

## Legislation Details (With Text)

<b>File #:</b>	19-213	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Individual Item Ready
<b>File created:</b>	3/12/2019	<b>In control:</b>	City Council
<b>On agenda:</b>	3/25/2019	<b>Final action:</b>	
<b>Title:</b>	Discuss and consider approval of the second and final reading of an ordinance amending Code of Ordinances Chapter 126 Traffic and Vehicles to prohibit shared mobility services using motor-assisted scooter and electric bicycles.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. 2019-03-11 Ordinance - Scooters		

Date	Ver.	Action By	Action	Result
3/25/2019	1	City Council		

Presenter/Contact  
*Garry Ford, City Engineer*  
(830) 221-4020 - [gford@nbtexas.org](mailto:gford@nbtexas.org)

**SUBJECT:**

Discuss and consider approval of the second and final reading of an ordinance amending Code of Ordinances Chapter 126 Traffic and Vehicles to prohibit shared mobility services using motor-assisted scooter and electric bicycles.

**BACKGROUND / RATIONALE:**

City Council approved the first reading of an ordinance amending Code of Ordinances Chapter 126 Traffic and Vehicles to prohibit shared mobility services using motor-assisted scooter and electric bicycles with a vote of five in favor and one opposed on March 11, 2019.

Shared mobility services, including dockless scooters and bicycles, are increasingly being deployed onto sidewalks in cities across the country. In most instances, cities have few or no safety regulations for shared mobility services. In January 2019, dockless scooters were placed on sidewalks in the right of way in downtown New Braunfels without any discussion or coordination with city officials. A 90-day temporary ban on shared mobility services was enacted by the Chief of Police on January 30, 2019, in the immediate interest of the public safety of motorists and pedestrians. The temporary regulation is in place for 90 days, or until City Council adopts an ordinance regulating the services if adopted before the expiration of the temporary regulation.

Shared mobility services mean any service that displays, offers or places for rent on a public right of way or property one or more motor-assisted scooter, electric bicycle, or other similar transportation device. It does not apply to personal devices.

Surrounding cities, such as Austin and San Antonio, have regulations governing the implementation

and use of these shared mobility services to ensure the safety of pedestrians as well as the users of these services. The City of San Antonio has recently placed a moratorium on new scooter permits until its six-month pilot regulation program ends in April. The City of Frisco enacted a temporary ban on all types of shared mobility services in December 2018 until their City Council adopts a new ordinance governing shared mobility services. The City of Fredericksburg recently banned motor-assisted scooters on any sidewalk, street or highway within the city and surrounding cities, including Leon Valley, Kirby, Terrell Hills and Alamo Heights are looking to regulate shared mobility services.

Many cities are concerned with safety, liability, blocking of sidewalks and other pedestrian pathways, and devices cluttered on sidewalks, streets and private property. Proponents of the devices see it as an alternate transportation option and business opportunity like Uber and Lyft ride-share services. There are many articles and opinions expressed on the shared mobility services throughout the country.

The City of San Antonio is currently in a six-month pilot program for dockless vehicles that begun in October 2018. The pilot program includes the following regulations:

- Operation
  - Must be 16 years or older
  - Allowed on sidewalks
  - Helmets encouraged, but not required
  - Must follow traffic laws
- Parking
  - 3 feet clearance for pedestrians
  - May not block curb ramps
  - 8 feet from business entrances and driveways
  - 15 feet buffer from bus stops
- Prohibited Areas
  - River walk, park trails, creek ways, and in parks and plazas
  - Parking and deployment is also prohibited in these areas
- Permitting
  - Permits valid for six months
  - \$500 application fee and \$10 permit fee per vehicle

Issues were identified and amendments to the program were made in February 2019. Some of the issues include:

- Riding, parking and deployment in prohibited areas
- Underage and multiple people riding
- Crashes with higher rate between 11 p.m. and 4 a.m.
- Blocking sidewalks and ramps
- Adverse impacts to events
- Vehicles not picked up at night

The mid-point amendments to the program include:

- Impose hour of operation from 6 a.m. to 11 p.m.
- Grant staff authority to identify areas where scooters must be removed such as special events

and construction areas

- Vehicles parked in prohibited areas may be collected without warning
- Moratorium on new permits
- Encourage the use of designated parking zones

This item was initially introduced to the Transportation and Traffic Advisory Board on January 10, 2019. With the deployment of scooters and temporary ban by the Chief of Police soon thereafter, the Board discussed and recommended to prohibit shared mobility services at their meeting on February 21, 2019. Factors discussed at the meeting included safety concerns, events and river activities, need for such devices, lack of infrastructure, and staff resources.

**ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:**

Strategy 7: Connect All: Action 7.22: Adopt a Complete Streets policy to ensure ease of access for all people and all transportation modes.

**FISCAL IMPACT:**

N/A

**COMMITTEE RECOMMENDATION:**

The Transportation and Traffic Advisory Board unanimously voted to recommend a prohibition on shared mobility services in the City of New Braunfels at their meeting on February 21, 2019.

**STAFF RECOMMENDATION:**

Development and implementation of an ordinance to regulate shared mobility services will require additional staff resources. Additional research is necessary to determine the resources required, but resources will be required to permit, regulate, enforce and respond to crashes and complaints. Staff recommends a prohibition on shared mobility services at this time.