philadelphia. They
23 can only be ridden and that -- not that -- That
24 was their liability.

25 And it was -- You know, they paid

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2 sales tax, and they been selling them for a couple
3 years.

4 Now they're selling them, like
5 Councilman DiCicco was talking about, which is

6 sort of a variation between a moped and a scooter.
7 But it has turn signals like Rizzo talked about.
8 But the police have to stop these things.

9 MR. HEALY: Councilman, we have.
10 What happened is that when it first came to light
11 is basically the Narcotics Strike Force came to me
12 and asked me: What options do we have? And this
13 was possibly as early as last year.

14 And what we said was basically
15 these -- I made the decision these are motor
16 vehicles. This is prior to getting any type of
17 backing from PENNDOT on that issue.

18 I said, issue motor vehicle
19 violations. It doesn't solve the problem.

20 I think the Parking Authority
21 figured that might have been some answers for
22 that, if they're going to be the agency that we
23 use.

24 But Channel 29 did a piece last
25 night with Bruce Gordon that really was an

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2 education piece, which people don't know, like
3 Councilman DiCicco said, their \$295 cost.

4 It's \$300 out and he or she stops
5 whining. Because all his or her friends have it.
6 And as an adult, children, as well anyone under
7 16, driving without a license, that that will be a

8 violation. It's going to be a long, hot summer.

9 COUNCILMAN DICICCO: Sergeant, I
10 really appreciate, you know, your testimony. And
11 I appreciate the work your Department does. And I
12 mean that sincerely.

13 But when I hear that, you know,
14 we're going to have to educate people, I think we
15 can't wait. This is a bad situation.

16 My District now extends up to Oxford
17 Circle. And it's all across my District. But for
18 some reason or other, I notice it more at the
19 northern end, in the Kensington, Frankford and
20 Oxford Circle area. For whatever reason, they
21 seem to be much more these types of vehicles up
22 there than in South Philadelphia.

23 I may go back downtown today and
24 find that it's the opposite way, but the people,
25 the residents in these neighborhoods need relief.

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2 Someone is going to be seriously injured and/or
3 killed. It's just a matter of time.

4 (Applause.)

5 MR. HEALY: Councilman, maybe --

6 COUNCILMAN DiCICCO: And I don't
7 mean -- I don't mean to put more of a burden on
8 the Department. I certainly don't mean that.

9 But it is -- It's putting all of us
10 in jeopardy. I see it myself. People are coming
11 at me. Thompson and Huntingdon, the other night I
12 was going to a meeting -- not a meeting, a
13 carnival at Mother Devine Grace.

14 And this kid came -- was traveling
15 south on Thompson at the intersection of
16 Huntingdon. And I noticed that there's only a
17 one-way stop sign; am I right, Mr. Finnerty

18 MR. FINNERTY: Yes.

19 COUNCILMAN DiCICCO: You're shaking
20 your head.

21 MR. FINNERTY: Yes. Thompson Street
22 is one way north.

23 COUNCILMAN DiCICCO: Right. And
24 there's only a one-way stop sign.

25 MR. FINNERTY: Right.

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2 COUNCILMAN DiCICCO: And this kid
3 came through it, across Huntingdon. And about 30
4 seconds before that, a tractor trailer went
5 through that intersection. I mean, I could
6 envision that kid just getting killed.

7 Is it our responsibility? No. I
8 think the responsibility really is with the
9 parents. But unfortunately, some parents don't
10 see it and we have to educate them.

11 And I think the only way to educate
12 them is to get these kids, take the bike, find
13 some place to put it, like we do with Live Stop.

14 Let them come and argue with us as
15 to why that scooter should be given back to their
16 son or daughter. The burden shouldn't be on us.

17 MR. HEALY: Councilman, let me
18 clarify. The Police Department has already begun
19 to take action. We're not waiting for --

20 COUNCILMAN DiCICCO: Have we
21 confiscated any?

22 MR. HEALY: In East Division and
23 Narcotics are routinely doing so.

24 COUNCILMAN DiCICCO: I think it's
25 important.

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2 MR. HEALY: We're looking to involve
3 the Live Stop process to help us.

4 COUNCILMAN MARIANO: What are you
5 doing with them after you confiscate them?

6 MR. HEALY: That's half our problem.
7 That's why we --

8 COUNCILMAN MARIANO: They're sitting
9 around for now, and then --

10 MR. HEALY: They're sitting around
11 in our impound lot.

12 COUNCILMAN MARIANO: You show
13 ownership --
14 MR. HEALY: Not our impound yards,
15 but actually a lot of them are in each District.
16 Each District has special yards for temporary
17 impoundment.

18 COUNCILMAN MARIANO: The 24th and
19 25th had an impound lot at the old place. And
20 those things -- I used to watch them because I
21 filled up my gasoline there, right near the
22 Salvation Army on Lehigh -- on Allegheny Avenue.

23 MR. HEALY: Right.

24 COUNCILMAN MARIANO: This is before
25 the proliferation of this, but it was the

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2 four-wheeler and the three-wheeler driving.

3 MR. HEALY: Right.

4 COUNCILMAN MARIANO: They used to
5 sit there for a while. I know there was a salver
6 somewhere buying them things, and they were ending
7 back up on the streets of the City of
8 Philadelphia.

9 MR. HEALY: Right.

10 COUNCILMAN MARIANO: If we can avoid
11 that here, it would save us a whole extra
12 nightmare.

13 COUNCILMAN ORTIZ: Councilman Rizzo.

14 COUNCILMAN RIZZO: Point of
15 information.
16 COUNCILMAN ORTIZ: Go ahead.
17 COUNCILMAN RIZZO: Councilman
18 Mariano just touched on something that I think
19 maybe on occasion you got to re-energize the
20 patrol officers. I'll tell you why. I think they
21 get so sensitized by what goes on in a community
22 that they work.
23 I was in a particular neighborhood
24 where four of these four-wheelers came down full
25 tilt, and there were police cars parked right on

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2 the corner.
3 Now, I assumed incorrectly that I
4 would see these police cars pull off and try to
5 apprehend. I mean, I'm talking about doing a
6 wheelie, coming down a major street, four of them
7 side by side.
8 Without exaggeration, they had to be
9 doing 50, 60 miles an hour. And I understand that
10 there are times when police cars are out of
11 service because they're on the job.
12 But I felt as though, as a citizen,
13 that this is the way it is. And the officers just
14 tolerate that kind of conduct because that's the

15 way it is.

16 And it surprised me that there are
17 so many of these four-wheel drives, all-terrain
18 vehicles out there. And these are slow, compared
19 to the souped-up models that I see in some of our
20 neighborhoods.

21 And I think the Commissioner really
22 needs to, whether he involves the Highway Patrol
23 Unit, or some selective enforcement, that they
24 really need to start cracking down on these.

25 COUNCILMAN ORTIZ: Councilman, we

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2 had hearings on those four-wheel vehicles a long
3 time ago.

4 COUNCILMAN RIZZO: I know.

5 COUNCILMAN ORTIZ: And they were
6 supposed to be impounded and taken off the streets
7 because drug dealers actually were using them to
8 do drug deals in the neighborhoods, and so on.

9 COUNCILMAN RIZZO: It needs to be
10 revisited.

11 COUNCILMAN MARIANO: Mr. Chairman.

12 COUNCILMAN ORTIZ: Yeah.

13 COUNCILMAN DiCICCO: And the other
14 problem is, even those that aren't using the
15 streets are driving around in recreation centers
16 and they're destroying those recreation centers.

17 So, it's one thing to say, well, you
18 may not be able to apprehend them because they're
19 going to go and, you know, they're going to take
20 off the wrong way on a street and the police are
21 going to have a hard time getting them.

22 But I see them in rec centers just
23 tearing up those fields, which are costing the
24 taxpayers thousands and thousands of dollars.

25 And the people who want to do the

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2 right thing and go play baseball in the leagues
3 are suffering as a result of that.

4 I just think it's one of those
5 things where we really got to get tough. We got
6 to get tough now. We have to crack down.

7 The media will follow this around.
8 A message has to be out clear. And I think that
9 the distributors, once they stop selling these
10 things, because people are going to say, hey, it
11 doesn't make sense to buy it, that will stop the
12 sale.

13 MR. HEALY: Exactly.

14 COUNCILMAN DiCICCO: I mean, the
15 message has to be really come down hard on these
16 people. And you may take care of some of the drug
17 problems as well as you're doing this. Thank you.

18 COUNCILMAN ORTIZ: Councilman
19 Clarke.
20 COUNCILMAN CLARKE: Thank you,
21 Mr. Chairman.
22 Mr. Chairman, actually I want to
23 follow up on some of the earlier questioning and
24 your testimony, with respects to ATVs. And I know
25 we're here today to discuss scooters. But the

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2 ATVs are the prevalent problem in my particular
3 community.
4 What was exactly the resolution of
5 the earlier discussion?
6 COUNCILMAN ORTIZ: Well, I can tell
7 you: Because the all-terrain vehicles were
8 destroying at that point Fairmount Park and other
9 parks across the City. And drug dealers were
10 using them as sentries, and being able to scoot
11 among the alleys, and so on.
12 And we had with Timony, and a policy
13 was established under Timony to confiscate at
14 sight, on sight... confiscate on sight all of
15 these vehicles, because they're illegal to be used
16 on the streets of Philadelphia.
17 And for a time we were confiscating
18 a whole lot of them. I don't know what, you
19 know...

20 COUNCILMAN CLARKE: So right now
21 legally they can confiscate --
22 COUNCILMAN ORTIZ: They can
23 confiscate. That was the policy. The policy...
24 I remember that at one -- one -- one period of
25 time over a one-week period, you know, they

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2 confiscated over 150 of them, you know, very
3 easily.
4 COUNCILMAN CLARKE: I mean, based on
5 sight or do they have to break a law?
6 COUNCILMAN ORTIZ: On sight. You
7 don't -- You don't need -- For an all-terrain
8 vehicle, if that terrain vehicle is on the street
9 and a policeman sees that all-terrain vehicle on
10 the street, he can stop it, impound it, and take
11 it away.
12 COUNCILMAN RIZZO: Point of
13 information.
14 Councilman, then, what's the
15 difference? I don't see the difference, then. If
16 that policy applies to all-terrain vehicles, they
17 are unlicensed vehicles.
18 They fall on exactly the same
19 category as that vehicle. So you apparently do
20 have something in place that immediately can apply

21 and be applicable to that machine.

22 UNIDENTIFIED MAN: There is a little
23 bit difference. An ATV can be registered
24 currently with the Department of Conservation and
25 Natural Resources. So that fits wholly under the

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2 Live Stop program.

3 And we have been -- Once they're
4 stopped, and they check out -- a majority of them
5 are not registered -- the officer can --

6 COUNCILMAN ORTIZ: If I may -- If I
7 may, the ATV vehicle, even if it's registered or
8 whatever, it is prohibited from being used on the
9 streets of Philadelphia.

10 MR. HEALY: Yes.

11 COUNCILMAN ORTIZ: And even if you
12 don't violate -- and that was the policy under
13 Timony -- because even if you don't violate, you
14 know, a red light or a stop sign.

15 MR. HEALY: Correct.

16 COUNCILMAN ORTIZ: Or... If you
17 have that vehicle, even if it's registered and
18 you're driving that vehicle up on 5th Street, 5th
19 and Indiana, that vehicle is going to get
20 confiscated.

21 MR. HEALY: We're taking them on a
22 daily basis. I have yards full of them.

23 COUNCILMAN RIZZO: Let me make my
24 point. You mentioned, Mr. Finnerty, you mentioned
25 about being registered by the Department of

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2 Environmental Resources.

3 So is a snowmobile. That's for
4 revenue. They register these vehicles. But that
5 registration is not --

6 MR. HEALY: The point --

7 COUNCILMAN RIZZO: -- a registered
8 vehicle.

9 MR. HEALY: The point was just that
10 that can be registered. And that's an additional
11 citation which can be issued, which falls under
12 the Live Stop Program.

13 That can't be registered, so it has
14 to be cited under the different detail of a --

15 COUNCILMAN RIZZO: But I think we're
16 mixing apples and oranges here.

17 MR. HEALY: Right.

18 COUNCILMAN RIZZO: Registering to
19 the Department of Environmental Resources is
20 because of the fact that they're used in the state
21 game lands on snowmobile trails.

22 MR. HEALY: Right.

23 COUNCILMAN RIZZO: That registration

24 is nothing even applicable to riding it on the
25 public highway.

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2 MR. HEALY: We can track who owns
3 them, if they're registered. Can't track
4 ownership on this. There's no serial number.
5 COUNCILMAN RIZZO: There's no serial
6 number?
7 MR. HEALY: No.
8 COUNCILMAN RIZZO: Bicycle has a
9 serial number.
10 MR. HEALY: Yes.
11 COUNCILMAN RIZZO: These don't.
12 COUNCILMAN ORTIZ: So let's -- You
13 know, so on the all-terrain vehicle, Councilman
14 Clarke, that was a policy established. We held
15 very extensive hearings in Council.
16 And a policy was done and
17 implemented, and quite successfully for quite a
18 period of time. I don't know... Because, you
19 know, things happen cyclically. And I don't know
20 whether the Police Department is still as focused
21 on the all-terrain vehicles as we were at that
22 time. So --
23 COUNCILMAN CLARKE: So if a vehicle,
24 ATV, is seen on the street parked and does not
25 have any registration or licensing, that vehicle

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2 can be confiscated or impounded? Because I think
3 under the new program, a traditional vehicle, if
4 they do not have the adequate registration, they
5 can in fact be towed away.

6 MR. HEALY: Yes.

7 COUNCILMAN CLARKE: So an ATV
8 similarly can be taken, even if it's parked,
9 there's no rider or nobody near it, it can be
10 snatched.

11 COUNCILMAN ORTIZ: Well, I don't
12 know whether it's --

13 MR. HEALY: Not on private property.

14 COUNCILMAN ORTIZ: If it's on
15 private property --

16 COUNCILMAN CLARKE: Saying if it's
17 on the street.

18 COUNCILMAN ORTIZ: Right. You know,
19 if it's on private property, I don't think you can
20 take that.

21 MR. HEALY: Right.

22 COUNCILMAN ORTIZ: But if somebody
23 is using it on the street, it doesn't -- he
24 doesn't need to --

25 COUNCILMAN CLARKE: I'm not saying

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2 if it's being used. I'm saying if it's parked on
3 the public street.

4 COUNCILMAN ORTIZ: That would bring
5 up questions, you know. I think if you're using
6 it --

7 MR. HEALY: What I can offer you for
8 the Police Department, with the ATVs, a lot of the
9 Districts that were heavily burdened with them --
10 Actually, we all know we can't chase them.

11 COUNCILMAN CLARKE: Yeah, right.

12 MR. HEALY: So they came up with
13 creative strategies to basically corner them.

14 What I can do is, I can work with
15 you and the Commanding Officers in your area to
16 see if they can come up with any strategies that
17 might be able to help you. We don't want pursuits
18 but we want --

19 COUNCILMAN CLARKE: There's a
20 particular location --

21 MR. HEALY: We kind of had --

22 COUNCILMAN CLARKE: -- in the
23 District --

24 MR. HEALY: We had --

25 COUNCILMAN CLARKE: -- where they

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2 park them all in front of the building --

3 MR. HEALY: We had some creative

4 strategies, and it was very successful in certain

5 areas. I'd be happy to work with you to help that

6 out.

7 COUNCILMAN CLARKE: All right.

8 And similarly, with respects to the

9 scooters -- And I understand that they can not be

10 registered. But if they are parked on the public

11 street, can they be confiscated on sight or do

12 they have to be in operation?

13 MR. HEALY: Quite frankly, we have

14 no basis to impound them, because they are

15 legal -- They are legitimate vehicles. They may

16 not be operated. But if they're parked, they're

17 not being operated.

18 COUNCILMAN CLARKE: On the public

19 street.

20 MR. HEALY: Right. So that just

21 sitting there by itself, that's a difference with

22 the ATV. The ATV law basically says it cannot be

23 on the streets of Philadelphia. There's nothing

24 similar with regard to motorized vehicles.

25 COUNCILMAN CLARKE: Okay. Thank

2 you, Mr. Chair.

3 COUNCILMAN ORTIZ: Councilwoman
4 Miller.

5 COUNCILWOMAN MILLER: Thank you,
6 Mr. Chair.

7 I have a follow-up question to the
8 ATV. In parts of my District certainly we have an
9 issue with both the ATVs and the scooters. But
10 I'd also like some help with meeting with the
11 District Captain.

12 What we have in Germantown in
13 particular are groups of maybe six, eight young
14 people riding ATVs together, like last night. I
15 was talking to Councilman Clarke, sitting on my
16 front porch. And we couldn't hear each other
17 because of the ATVs coming by.

18 And then about... I drove out, and
19 probably around three blocks away there were like
20 eight young people, teenagers, together on ATVs.
21 And this goes on all summer, spring through early
22 fall.

23 Somehow over the winter you don't
24 see them out there, maybe because it's cold; I
25 don't know. But people on motorcycles drive those

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2 year round. But this, it seems to be the choice
3 of young people during warm weather.

4 And someone said to me: Well, you
5 should do something about that.

6 I said: Well, it's already against
7 the law for them to be driving these vehicles
8 through the streets.

9 I really don't know whether and --
10 Some of the parents -- This one little boy lives
11 around the corner from me has one. And I know his
12 mother. And I know she's not the type of person
13 that would approve.

14 But I truly don't think people know.
15 And particularly also with the scooters. So I'd
16 be interested in knowing just when, you know, the
17 Police Department and the Managing Director's
18 Office is going to start this public education
19 project, because people really need to know that
20 scooters are not a toy, and that you do need a
21 license.

22 And I'm sure they know that -- And
23 I'm not really positive that they want -- that you
24 need a license for ATV. I think people just think
25 they're toys, in a sense.

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2 MR. HEALY: Exactly.

3 COUNCILWOMAN MILLER: So I'd like to
4 help with meeting with the Captain to see what we

5 could do.

6 And I know you can't chase them.

7 I've actually seen a police car --

8 MR. HEALY: Right.

9 COUNCILWOMAN MILLER: -- chasing

10 one. He didn't catch the person, and it was

11 really dangerous.

12 MR. HEALY: Right.

13 COUNCILWOMAN MILLER: It was a

14 dangerous scene.

15 COUNCILMAN ORTIZ: I think what we

16 want -- I think what should be done is go back to

17 the policy of just impounding all-terrain vehicles

18 if you see it being ridden on the streets.

19 And that's -- That came down from

20 the Commissioner, and that should be done once

21 again.

22 MR. HEALY: Councilman, rest

23 assured, they do impound as they can.

24 The problem was, a lot of times

25 they're hard to catch. So it does take creative

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2 strategies to catch them in a safe manner, because

3 the last thing we want is a pursuit, a police car

4 chasing an ATV. It's not going to work.

5 Okay. So basically what we want to

6 do is creative strategies, find areas where --

7 We'll work with Council to find the areas where
8 they sit and hang.

9 We can create something, corner
10 them, and that way it's an effective use of police
11 manpower, and keeps the public safe which really
12 is the most important thing.

13 I mean, so we'd be happy to work
14 with you specifically in those areas to try to
15 target those individuals.

16 COUNCILMAN ORTIZ: Councilwoman
17 Reynolds.

18 COUNCILWOMAN BROWN: Thank you.

19 You did mention that there are pilot
20 programs or they're working in certain areas.
21 This is a follow-up to Councilman Clarke's
22 question.

23 In what areas do you have the
24 program working? And what was the factor or
25 factors that make it work better in some areas

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2 than in others?

3 MR. HEALY: Excuse me, but I don't
4 think I mentioned a pilot specifically.

5 But what happens is we -- Areas of
6 the City the problem erupted first. Pretty much
7 in East Division was the first area.

8 COUNCILWOMAN BROWN: Okay.

9 MR. HEALY: And it was being

10 involved with the drug use. So what happens is

11 the Narcotics Strike Force being at the cusp of

12 that type of police work, we're the first person

13 to contact.

14 Say we need to do something. What

15 can we do? Our actions now are consistent

16 throughout the City. The problem is, different

17 areas of the City may not even ever have seen a

18 scooter. So in those Districts I haven't received

19 any information from the Captain.

20 COUNCILWOMAN BROWN: I see.

21 MR. HEALY: Whatever the case may

22 be. But whatever Captains have contacted me, I've

23 given consistent advice: This is what you can and

24 can't do.

25 What we need to do now is be in a

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2 much broader -- make sure everybody's on the same

3 page within the Police Department as well. But in

4 those areas highly affected in the Councilman's

5 area, we are aggressively trying to get these

6 things in a safe manner.

7 COUNCILWOMAN BROWN: Okay.

8 MR. HEALY: We may have to come up

9 with creative strategies, like we did with the

10 ATVs.

11 COUNCILWOMAN BROWN: Sure. Sure.

12 MR. HEALY: The last thing we want
13 to do is chase a 16 year-old child --

14 COUNCILWOMAN BROWN: No, we don't.

15 MR. HEALY: -- through traffic.

16 That serves no one's purpose.

17 COUNCILWOMAN BROWN: Thank you for
18 the clarification on that.

19 As you think of strategies and/or
20 create a task force and are thinking of members,
21 you may want to consider members -- some
22 representative from the school boards so you have
23 their perspective and their input, as well as the
24 Black Clergy and entities that are working with
25 young people all the time so that you have some

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2 collective thinking on how to better assist the
3 work that you and the officers are doing.

4 MR. HEALY: Actually, those were
5 some of the suggestions.

6 MR. HEALY: We just had a meeting
7 last week on this issue --

8 COUNCILWOMAN BROWN: Oh, okay.

9 MR. HEALY: -- with the Managing
10 Director's Office. And they were all-encompassing

11 when they get the whole City and other agencies,
12 that are available, PAL.

13 Actually, the clergy wasn't
14 mentioned specifically, but the School District
15 was, that an education type -- At least letting
16 the kids know that --

17 COUNCILWOMAN BROWN: Yes.

18 MR. HEALY: -- you know, all kids --

19 COUNCILWOMAN BROWN: There's a
20 penalty --

21 MR. HEALY: -- know they can't drive
22 a car until they're 16 --

23 COUNCILWOMAN BROWN: Absolutely.

24 MR. HEALY: -- but the kids don't
25 know they can't drive these until they get a

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2 license and it's properly legal.

3 COUNCILWOMAN BROWN: And then one
4 other public institution that has a lot of young
5 people come through would be the Philadelphia Free
6 Library and their branches across the City as
7 well.

8 MR. HEALY: Correct.

9 COUNCILWOMAN BROWN: As another
10 avenue of distributing information. Thank you.

11 MR. HEALY: Thank you.

12 COUNCILMAN ORTIZ: Thank you.

13 Any other questions?
14 (No response.)
15 COUNCILMAN ORTIZ: Thank you very
16 much. Thank you. Thank you. Anything to add?
17 COUNCILMAN MARIANO: I want to ask a
18 question.
19 COUNCILMAN ORTIZ: Do you have
20 anything to add?
21 UNIDENTIFIED MAN: The only thing we
22 have to add is, in the case of the Parking
23 Authority, we're here to serve in whatever
24 capacity the Administration would want us to serve
25 in this program.

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2 We've met with the Managing Director
3 and the Police Department. We are in full support
4 of removing these types of vehicles from the
5 street, and we have devised a plan, if they're not
6 claimed, how to dispose of them properly.
7 COUNCILMAN MARIANO: Could you share
8 that with us?
9 UNIDENTIFIED MAN: Yes. If they're
10 not claimed, if the Administration works them
11 under the Live Stop Program, they would have to be
12 released by Traffic Court by proving ownership,
13 satisfying the citations, as the normal Live Stop

14 vehicle would do.

15 If they are not claimed, we will
16 modify our request to the court. We file a
17 petition for each auction to auction the vehicles.
18 We will not auction these vehicles. We will
19 modify the petition and request that the court
20 order the proper disposal by dismantling these
21 vehicles.

22 COUNCILMAN MARIANO: You'll cut them
23 in half with a torch.

24 UNIDENTIFIED MAN: We will cut them
25 in several pieces. The Parking Authority will

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2 dispose of them properly. We'll cut them in half,
3 and we will also seize the motor on it, so it
4 can't be picked from a metal scrap pile as parts.

5 We would do it that way. We would
6 not auction these vehicles. And by auctioning
7 them, it would be our opinion that we would be
8 putting them back on the street.

9 And the minimum bid, naturally, is
10 \$300, and brand new they're only \$295, so they
11 wouldn't meet the auction criteria. We would
12 dispose of them by destroying them.

13 COUNCILMAN MARIANO: You start doing
14 that, they'll be a lot cheaper real fast.

15 Thank you.

16 COUNCILMAN ORTIZ: Thank you. Thank
17 you very much.

18 Peg Hoak, Eleanor Meyer, Kathy
19 Fryckberg.

20 Please, whoever goes first, identify
21 yourself for the record.

22 MS. FRYCKBERG: Good morning. My
23 name is Kathy Fryckberg, F-r-y-c-k-b-e-r-g.

24 COUNCILMAN ORTIZ: Please.

25 MS. FRYCKBERG: And I'm here because

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2 I'm concerned about the children. I am seeing
3 these little tiny, itty-bitty ones running around
4 with these scooters on, going out of Sedgley
5 Avenue, right on Kensington Avenue with no
6 comprehension of anything.

7 They fear nothing with it. They
8 think that they're invincible. And someone needs
9 to do something. Because they're too tiny. I
10 mean, they have no idea what's going on with those
11 things. And they're every bit four foot tall.
12 And that's scary.

13 COUNCILMAN ORTIZ: It is.

14 MS. FRYCKBERG: It really is. As a
15 parent, I'm concerned.

16 COUNCILMAN ORTIZ: You don't let

17 your children do it, right?

18 MS. FRYCKBERG: Oh, no. No, sir.

19 Well, my son's much older, and he has more sense
20 than that anyway.

21 COUNCILMAN ORTIZ: Okay. Next.

22 MS. MEYER: Good morning. My name
23 is Eleanor Meyer, M-e-y-e-r.

24 Last year my neighbor around the
25 corner, the son had one of those motorized. And

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2 he ran over my neighbor's son and injured him
3 pretty bad.

4 And there's about -- I live on a
5 little street. And there's about eight or ten of
6 them that ride up and down the street every night,
7 sometimes as late as 1 o'clock in the morning.

8 COUNCILMAN ORTIZ: Have you called
9 the police?

10 MS. MEYER: No.

11 COUNCILMAN ORTIZ: You should. Next
12 time call the police.

13 MS. MEYER: All right. I will.

14 Thank you.

15 MS. HOAK: Hi. My name is Peggy
16 Hoak. I'm from East Frankford Civic Association.
17 And, of course, in East Frankford, they're
18 proliferating all over the neighborhood.

19 They ride up and down the street,
20 around the block 1, 2 o'clock in the morning.
21 They have no regard for anybody, any car, any
22 truck. They don't move. You move or you stop.
23 And these are young teenagers.
24 These are not adults. And it's not this kind of
25 scooter. It's a regular scooter with a motor on

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2 it; that's all.
3 And the noise is atrocious. And I
4 have complaints from all over my Civic Association
5 area of same complaints: Riding, the noise, and
6 all hours of the day and night.
7 COUNCILMAN ORTIZ: Have you called
8 the police?
9 MS. HOAK: No, I haven't. I'm on
10 the Pedak. But tell you the truth, I haven't
11 heard it during the night. Because when I go to
12 sleep, I go to sleep.
13 But I have all my neighbors, you
14 know, are complaining about it. And so, I'm just,
15 you know -- I think --
16 COUNCILMAN ORTIZ: You should call
17 the police.
18 MS. HOAK: Oh, I know that.
19 And a lot of people don't realize

20 that the more police calls you get, you get
21 attention. I've been preaching that for 13 years.
22 If they don't get complaints, they think there's
23 no problem.

24 COUNCILMAN ORTIZ: That's right.

25 MS. HOAK: People must call 911.

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2 They might not get there.

3 COUNCILMAN ORTIZ: Well, I don't
4 think you should call 911 for scooters. I think
5 you call the Captain of the Police Precinct.

6 MS. HOAK: I'll talk to Jerry
7 anyhow.

8 COUNCILMAN ORTIZ: Because I think
9 if you -- 911 you should use just for emergencies.

10 MS. HOAK: Well, that helps the
11 Police Department. If they have all these calls,
12 then that raises a flag that there's a problem.

13 COUNCILMAN ORTIZ: Well, you might
14 tie up.

15 MS. HOAK: Well, 90 percent of the
16 times you're not going to get a car because
17 they're busy doing other things, but it gives the
18 Captain --

19 COUNCILMAN ORTIZ: But if the
20 Captain -- I think you should have -- And you're
21 from East Frankford Civic Association.

22 MS. HOAK: Mm-hmm.
23 COUNCILMAN ORTIZ: You should have a
24 meeting with the Captain and bring down the
25 Captain and the inspectors, and tell them about

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2 the scooters.

3 MS. HOAK: Oh, they're well aware.
4 Last Pedak meeting, that's all everybody talked
5 about. And this is from all over, in the 15th
6 District. That's the first thing that was brought
7 up. And there's not much they can do yet.

8 COUNCILMAN ORTIZ: Well, you just
9 heard they can. They can stop them, and they can
10 take the scooter away.

11 MS. HOAK: But when is that going to
12 go into effect?

13 COUNCILMAN ORTIZ: That can go into
14 effect right now.

15 MS. HOAK: Now? Oh, okay. Great.

16 COUNCILMAN ORTIZ: Okay?

17 MS. HOAK: I mean, that gives us
18 some consolation that some of this is going to
19 stop.

20 They also use it for drug-running,
21 too. Please.

22 COUNCILMAN ORTIZ: Thank you.

23 Millie Cappetti, Jim Robb, Betty
24 Huntley and Dottie Quarterman.
25 Please identify yourself for the

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2 record.

3 MS. CAPPETTI: Millie Cappetti,
4 C-a-p-p-e-t-t-i. I am a crossing guard. I am
5 also Vice President of Juniata Civic Association.
6 I'm also a parent.

7 On my post when I'm there, I have
8 them coming by. They're running on the pavements,
9 knocking over the school children. They pay no
10 regards for any pedestrians on the street.

11 I have had four accidents on that
12 corner, minor fender-benders, from them running
13 the red light, not paying attention, doing what
14 they wanted to do.

15 Even on Erie Ave. I'm at Erie. And
16 they come up and down Erie Ave. like it's nothing,
17 running the lights. Don't care.

18 I've talked to the Captain on
19 numerous occasions to do something about it. I'm
20 constantly told that they're not allowed to touch
21 them. They're not considered motor vehicles,
22 this, that. Now today --

23 COUNCILMAN ORTIZ: What has the
24 Captain said?

25 MS. CAPPETTI: The Captain says

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2 they're not allowed to touch them. They're not
3 considered motor vehicles.

4 COUNCILMAN ORTIZ: Well, you heard
5 different today.

6 MS. CAPPETTI: Exactly. And when I
7 go home, I plan on calling Captain Mackus to make
8 him aware of that.

9 COUNCILMAN ORTIZ: Okay.

10 MS. CAPPETTI: Also, with the mopeds
11 and stuff like that, we have that problem going on
12 up in the neighborhood. And I've complained to
13 the Captain on numerous times.

14 And they told us that there's
15 nothing they can really do about that either, if
16 they can't catch them.

17 But it's getting worse. I give them
18 the times, where the kids are, especially in the
19 school yards. After school when the kids are
20 coming out they'll be riding them through the
21 school yards.

22 And still nothing. They're saying
23 it's too busy. They can't get to them places,
24 blah, blah, blah. But it's getting worse. We
25 have already had one person that was killed.

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2 COUNCILMAN ORTIZ: Yeah.

3 MS. CAPPETTI: She was ran over by a
4 truck and died on one of the scooters. That's the
5 first one in our area so far. But God knows how
6 many is going to go on.

7 COUNCILMAN ORTIZ: Thank you.

8 Next.

9 MS. QUARTERMAN: Good morning. My
10 name is Dottie Quarterman. I am a citizen of
11 Philadelphia, also as well as Legislative Aide to
12 Representative John Taylor.

13 As a citizen and as a representative
14 to Representative Taylor, we have had and I have
15 had numerous complaints about scooters.

16 My personal opinion as a citizen is,
17 they should be immediately confiscated. They are
18 running -- Yesterday, for example, I was coming
19 down my mother's street which is in Juniata Park,
20 on Nielson Street right down the street from
21 McCauley Playground.

22 I go -- usually come down the street
23 15 miles an hour. It's a very active street, many
24 children on the street.

25 This boy came out from the sidewalk.

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2 I almost hit him. Now, I was going 15 miles an
3 hour. Had I been flying down the street, I would
4 have killed him. He was all of 11 years old.

5 What's happening with these scooters
6 is, number one, again, they don't have turn
7 signals. No one's wearing helmets. And they're
8 driving them like idiots. They are up on the
9 sidewalks. They're in the rec centers.

10 I can say that I was at one softball
11 game at Juniata Park where I did see two 24th
12 Police District officers confiscate two scooters
13 off kids. But that was the only time I did see
14 that.

15 It seems to be getting worse day by
16 day. We have kids who now are taking lawn mower
17 motors and attaching them to the scooters that
18 used to pedal with your feet. And they're selling
19 them for, like, 45 bucks.

20 So now you have not only the
21 scooters that you can buy for \$295, but one you
22 can buy out of somebody's back garage for \$45.
23 They're on a sidewalk. They're threatening
24 seniors. They're threatening just communities in
25 general.

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2 I believe that the police really
3 probably are a little desensitized to the issue
4 itself. But I believe that they should be, when
5 they see them -- because they are not legal --
6 they should be confiscated immediately, period;
7 end of story.

8 Someone -- There is going to be a
9 serious disaster with these scooters. It
10 frightens the death out of me when I see these
11 kids, because most of these kids on the scooters
12 are kids from the age of 9 to maybe 18, because
13 most of them by then are driving.

14 These are young kids. None of them
15 have helmets. They're hanging off them. They're
16 going against traffic. They're up on sidewalks.
17 They're just completely, you know, no regard, no
18 common courtesy, no regard for any law.

19 I don't know that they know that
20 there's any law. As Councilman Reynolds Brown had
21 said, maybe you could go through the Black Clergy.
22 I don't know if that's your answer.

23 I think your best, I guess, action
24 for this, in order to show kids how dangerous it
25 is, and parents, is to go through the School

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2 District, to go through the rec centers.

3 COUNCILMAN ORTIZ: The best answer
4 is to just confiscate them.
5 MS. QUARTERMAN: And I agree.
6 COUNCILMAN ORTIZ: That's it.
7 MS. QUARTERMAN: I absolutely agree.
8 COUNCILMAN ORTIZ: Just take them
9 away; and that's it.
10 MS. QUARTERMAN: And chop them in
11 half.
12 COUNCILMAN DiCICCO: We can't wait a
13 whole summer.
14 And I appreciate your being here
15 today. The neighborhoods are literally under
16 siege right now.
17 MS. QUARTERMAN: Yes, they are.
18 COUNCILMAN DiCICCO: We have to
19 get --
20 COUNCILMAN ORTIZ: You can't -- If
21 You confiscate them, a parent wasted \$300. That's
22 education.
23 MS. QUARTERMAN: It certainly is.
24 COUNCILMAN ORTIZ: It's education.
25 It certainly is.

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2 MS. QUARTERMAN: I thank you.
3 COUNCILMAN ORTIZ: Ma'am.

4 MS. HUNTLEY: Hello. My name is
5 Betty Huntley, a Committeewoman, 33rd Ward, 9th
6 Division.

7 I have two schools on each of my
8 corners, L and Huntingdon Park and L and Lycoming.
9 And the problem I have in my Division is, I have
10 approximately 2500 kids that walk in the morning
11 and in the afternoon.

12 These scooters, when the kids
13 getting from high school around 1 o'clock, 2
14 o'clock, they have a tendency of coming out with
15 these scooters.

16 And at 3 o'clock when the children
17 is released, between 2:30 and 3 o'clock, they are
18 speeding through the neighborhoods, going through
19 the school yards, having disregard of the
20 children, hitting crossing guards or almost
21 hitting crossing guards.

22 It have became a problem where I'm
23 out the door screaming all the time, asking them
24 be careful.

25 I think some law need to be made

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2 where, when there's school hours -- Something need
3 to be done because, I mean, we have had so many
4 children has almost have got hit, you know, trying
5 to cross the street by the crossing guard.

6 COUNCILMAN ORTIZ: The law is there.
7 It is illegal to do this. It is illegal to ride
8 the all-terrain vehicles. All that has to happen
9 is, the police have to implement this.

10 COUNCILMAN DiCICCO: Councilman,
11 question for the lady.

12 Are any of these people who are
13 operating these vehicles, are they coming from
14 school with that or just that, as you're saying,
15 after school hours?

16 MS. HUNTLEY: After they get -- The
17 high school gets out.

18 COUNCILMAN DiCICCO: They're not
19 taking them to and from school.

20 MS. HUNTLEY: No, not as far as I
21 know. I mean, anything possible. They driving
22 cars to school now.

23 COUNCILMAN DiCICCO: They're young
24 people. I was young once a long time ago. They
25 want to look cool. It's the in thing to do. We

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2 all understand. We all went through this.

3 But, you know, even when I was a kid
4 driving a bike, you know, your parents always
5 said: Stay out of the street. Be careful when
6 you get to an intersection.

7 It's just a different situation now,
8 because now motorized vehicles, these things are
9 much more dangerous than bicycles because you can
10 continually go at a certain rate of speed.

11 The bicycle, you pedal, you get a
12 little tired; you slow down. This, you know, it's
13 a car. It's a vehicle.

14 And so, I think the Chairman is
15 right. And we all said this earlier. We just
16 need a zero tolerance. Sometimes we abuse that,
17 that saying, that phrase.

18 But we need to get the message out.
19 It's too late for education. Parents are
20 irresponsible. They need to be held accountable.
21 And the only way you hold them accountable is by
22 letting them waste their money, if in fact they
23 bought it in the first place.

24 But they're so inexpensive, if a kid
25 has a part-time job, he's going to be able to buy

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2 one on his own. So somebody -- It's got to be
3 taken off the street.

4 I would suggest to the Chair that as
5 a result of these hearings, in addition to the
6 Resolutions that Councilman Mariano and I
7 introduced -- Mine called for the Police
8 Department to get active in this -- that we, you

9 as the Chair, write a letter to the Police
10 Commissioner, spelling out what took place here
11 and asking that they make full enforcement.

12 This could be another part of
13 Operation Safe Streets. I mean, Operation Safe
14 Streets doesn't only have to deal with drugs.
15 It's got to deal with nuisance and other quality
16 of life issues. And this is a dangerous
17 situation. It's out of control.

18 COUNCILMAN ORTIZ: We will do that.

19 COUNCILMAN DiCICCO: And I want to
20 thank all of you for coming.

21 COUNCILMAN ORTIZ: Councilman
22 Miller. Hold on.

23 COUNCILWOMAN MILLER: I agree with
24 my colleagues and to call for strong enforcement,
25 but I'd also want to make sure that people, number

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2 one, know that these are not toys, and that
3 people -- that the City gives people the education
4 necessary so they will fully understand,
5 particularly parents of minors, will fully
6 understand that those children are breaking the
7 law, and they won't go out and buy those things.

8 But I agree that we do need strong
9 enforcement, even to the point that at some point

10 maybe parents should be fined, once they know.

11 But I just want to make sure that
12 they do know, that purchasing these and letting
13 minor children drive them, they're breaking the
14 law.

15 And I do have sense enough to know
16 that there are many teenagers that will go out and
17 buy something without their parents' consent. I'm
18 the mother of a teenager.

19 However, I'd at least want to know.
20 I want to make sure people know. So, I know that
21 the Police Department did testify about the public
22 education that they're developing right now, and
23 over with the Managing Director. And I'd like to
24 see that put in force, but I'd also like to see
25 stronger enforcement also. Thank you.

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2 COUNCILMAN ORTIZ: Thank you. Are
3 there any other individuals to testify?

4 Please identify yourself for the
5 record.

6 MR. LAURILLIARD: My name is Jack
7 Laurilliard from the Juniata Park Older Adult
8 Center. My last name, L-a-u-r-i-l-l-i-a-r-d.
9 Laurilliard. Rhymes with billiard.

10 COUNCILMAN ORTIZ: Yes, sir.

11 MR. LAURILLIARD: I'm a little bit

12 disappointed. It seems... What can I say that
13 hasn't already been said?

14 You know what you have to do. When
15 are we going to do it? What do you have to do to
16 put into effect everything that was talked about
17 today? Make it illegal to sell these. Go to
18 the -- And do your confiscation and destroy them.
19 I don't know who made that suggestion. Destroy
20 them.

21 COUNCILMAN ORTIZ: That they're
22 going to do. We can't prohibit selling them.

23 MR. LAURILLIARD: Why not? Don't
24 you have to have a license to sell handguns?
25 Isn't this a dangerous thing?

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2 COUNCILMAN ORTIZ: I wish we could
3 prohibit selling handguns. You can't prohibit
4 selling handguns. Handguns get sold. Handguns
5 get sold in this City. I hope I wish we could
6 prohibit selling guns.

7 MR. LAURILLIARD: My question is,
8 when are all these things going to go into effect?
9 Somebody said we're going to send a letter to
10 the -- Why do we have to wait for a letter? Can't
11 we call the Commissioner up? Sit down. This is
12 what we want you to do. And then tomorrow he'll

13 do it.

14 COUNCILMAN ORTIZ: His
15 representative was here. His representative said
16 that they're implementing this immediately.

17 MR. LAURILLIARD: Thank you very
18 much. I didn't mean any disrespect to any Council
19 Members.

20 COUNCILMAN ORTIZ: Thank you.

21 MR. LANG: Hi. My name's Chris
22 Lang. I'm the Committee person from the 33rd
23 Ward, 11th Division.

24 And I just need to relate to
25 something I saw just to further on how dangerous

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2 these are.

3 A scooter comes down a one-way
4 street the wrong way, pulls out onto a two-way
5 street, a car swerves to avoid the scooter.
6 Another car coming the other way swerves to avoid
7 this car.

8 And here is a group of young
9 children walking to the Seven-11. And thank God
10 nobody was killed. It was one of those
11 hold-your-breath moments. You're like: Oh, my
12 God, all caused by this one scooter that's flying
13 down the street.

14 And as far as if these laws are out

15 there, and they're already in effect, I think one
16 of our most... good weapons that we can use is our
17 local media, such as the Juniata News, Aldia,
18 these small papers that you know that everybody
19 reads their own little neighborhood newspapers
20 faithfully. And I would just like you to consider
21 that.

22 I don't know if Council has a
23 repertoire with these people that they can send
24 out notices to these small papers and get it
25 printed up as a community service.

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2 COUNCILMAN ORTIZ: I think that
3 should be the responsibility of the neighborhood
4 people, to get in touch with all of these, you
5 know, media and newspapers.

6 Yes, sir.

7 MR. SOTO: Yes. My name is Jesus
8 Soto. I am representing the 33rd Ward. I'm also
9 a child care center director.

10 And many occasions we have our
11 children coming out. I deal with zero to five
12 year-olds. And this is in the Norris Square
13 Community, which is on the lower end of Mariano's
14 District.

15 And I can count to every day,

16 almost: Kids on the pavement, off the pavement,
17 flying from one corner. And I'm right there on
18 the corner of Mascher and Norris where there's no
19 stop sign.

20 And you can just see an accident
21 waiting to happen. And I'm glad that there is law
22 out there.

23 However, I was one of those people
24 that called the cops, the police, and stood in
25 front of my stoop, and stood in front of I Street,

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2 because I live at I and Juniata.

3 And I said: No, you're not going to
4 do this at 11 o'clock at night. Now I waited and
5 waited. And called again. And then I called
6 again. I called three times that evening for a
7 vehicle to come by.

8 Lo and behold, an hour later they
9 came by, but the children decided it was time to
10 go to bed at 12:30. But I was one of those
11 residents that just stood on I Street and said:
12 No, no, no.

13 Now, we can have these laws
14 implemented. We can have these nice juicy things
15 that people say. But it has to go to the rank and
16 file. It has to get to the bottom. It has to get
17 to the people that are actually going to do the

18 work.

19 The morale... I don't know what the
20 morale is, but... I don't know. At this point
21 you can have a million laws, but if you don't
22 implement them, then they're useless.

23 COUNCILMAN ORTIZ: That's right. I
24 suggest you talk to the Captain.

25 Thank you very much. Thank you.

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2 Anybody else?

3 Yes, ma'am.

4 MS. CLARK: Good morning. My name
5 is Kate Clark, and I am a resident of the Juniata
6 Park Section of the City of Philadelphia.

7 I have one question. That is, can
8 we find the places that are actually selling these
9 and confiscate them from them?

10 COUNCILMAN ORTIZ: No, you can't.

11 MS. CLARK: There is nothing we can
12 do in reference to that?

13 COUNCILMAN ORTIZ: No.

14 Thank you.

15 COUNCILMAN MARIANO: You can get the
16 illegal places that don't have licenses on the
17 corner, but if they're a business...

18 MS. CLARK: Such as the one that's

19 selling them on the 44 and 4500 block of Castor
20 Avenue.

21 COUNCILMAN ORTIZ: If they're
22 selling them without a license, we can, yeah.

23 Go ahead.

24 COUNCILWOMAN MILLER: I would
25 wonder, though, if... You know, my 12 year-old

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2 nephew can't go and buy a car. I don't think any
3 car auto dealer would sell him a car.

4 So I'm wondering if when you go to
5 buy one of these whether I.D. is required so they
6 won't be selling this to a minor. Is that where
7 you're trying to go with that?

8 MS. CLARK: I'm trying to go with
9 that. I'm trying to go with something in that
10 respect, something.

11 COUNCILMAN ORTIZ: Well, for a minor
12 that would be different. I don't think a minor
13 can buy a motorized vehicle.

14 MS. CLARK: You don't think so.

15 COUNCILMAN ORTIZ: No, I don't think
16 so.

17 UNIDENTIFIED VOICE: If he's got 300
18 bucks, he's going to sell it to him.

19 COUNCILWOMAN MILLER: They can buy
20 it from the guy that --

21 (Many people began speaking
22 simultaneously, not reportable.)
23 COUNCILMAN ORTIZ: I don't think a
24 minor can buy a motorized vehicle in this City or
25 the Commonwealth.

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2 Thank you.
3 COUNCILWOMAN MILLER: So that means
4 there's some adult purchasing, and that's where
5 the fines are coming.
6 COUNCILMAN ORTIZ: Thank you.
7 MR. SILVA: How you doing? My name
8 is Candido Silva. I'm one of the Democratic Ward
9 Leaders of the 33rd Ward.
10 And I think the important thing is
11 educating. We're missing one factor. I think we
12 should start at the schools. I think we should
13 start at the recreational center.
14 I think picking up the vehicles, and
15 chopping them up, and burning them, and tearing
16 them apart, and confiscating them is not the
17 issue.
18 We have people in our community that
19 don't understand the law or the system. So we
20 need to take part in educating. I think the
21 easiest way and less [sic] cost effective is

22 starting with the school districts setting first,
23 as well as the recreational center.

24 And what better time to start now
25 with the recreational centers, when you have kids

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2 going to recreational center camps within the City
3 system. And this is the best time.

4 If you just confiscate these motor
5 vehicles or these scooters, you're not only
6 depriving somebody from knowledge, but if you
7 taking the necessary steps by step one, step two,
8 step three, and so on, then you have the parents
9 not coming back being rebellious of you
10 confiscating these scooters from the children,
11 where they say: Oh, we'll pay the money just to
12 keep you quiet because somebody else's kid has it?
13 No. I think we should start at -- plant the seed
14 within the schools and the recreational centers,
15 and then we can move on, and then we can do the
16 confiscating. Thank you.

17 COUNCILMAN ORTIZ: Thank you. No
18 one else to testify?

19 (No response.)

20 COUNCILMAN ORTIZ: This Committee of
21 Public Safety stands in recess until the call of
22 the chair.

23 (Hearing concluded at 12:18 p.m.)

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CERTIFICATE

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I HEREBY CERTIFY that the proceedings and evidence are contained fully and accurately in the stenographic notes taken by me upon the public hearing of The Philadelphia City Council, taken on June 11, 2003, and that this is a true and correct transcript of same.

DAVID A. DEIK, RPR and
Commissioner of Deeds

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