

TRANSPORTATION COMMISSION



Michael Kyte
Chair

~Agenda~

Bill Belknap
Staff Liaison

<https://www.ci.moscow.id.us/556/Transportation-Commission>

Thursday, December 12, 2019

4:00 PM

Council Chambers
206 E. 3rd St.

WELCOME AND ATTENDANCE

REGULAR AGENDA

1. Approval of Transportation Commission Minutes from November 14, 2019 (Action Item)

PROPOSED ACTION: Approve minutes as presented; approve minutes with amendments; or provide staff further direction.

2. Public Comment

3. Commission Communications

4. Report on Pedestrian and Bicycle Counts for East Third Street Corridor – Bill Belknap

Following the installation of the Third Street pedestrian bridge this past summer, Staff completed two pedestrian and bicycle counts on the eastern portion of Third Street Corridor at the Third and Blaine, and Third and Hayes intersections to assess

PROPOSED ACTION: Receive report and provide direction as deemed appropriate.

5. Vitruvian Planning Report Review (Action Item) – Bill Belknap

In May of 2019, Vitruvian Planning conducted a two-day walk audit training course called The Looking Glass Academy, sponsored by the Idaho Department of Health and Welfare through Supplemental Nutrition Assistance Program funding. A report outlining the audit findings and recommendations has been prepared by the consultant for the City's review.

PROPOSED ACTION: Review the Looking Glass Academy report and provide direction as deemed appropriate.

NOTICE: Moscow City Council Commission meetings can be televised, videotaped and/or recorded. Individuals attending the meeting who require special assistance to accommodate physical, hearing, or other impairments, please contact the City Clerk, at (208) 883-7015 or TDD 883-7019, as soon as possible so that arrangements may be made.

6. E-bike and E-Scooter Policy Development Discussion (Action Item) – Bill Belknap

City Staff and the Pathways Commission have recently undertaken a review of relevant State of Idaho and City statutes and regulations pertaining to electric assist bicycle and electric scooters in light of the recent increase in use of these devices within the community. Staff will provide a summary of this review and anticipated updates to City code to address the use of these mobility devices within Moscow.

PROPOSED ACTION: Receive report and provide direction as deemed appropriate.

REPORTS

1. Development Projects Report – Bill Belknap

CONTINUING EDUCATION

UPCOMING EVENTS/MEETINGS

- 1. The next scheduled meeting is January 9, 2020. Commission Members must submit agenda items directly to the chair by Tuesday, December 31, 2019.**

ADJOURN

NOTICE: Moscow City Council Commission meetings can be televised, videotaped and/or recorded. Individuals attending the meeting who require special assistance to accommodate physical, hearing, or other impairments, please contact the City Clerk, at (208) 883-7015 or TDD 883-7019, as soon as possible so that arrangements may be made.

TRANSPORTATION COMMISSION



Michael Kyte
Commission Chair

~Meeting Minutes~
November 14, 2019

Bill Belknap
Staff Liaison

trans@ci.moscow.id.us

208.883.7011

<https://www.ci.moscow.id.us/556/Transportation-Commission>

The meeting was called to order at 4:11 pm.

MEMBERS PRESENT: Michael Kyte, Chair; Phil Cook, Mary DuPree, Joel Hamilton, Brian Johnson, Mike McGahan, Don Meyer, Bob Sanders

MEMBERS ABSENT: Ben Calabretta

ALSO IN ATTENDANCE: Bill Belknap, Scott Bontrager, Nate Suhr, Jared Hopkins (ITD), Caylee Birge

REGULAR AGENDA

1. Approval of Transportation Commission Minutes from October 10, 2019 (Action Item)

Cook moved approval of the minutes as presented, seconded by Meyer. Motion carried with DuPree abstaining.

2. Public Comment

None.

3. Commission Communications

- Cook said in his observation about 10% of drivers are not complying with the HAWK signal at Mountain View and Third Streets. He recommended greater police presence and perhaps additional community education efforts. He added that it would be interesting to know signal use counts.
- Cook asked about improvements on the east-west section of Mountain View Road in anticipation of Logos School traffic. Belknap said some improvements would occur in conjunction with the school construction. He will obtain more details and timeframes to share at the next meeting.
- Cook asked if Administration had provided a response yet regarding the Third Street bike lanes. Belknap said no.
- Hamilton relayed discussion from a recent Planning & Zoning discussion regarding some cities painting their bike lanes green for better visibility.
- Hopkins shared that ITD will be creating an inventory of aged signal heads and back plates. ITD will provide the equipment and City staff will make the repairs.
- Meyer and McGahan reported to Hopkins that the timing needs to be checked on the light at Perimeter Dr/Farm Road and Highway 8.

4. Transportation Safety Improvement Grant Programs Overview (Action Item) – Nate Suhr

Staff will provide an overview of the various safety improvement grant programs, eligibility requirements, and Staff's annual accident history review process to identify potential eligible safety improvements.

Suhr provided an overview of the recurring grants available from TAP and ITD. Moscow hasn't been competitive for Federal Aid Bridge Grants because existing sufficiency ratings are too high. The Transportation Alternatives Program has provided some matching grants for underpasses and bicycle/pedestrian routes. The Local Highway Safety Improvement Grant allocates 40% of its funding to local jurisdictions and the top five most populous cities in each district are always eligible so Moscow has been very well funded from that source. Suhr showed 5-year crash site data where a fatality or disabling injury occurred. Kyte asked if staff have determined any road safety issues from the crash data that would qualify the City for safety grants. Suhr said yes, and gave the example of the number of drive-off accidents on Polk Street. The City was able to obtain a grant to culvert the creek and install a sidewalk, so now if people go off the roadway the accident will at least be less severe.

5. D Street and Main Street Intersection Study and Preliminary Turn Lane Design (Action Item) – Scott Bontrager (Nate Suhr presented for him)

Staff will provide a report on the recent intersection traffic study of the intersection of D Street and Main Street to assess the potential installation of an eastbound left turn lane at the intersection.

The current delay situation is ranked as a "D" level of service during commute hours, which does not meet the threshold of "unacceptable." Common crashes are side-swipes and rear-ends so a proposed left turn lane would help alleviate those incidents. ITD is supportive and is interested in seeing how the new EMSI building occupancy will impact travel volumes in that area. The intersection will continue to be monitored.

6. Request for Letter of Support for the South Main Pedestrian Underpass Project (Action Item) – Bill Belknap

Staff is seeking Commission authorization to provide a letter of support for the City's proposed Transportation Alternatives Program (TAP) South Main pedestrian/bicycle pathway underpass project. Staff will provide a brief overview of the proposed project.

Belknap said project design is anticipated to occur in 2022 and construction in 2023. Current estimated total cost is just over \$1 Million, with half targeted from local match funds from the City and the Moscow Urban Renewal Agency. Cook moved that the Transportation Commission provide letter of support to City for the South Main Pedestrian underpass project. Dupree seconded the motion which carried unanimously by acclamation. Kyte encouraged continued discussion between the City and ITD regarding crosswalks impacted by this project.

REPORTS

1. Future Commission Agenda Planning – Michael Kyte

Kyte distributed a draft list of upcoming meeting agenda items for the Commission's review. Cook asked if City Code would need to be amended regarding e-bike use on pedestrian pathways. Belknap said that topic is on the agenda for the December meeting. Belknap said this planning document helps staff be prepared with the necessary research and data for Commission discussion.

DuPree asked about bikes on downtown sidewalks and Belknap said to date there has been a voluntary dismount “policy” but the Commission could certainly discuss again.

CONTINUING EDUCATION

Kyte distributed information about the Commission duties and asked whether the group wanted to revisit the list of ex-officio members. Cook noted that he felt it as important to recognize the importance of the ex-officio entities and did not feel that it hurt to have them included in the City Code even if they do not take advantage to their opportunity to be present at the meetings. Kyte asked the group to give the topic some thought and the Commission will review the subject in January.

UPCOMING EVENTS/MEETINGS

The next scheduled meeting is December 12, 2019. Commission Members must submit agenda items directly to the chair by Wednesday, December 4, 2019.

ADJOURNED: 5:10 pm

Michael Kyte, Chair



Looking Glass Academy Moscow, Idaho Summary— September 2019

Introduction

The Idaho Department of Health & Welfare continues to support safer environments for people to walk and bike in their communities. The Department, with funding from the Centers for Disease Control and Prevention, and through Supplemental Nutrition Assistance Program (SNAP) funds, supported a two-day walk audit training course called, The Looking Glass Academy. The academy was held in Moscow in May 2019. The city was selected by the walkability team including the lead instructors and state staff due to the numerous economic challenges facing the city, such as students and families ability to access healthy food and utilize SNAP benefits. The training was seen as a beneficial experience and resulted in recommendation to improve overall walkability and access to food.

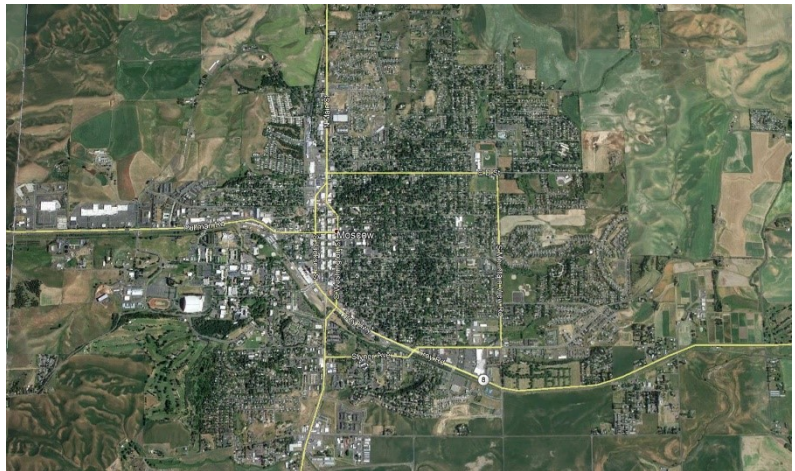
The purpose of the course was to immerse participants in understanding and know the characteristics and keys of walkability through the 4-C's approach:

- **Comfort:** What human beings need to be comfortable while walking—their walk speeds, their psychological needs, and how we experience walking through our senses.
- **Context:** Where we are drawn when walking, what we try to avoid—how land use, land forms, traffic volumes and speeds, road width and lighting impact the desirability of a place.
- **Connectivity:** How linkages in sidewalks and pathways along streets, through parks, and within varying types of land development pose opportunities and barriers for people of all ages and abilities.
- **Crossings:** How access to crosswalks, crosswalk types, pedestrian signals, and signal timing influence how safe a crossing can be in terms of access, driver compliance, and suitability for walking.

By examining and understanding walkability through the lens of these 4-C's, participants are able to make a more cohesive case to planners, engineers, and public officials for improved conditions for people who walk.

Moscow, through the Looking Glass

The city of Moscow is located on the Palouse among the rolling wheat fields near the Washington state border. The city is home to approximately 25,000 residents which include both permanent residents and the student body attending the University of Idaho. The City has worked hard to improve the walkability of streets and pathways and continues to take major strides by improving crossings, adding missing sidewalk segments, and enhancing the bicycle network which also improves walkability.



With continued efforts, Moscow can remain one of Idaho's leading advocates for walkers of all ages and abilities despite limitations on budgets and the strains on infrastructure due to the significant seasonal population shifts. Challenges to walkability otherwise, include the significant presences and lack of control of state routes, terrain and elevation changes, and many older neighborhoods built without sidewalks.

This report was supported by the Idaho Department of Health and Welfare.

This publication was supported by the Grant or Cooperative Agreement Number, **NB01OT009165-01-00**, funded by the Centers for Disease Control and Prevention. Its contents are solely the responsibility of the authors and do not necessarily represent the official views of the Centers for Disease Control and Prevention or the Department of Health and Human Services.



Looking Glass Academy Moscow, Idaho Summary— September 2019

Moscow Crash Evaluation

The Local Highway Technical Assistance Council (LHTAC) maintains an online map of all traffic crashes in Idaho. The map below shows the location and severity of all crashes on the City and ITD systems. The table at right is a breakdown of all crashes from 2012 through 2017. Overall, the number of pedestrian and bicyclist crashes during that time was limited to 99 crashes of the 1471 total reported.

Moscow Traffic Crashes, 2012-2017

	All Crashes	Pedestrian & Bicyclist	% Ped. & Bicyclist
Fatal	3	1	33%
Serious Injury	32	13	41%
Visible Injury	183	49	27%
Possible Injury	215	33	15%
Property Damage	1038	3	.02%
Total	1471	99	6.7%

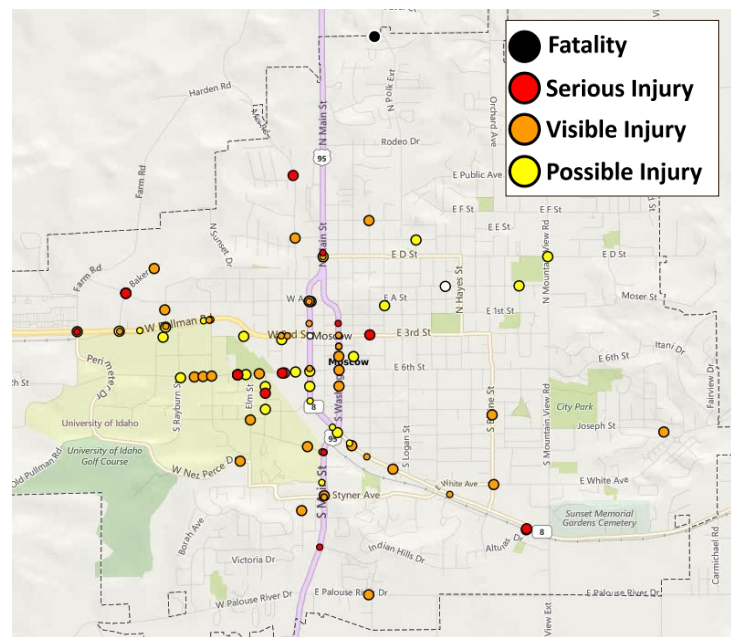
Moscow Total Crashes

Moscow averages about 300 traffic crashes per year. However, when it comes to walkers and bicyclists, the vast majority happen on or in proximity to, the state facilities spanning the city. Despite only having roughly eight road miles in Moscow, nearly 40% of crashes happen on ITD operated roads—and even more happen when people cross local streets at intersections managed by the state. This is where many of the city's crashes occur. The local street with the vast majority of pedestrian and bicyclist crashes is the 6th Street corridor within the University of Idaho campus.

Also of note is the proportion of severe injuries sustained by the walking and bicycling communities compared with the balance of vehicle crashes. For fatal, serious, and visible injuries, roughly 1/3 of all crashes involve the most vulnerable of street users.

While Moscow is a town with higher rates of participation by those who walk or bike, the injury rate is disproportionate to the miles traveled rate of drivers. Many of the serious and visible injuries have occurred west of the downtown couplet. This could be due to the higher number of walkers and bicyclists accessing the university and the more dense housing complexes in that part of Moscow.

This could also indicate driver behavior and roadway design that prompts greater speeds, faster turning movements at intersections, and general lack of awareness as to the presence of human-powered road users.



Bike/Ped Crashes	Local	State	Local%/State%
Fatal	1	0	100%/0%
Serious Injury	8	5	62%/38%
Visible Injury	28	21	57%/43%
Possible Injury	23	10	70%/30%
Property Damage	1	2	33%/66%
Total	61	39	61%/39%

When comparing local versus state rates, many of the categories of injuries are highly disproportionate when comparing local versus state road miles. Many land uses attracting walkers and bicyclists are oriented along state routes in Moscow which implies that there are heavier vehicle volumes and that great safety measures should be taken to reduce all crash rates.

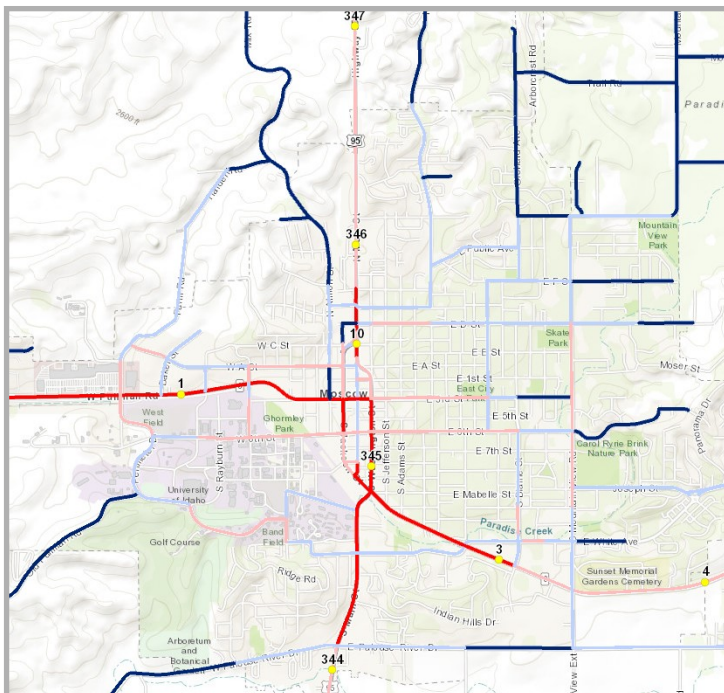


Looking Glass Academy Moscow, Idaho Summary— September 2019

Traffic Volumes

Traffic volumes and delay are often cited as reasons why not to add pedestrian elements such as dedicated stop-controlled crosswalks, additional pedestrian signal time, or even yield flashers that reinforce marked crosswalks.

In Moscow, ITD has kept traffic counts for the past 20 years and displays the data on a state database. What the traffic volumes show is that in many locations traffic has increased ranging from 11.4% to 52%. However, the overall volumes with the exception of Highway 8 between Pullman and Moscow, are still under 14,000 average daily trips. Typically, a three lane road can handle up to 18,000 vehicles per day before reaching a level of service of F, while five lane roads can handle upwards of 25,000 or more per day. Additionally, the two main highways are interstate commerce routes which means traffic is flowing throughout the day and not limited to typical peak flows. This further implies that peak hour traffic volumes may not be as congested if not for the highways. Modest delays for pedestrian rapid flash beacons or pedestrian hybrid beacons would have negligible effects.



Mile Marker	1999	2009	2018	% Change
347	6,200	6,100	7,000	11.4%
346	6,200	8,800	13,000	52%
10	8,000	8,800	10,000	20%
345	13,000	11,000	12,500	-3.8%
1	20,000	23,000	23,500	14.8%
3	11,000	11,000	13,500	18.5%
4	6,900	6,300	6,500	-5.7%
344	6,200	6,200	7,300	15%

Emergence of Flashing Yellow Arrow

Over the past 15 years, a new traffic control device has emerged intended to reduce congestion by allowing more vehicles to pass through an intersection. The flashing yellow arrow is a yield movement that permits drivers to turn left when they determine an appropriate gap in on-coming traffic and when no pedestrians are in the crosswalk in the receiving leg of the intersection. The continued research and analysis of this tool shows that crash rates and severity of crashes often increases with use. While the hope is that drivers judge all elements of the movement correctly, they often misjudge, resulting in crashes. Initial guidance suggested the treatments be limited to slower speed roads with lighter volumes and one lane of oncoming traffic. However, more agencies have installed the signals on multilane roadways with greater speeds and traffic volumes over the years, often trading congestion relief for crash rates. In the realm of pedestrian planning, such a tool can be dangerous and even deadly. Too often, drivers are paying attention to on-coming traffic while failing to realize the presence of pedestrians in the crosswalk, resulting in crashes at fairly high rates of speed as drivers attempt to “shoot the gap”. To avoid this, installing pedestrian count-down software that preempts the yellow flashing arrow when the pedestrian signal button is pressed, is a minimal treatment the City should pursue and request of ITD.



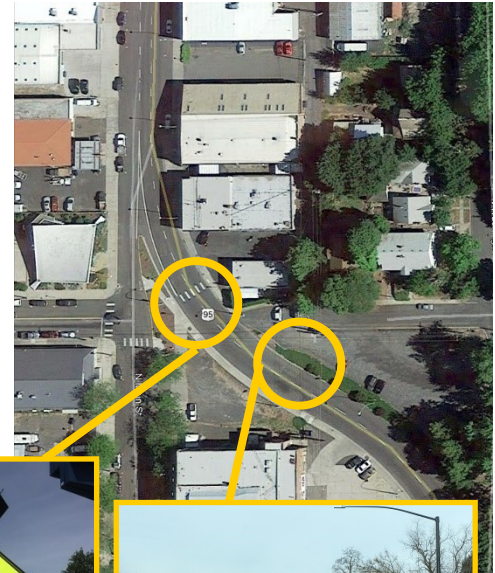


Recommendations

Highway 95 and A Street

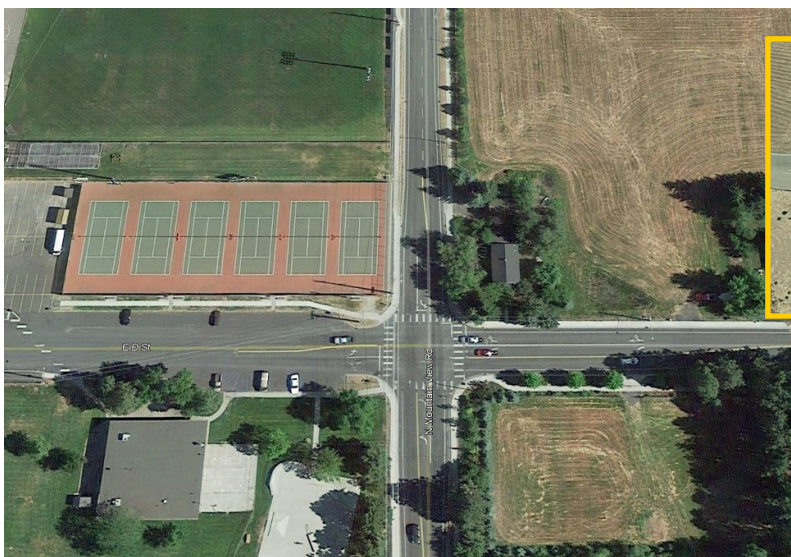
A concern among city officials and local residents is the crossing at Washington (Hwy 95) and A Street which intersect at a curvilinear angle. Though there is no recent crashes occurring at the crosswalk, this can also be a sign of lack of use out of fear from pedestrians. There is an existing marked high visibility crosswalk allowing east to west movement. However, the visibility of the crosswalk to drivers south of the location is limited, especially when pedestrians are crossing from west to east.

To assist pedestrians at this intersection, a rectangular rapid flash beacon should be installed and an additional beacon placed ahead of the crosswalk to the south to ensure drivers are aware of the presence of a pedestrian. Another option would be for the RRFB to be placed on the sides of the crosswalk as well as an additional signal placed on a mast arm over the top of the crosswalk. This approach would also heighten the awareness of the crosswalk to drivers, especially those passing through and unfamiliar with its location.



Mountain View and D Street

The intersection of Mountain View and D Street was also explored during the training. The intersection is currently a four-way stop-controlled intersection, but also has left-hand turn lanes at each leg. This often brings confusion to drivers during busy periods because they are not sure who should proceed and has the right of way. This leads to unnecessary congestion. Also, students are trying to cross the road and do so with a slow and steady pace which adds to the congestion and possibility of poor decisions among drivers. To alleviate these issues, a neighborhood roundabout should be explored and possibly implemented. Roundabouts are often used to solve problems and would help keep traffic moving with little delay. With the presence of crossing guards, the roundabouts are often good solutions for pedestrians as they would only cross one direction of travel at a time, and two lanes instead of three.



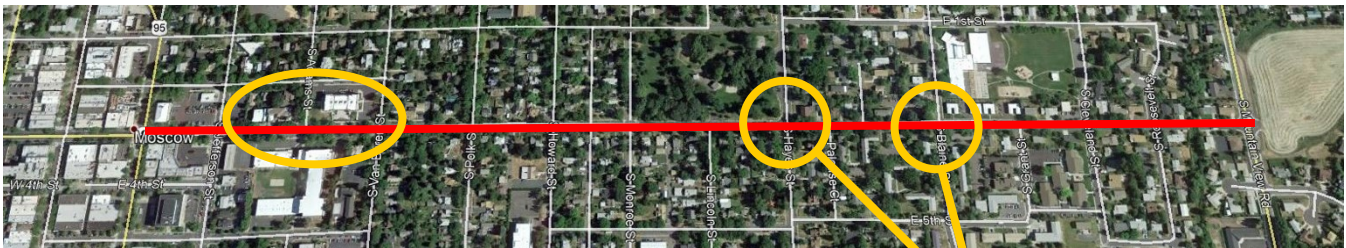
The roundabout shown, located in Boise, (Harris Ranch in east Boise) has a virtually identical footprint as the current intersection in Moscow and demonstrates that converting from a conventional intersection into a roundabout does not have to take large tracts of real estate to build.



Other Recommendations:

3rd Street Corridor Cycle Track

As part of the follow up Community Engagement effort, a group of local representatives met to assess and design a proposed cycle track along the 3rd Street corridor. This corridor is vital as it connects several schools, and neighborhoods into the downtown area. The current configuration includes standard bike lanes that offer minimal comfort or protection. The intent of the cycle track is to improve safety factors and over time, attract more riders. A well built corridor will not only improve food access, which is the focus of the SNAP funding for this project, but could significantly promote physical activity. The team met with City officials to evaluate the design, school district personnel on-site to determine concerns, and additional community representatives to discuss how a community center can maintain operation, which includes farmers markets and several community food events. Additionally, the team rode the corridor several times to experience and witness first-hand some of the current issues and potential conflicts to help develop potential solution.



3rd Street/Blaine & 3rd Street/Hayes Street Intersections

Both intersections force bicyclists to stop or at least slow before proceeding according to the Idaho Stop law. For a successful cycle track, removing the STOP on 3rd Street and installing the STOP signs on the Blaine and Hayes Street legs is supportive of making it a bicycle priority route. This will allow freer-flow for cyclists and remove them from intersection hazards.



1912 Center and Moscow High School

Both properties are key land uses along the 3rd street corridor. School personnel voiced no concerns with the cycle track, however, in order to accommodate deliveries to the 1912 Center, the consider the following steps:

1. Realign the Van Buren/3rd street intersection to allow delivery vehicles to park along the Van Buren side of the 1912 Center. Currently there is no parking permitted on the north leg of the intersection but with modifications, on-street parking for deliveries could occur which will allow delivery operations to be maintained without major disruptions once the bike facilities are constructed.
2. To further mitigate 1912 Center operations, install a mid-block crossing between the Center and school, including an RRFP, to allow deliveries from larger freight trucks to be made from the on-street parking on the school side of 3rd Street.
3. As a last resort, the City might consider carving out the existing front buffer space to allow deliveries. The space could either be a pullout for delivery vehicles, or the cycle track could have a slight alignment change so that delivery vehicles could park in front and not conflict with the cycle track.





Looking Glass Academy Moscow, Idaho Summary— September 2019

Recommendations: Throughout Moscow

Code Enforcement

Moscow already has an active code enforcement campaign in place that is proactive in nature and highly effective. Many specific requirements have been established to maintain a safe walking environment. Continuing to ensure bushes, trees, and plants are pruned and not blocking sidewalks and curb ramps is critical to maintain. As shown at right, keeping foliage trimmed on tight sidewalks allows people with disabilities to more easily use the route.

Other common code violations, including continual blocking of sidewalks with obstructions, parking on sidewalks, unleashed dogs which can be threatening to walkers, and many other features should be properly addressed.

Beyond municipal enforcement campaigns, Eagle Scout projects and volunteer sidewalk cleanup days can also be organized within city neighborhoods and business districts. Often, those whose properties are in need of tree or shrub trimming are older adults or disabled persons. Neighborhood groups, business associations, scout troops, and others are often willing to assist in this. It could be endorsed by the City with pamphlets providing education on proper trimming heights and clear distances. This helps move the effort away from what could be seen as a more heavy-handed approach through Code Enforcement.



Moscow Pathways Commission Recommendation on E-Bikes and E-Scooters on Restricted Pathways within the City of Moscow

January 8, 2019

The Moscow Pathways Commission's opinion regarding E-Bikes and E-Scooters on restricted bike paths and pedestrian walkways is to not consider an E-Bike and E-Scooter to be a motor vehicle given the following criteria.

ELECTRIC POWER-ASSISTED BICYCLE ("E-bike"): A vehicle having two (2) tandem wheels, or two (2) parallel wheels and one (1) forward wheel, or two (2) parallel wheels and one (1) rear wheel any two of which are not less than twelve (12) inches in diameter, that is designed to be operated by human power with the assistance of an electric motor that has a power output of not more than seven hundred fifty (750) watts that: (i) is incapable of propelling the vehicle at a speed of more than twenty (20) miles per hour; and (ii) disengages or ceases to function when the vehicle's brakes are applied. An E-bike is not a motor vehicle for purposes of this Chapter.

ELECTRIC POWER-ASSISTED SCOOTER ("E-scooter"): A two (2) wheeled device that has handlebars, has a floorboard that is designed to be stood upon when riding, and is powered by an electric motor that has a power output of not more than three hundred (300) watts that: (i) is incapable of propelling the device at a speed of more than fifteen (15) miles per hour; and (ii) disengages or ceases to function when the device's brakes are applied. An E-scooter is not a motor vehicle for purposes of this Chapter.

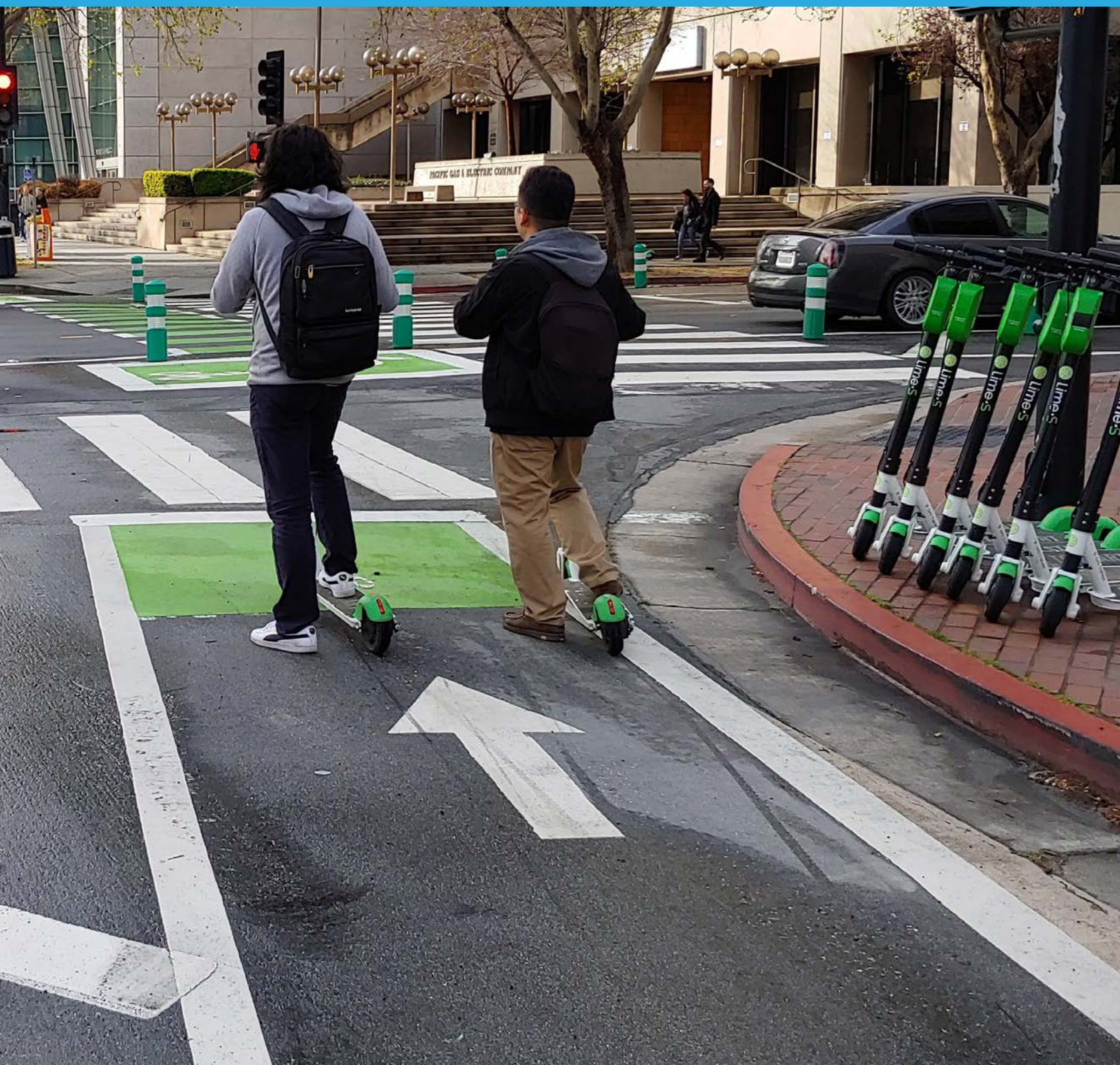
No person shall operate a bicycle or E-bike, or E-scooter without the following equipment:

A. Brakes capable of causing the bicycle, E-bike, or E-scooter to stop within twenty-five feet (25') at ten (10) miles per hour on dry, level, clean pavement; and

B. A bell, the human voice or other audible warning device capable of being heard at a distance of at least one hundred feet (100') away, except that no bicycle, E-bike, or E-scooter shall be equipped with nor shall any person use upon a bicycle E-bike, or E-scooter any siren or whistle; and

C. When in use at nighttime, a red reflector on the rear visible from a distance of three hundred feet (300') when directly in front of lawful upper beams of a motor vehicle, and a forward-facing white light attached either to the bicycle, E-bike, E-scooter or the operator that is visible from a distance of at least five hundred feet (500') in front of the bicycle, E-bike, or E-scooter. A bicycle, E-bike, or E-scooter shall be equipped with a front-facing white or yellow reflector when the operator uses a generator powered light that is unlit when the bicycle, E-bike, or E-scooter is stopped; and

D. All bicycles and E-bikes shall have a permanent seat designed for the bicycle or the E-bike being operated. E-scooters shall not have any attached seats.



Guidelines for Regulating Shared Micromobility

Version 2 • September 2019

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About

Developed for cities, by cities, this guidance outlines best practices for cities and public entities regulating and managing shared micromobility services on their streets. While many of the issues covered are applicable to all forms of shared micromobility, this document is explicitly meant to help cities establish guidelines for formal management of public-use mobility options that are not managed through traditional procurement processes (the management mechanism for most docked bike share programs in North America).

NACTO's *Guidelines for Regulating Shared Micromobility* was developed to reflect the wide variety of experiences that North American cities have had in regulating and managing shared micromobility. The recommendations presented in this document are the result of city experience, and have been endorsed by NACTO's shared micromobility working groups. The first version of these guidelines was published in July 2018, and subsequent updates are expected due to the fast-changing nature of the shared micromobility industry.

Using this Guidance

NACTO's *Guidelines for Regulating Shared Micromobility* is divided into two broad sections: **Best Practice Recommendations** and **Current State of the Practice**.

Best Practice Recommendations:

- This guidance recommends **regulations or policies** that cities should include in their permits or require from their operators. By addressing these issues in a similar fashion across multiple jurisdictions, cities can create a level playing field for vendors and ensure a safer, more equitable experience for riders.
- At the same time, shared micromobility is still in its infancy and there are outstanding questions for which there is not yet a defined best practice. For these issues, this document provides a **discussion guide**, outlining options that cities may choose to take and context for future debate.

Current State of Practice:

- This section shows how different cities regulate shared micromobility systems, including by fleet size, customer service expectations, permit fees, service areas, and other areas where cities differ.



1.0

Regulating Shared Micromobility

The rapid growth in the number of shared micromobility trips and the introduction of e-scooters has required cities to focus new attention on how best to regulate these new services in order to achieve the best public outcomes.

In 2018, users took 84 million trips on shared bikes and e-scooters in the United States, more than double the number of trips taken in 2017. Of these, 38.5 million trips were taken on shared e-scooters, the newest vehicle type in the shared micromobility marketplace, requiring cities to establish and adapt new oversight tools, metrics, and practices. E-scooters, in particular, pose unique challenges and opportunities as a new vehicle type, with emerging regulatory standards.

What is shared micromobility?

Shared-use fleets of small, fully or partially human-powered vehicles such as bikes, e-bikes and e-scooters. These vehicles are generally rented through a mobile app or kiosk, are picked up and dropped off in the public right-of-way, and are meant for short point-to-point trips.



Bikes

Credit: Tony Webster



E-Bikes

Credit: City of Orlando



E-Scooters

Credit: NACTO

City Authority for Regulation

Local government has both the authority and the responsibility to protect public health, safety, and welfare, and to ensure safe passage on and govern commerce in the public right-of-way. This responsibility, codified in city charters, state constitutions, and laws across North America, is the basis of city authority to regulate and manage activity and commerce on public streets, including shared micromobility companies. To date, cities have taken varied approaches to managing shared micromobility on their streets and chosen to exercise their authority in different ways.

- **Commerce on the public right-of-way:** The small vehicles deployed by shared micromobility operators are commercial equipment. Though cash or credit payments are conducted through an app, the transaction is completed within the right-of-way. In most places, business cannot be conducted in the public right-of-way without an appropriate permit. Shared micromobility rentals should be regulated similarly to other businesses that operate in the public realm.
- **Public safety:** Regulations on how small vehicles are permitted to be parked on public property typically fall under the general framework of public safety. If a municipality permits an operation—whether it be an ice cream stand, outdoor dining, or a parked bike/scooter—it can designate the area where the activity is permitted to be.
- **Existing contracts:** Cities with existing contracts with operators to run local bike share systems may have exclusivity or other provisions which limit the municipalities' ability to permit additional operators of bike share to operate within the city. The specific language of the contract dictates how much the city has to do to actively discourage these other operations and may range from simple notifications to removal of unauthorized bicycles. These contracts may or may not apply to other small vehicles such as e-scooters, one wheels, e-bikes, etc. depending on the contract language.

Options for Regulation

While cities typically use competitive bidding processes and requests for proposals to manage station-based bike share systems, most cities use short term pilots and time-limited permits to explore options for shared bikes and e-scooters in their city in a controlled manner.

- **Permits:** Permits allow cities to introduce regulatory structures in a faster timeframe than traditional procurement processes, while still ensuring that equipment is deployed in a controlled, organized fashion. Permits also provide a mechanism to articulate clear metrics for success and expansion. Because permits can be (relatively easily) revoked for non-compliance with permit terms, this regulatory mechanism provides opportunities for cities to work toward policy goals—like reducing drive-alone trips or providing equitable distribution of resources for historically underserved communities—through the establishment of clear performance standards.
- **Pilots & demonstrations:** Some cities have also used short term pilots or demonstrations to similar ends. Like permits, pilots provide critical insight into how shared micromobility systems would operate on a full-scale, permanent basis within a city's local environment. The pilots or demonstrations are often followed by an assessment period where cities analyze the performance of the systems on topics such as compliance, public perception, and the resources required from a city to manage a system. Lessons learned from pilots and demonstrations should be a key part of longer term permits or future competitive bidding processes.

Shared micromobility vehicles are inconsistently defined and regulated from state to state, often leaving services in a legal grey area. It is recommended to check with your city law department to understand how state law may impact how shared micromobility services may be utilized or regulated in your state.

While governments and companies may recognize municipal boundaries, users may not. Especially in areas where multiple jurisdictions are close together, it is important to recognize that shared micromobility vehicles will migrate across boundaries. Neighboring cities should discuss and decide when regulations and regulatory structures need to be coordinated and when they can differ.



Credit: Tony Webster

2.0

General Terms & Conditions

Municipal governments are vested with the authority to regulate the public right-of-way to ensure benefits for users, and non-users, of shared micromobility systems. As these systems are operated by private companies using public space, cities must clearly define and regulate their expectations of these companies in order to maximize public benefit.

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General Provisions

Best Practice Recommendations

- Shared micromobility services should be only allowed to operate in the public right-of-way with legal permission (e.g. license, permit, contract) from the city or relevant local government.
- The city should reserve the right to:
 - Terminate permits at any time, for due cause, including causes not specified in the regulatory agreement, and require the operator to remove their entire fleet of vehicles from city streets.
 - Limit the number of companies operating (e.g. cap the number of permits or licenses issued, and/or issue exclusive contracts, permits, or licenses).
 - Limit the number of vehicles that any individual company can deploy, on a per-permit basis.
 - Prohibit specific companies from operating in the public right-of-way based on conduct or prior conduct (e.g. if a company deploys equipment prior to applying for a permit, license, or contract, or fails to comply with permit, contract, or license terms).
- Cities should limit the duration of licenses and permits to a fixed time period (e.g. 6-12 months) and require all companies to re-apply for each renewal. Contracts developed as the result of competitive bidding processes may have a longer duration. Companies should be aware that cities may update permit terms over time.
- Cities should require that operators provide written notice, at least 14 days before ceasing operations, if they are no longer willing or able to provide service in the city.

Discussion

Electric micromobility vehicles (e.g. e-scooters and e-bikes) are not legal in all states or jurisdictions. Similarly, rules for where these vehicles can operate in the right-of-way vary from state to state and city to city. In developing or permitting shared micromobility programs, cities should check state and local laws to determine if shared micromobility vehicles are legal and assess requirements for their use (geographic area, operating speed, equipment requirements, etc.).

Standards are still emerging to guide operator policies or practices or to create a floor for equipment standards. As such, cities may want to consider accreditation by, or conduct code violations recorded by, national organizations such as NABSA (US/Canada) or BikePlus (UK), in addition to examples and experiences in other North American cities when issuing permits, licenses, or contracts.

Insurance, Bonds & Fees

Best Practice Recommendations

- Cities should require operators to remain in good standing (in compliance with the payment of all fees, fines, and adhering to all data reporting and other requirements) throughout the duration of the permit.
- If the city incurs any costs for addressing or abating any permit violations, including impound fees, costs to recover a vehicle from a waterway, or other ancillary costs, including repair or maintenance of public property, the operator should reimburse the city for those costs within thirty days.
- Cities should require operators to indemnify the city and hold appropriate insurance.
- Cities should require operators to hold in escrow sufficient funds to cover the cost of removing all equipment from the public right-of-way, to be used if the company ceases operations or is otherwise required by the city to remove equipment.

Discussion

Fees should reflect both direct and indirect program support as well as programming developed to support safe, equitable use of bike and scooter share. Before developing permit fees, consider staff costs on a per-hour basis for both management (administration, evaluation, data analysis, coordination check-ins) and field operations (vehicle removal and impounding, field checks). Some cities have also had success in using per-vehicle assessment fees to create dedicated funding streams for other programming.

Cities should consider how to best assess separate program fees. Application fees are usually a fixed cost for review and management of the permit and/or contract structure. Per-vehicle fees, which could cover outreach activities and operations undertaken by the city, should be assessed based on total fleet size, and on an annual renewal and expansion basis. Cities have found success in billing on a quarterly basis.

See “Current State of Practice” for examples of fee schedules.

Enforcing Permit Terms

Best Practice Recommendations

- The city should reserve the right to suspend, revoke, and modify permits on any of the following grounds:
 - Service being operated in a manner that constitutes a nuisance or is injurious to public health, safety, and welfare.
 - Service being operated that violates any condition of the permit or city-approved application, plan, or applicable laws.
 - The operator fails to pay any fines, penalties and fees, or damages lawfully assessed upon it.
 - The operator fails to collect its vehicles within 30 days of receiving written notice from the city of impoundment.
- Cities should allow operators to have a means to appeal permit denials, modifications, or suspensions, such as by appealing to a hearing examiner within 30 days of being notified by the city of a modification or revocation of the operator's permit.

Discussion

Overseeing permit requirements typically requires cities to undertake both manual and digital compliance checks and to enforce requirements through clearly defined penalties for non-compliance. Some cities have found success in the use of temporary permit suspensions (between 48-72 hours) and fleet size reductions in place of fines for non-compliance issues. For vehicles impounded due to unaddressed, hazardous parking violations, some cities find that forbidding the company from picking up the vehicles from the impound location for 48-72 hours is an effective way to correct operator compliance issues. Cities may want to establish a system for escalating penalties (e.g. the number or frequency of infractions) leading toward permit revocation or other enforcement actions.

City staff will need to clearly define performance measures in order to fully assess operator performance and compliance. These include:

- Compliance with restricted access/prohibited areas
- Parking, distribution & rebalancing requirements
- Maintenance/equipment standards
- Customer service levels outreach
- Data integrity
- Fleet size

See further sections, as well as the “Current State of Practice” tables, for specific performance measures.



Credit: Austin Transportation Department



3.0

Scope & Operations Oversight

In order to meet defined city goals, cities should exercise control over shared micromobility systems through the development of requirements for how these systems operate.

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Fleet Size

Regulating fleet size both supports a robust availability of vehicles, while also ensuring cities have the appropriate capacity and resources to oversee shared micromobility systems.

Best Practice Recommendations

- The city should reserve the right to:
 - Require a minimum and a maximum number of vehicles that are available for public use.
 - Require operators to deploy a share or an absolute number of vehicles that meet certain vehicle types (e.g. a minimum number of vehicles or X% of the fleet be electric, lock-to, or adaptive).
 - Revoke permits if the operator does not deploy a minimum number of vehicles within a certain time (e.g. 90 days) of the issuance of their permit.
 - Increase and decrease the total number of vehicles permitted per operator, either as part of dynamic fleet caps or to reflect city priorities.
- The number of permitted vehicles and the service area for each operator must be approved in writing by the city prior to the operator implementing any changes.
- Operators cannot have below the permitted minimum fleet size, or have above the maximum permitted fleet size unless approved by city staff in writing.



Credit: NACTO

Discussion

The definition of “fleet size” varies across operators and across systems. Cities should ensure that permits and evaluation metrics include a clear, measurable definition of “fleet size.” In particular, cities should clarify how they will determine what vehicles are included in the count of the total allowed fleet, (i.e. does the count include vehicles that are inoperable, damaged, unsafe, or in maintenance, or only vehicles that are currently available for use in the public right-of-way). In determining the fleet size, cities should conduct their own analysis, based on city-identified goals and metrics (e.g. population, size and density of deployment area(s), and/or fleet sizes in comparable cities) to determine what is appropriate.

Many operators prefer dynamic fleet caps which allow them to increase or decrease the total number of vehicles they provide based on performance metrics (like rides per vehicle per day) or to reflect compliance with permit terms. Examples include:

- Rides/vehicle/day measured over an identified time frame: If an operator meets r/v/d, they are permitted to increase their fleet size by X # or X%. If an operator fails to meet performance measures, the allowed fleet size decreases.
- Rides/vehicle/day originating or ending in city-identified targeted service areas: If an operator meets/exceeds performance standards for available vehicles in areas that have poor transit access and/or low rates of car ownership they are permitted to increase their fleet size by X# or X%. If an operator fails to meet performance measures, the allowed fleet size decreases.
- Strategies that address barriers to use: Operators may increase fleet size by X# or X% for meeting provisions for unbanked populations, or providing adaptive vehicles.
- Strategies that encourage preferred parking or riding behaviors: If an operator demonstrates actions to meet the city's goals for parking and use, they are permitted to increase their fleet size by X# or X%.
- Permit compliance: Cities could adjust the allowed fleet size to reflect compliance infractions, measured in number of infractions per established timeframe.

Fleet Removal/Relocation

Inoperable, damaged, unsafe, irretrievable, and improperly parked vehicles can pose operational, accessibility, and safety concerns for users of the public right-of-way. In establishing timelines for equipment removal, cities should prioritize safe access and operation of the public right-of-way without placing an undue or unrealistic burden on the operator.

Best Practice Recommendations

- Cities should require that operators, within a set time period:
 - Remove inoperable, damaged, or unsafe vehicles from the public right-of-way.
 - Remove vehicles that interfere with, impede, or obstruct clear passage or accessibility on the public right-of-way.
 - Recover vehicles that are irretrievable by the general public (e.g. vehicles in waterways, in restricted or difficult to access areas, etc.).
 - Dispose of equipment if the company ceases operations.
- Cities should reserve the right to move, remove, and permanently dispose of vehicles at the operator's expense when the city finds it necessary to remove equipment from public space (e.g. because the operator has not responded in a required timeframe, or if the equipment poses a public safety risk).
- Cities should require operators to develop emergency management plans to address fleet removals and other issues in the case of severe weather (e.g. blizzards, floods, hurricanes etc.) and other emergencies. Such plans must be coordinated and filed with the city's emergency department or other appropriate city agencies.
- Cities should require operators to develop deployment/parking operations plans for special events (e.g. marathons, events, parades, film shoots) and routine street maintenance (e.g. snow and trash removal).
- Cities should require operators to demonstrate that they can remotely lock vehicles that are reported or believed to be inoperable, until the vehicles are removed, repaired, and placed back into public service.



Credit: NACTO



Credit: Elvert Barnes

Rebalancing & Fleet Redistribution

Vehicle rebalancing ensures access to vehicles, limits overcrowding on sidewalks, and can help achieve city-identified goals, such as “first/last-mile” connectivity and equitable access to vehicles in designated areas.

Best Practice Recommendations

- Cities should require operators to rebalance vehicles within the permitted service area.
- Cities should require operators to monitor distribution of vehicles according to parameters established by the city (e.g. dashboard service).
- Cities should require operators to submit a service plan outlining how they will deploy and maintain a specified number of vehicles or % of fleet at high-priority locations as identified by the city.
- The city should reserve the right to suspend operating permit if the operator does not comply with rebalancing requirement within specified timeframes.

Discussion

Cities and operators may have different goals for rebalancing. When it comes to fleet distribution and rebalancing, cities and operators have similar but not perfectly aligned goals. Both want to maximize the number of trips to provide people with mobility options. However, cities may want to ensure that shared mobility services focus on transit stations or are provided in all neighborhoods whereas companies may want to maximize revenues by focusing on central business districts, downtowns, and entertainment areas. Many cities have instituted rebalancing policies that require companies to rebalance their fleets to underserved neighborhoods either at the beginning or throughout the day.

Total system rebalancing is complicated by the fact that most cities have multiple companies operating in the same areas at the same times. In their efforts to grow market share, companies may want to oversaturate key areas with their brand, beyond what is required to support immediate demand. This can lead to overcrowding on sidewalks and at parking corrals. To address this, some cities have established a maximum density requirement for shared vehicles (e.g. X vehicles per company parked on any single block face measuring up to X feet unless otherwise advised by city staff).

See “Current State of Practice” for additional information.

Equipment & Vehicle Maintenance

Due to the nature of their public and often high utilization rates, shared vehicles must be robustly designed for shared use, and maintained to a higher safety standard than bikes and e-scooters meant for personal use. Cities have found equipment safety to be an item of concern.

Best Practice Recommendations

General:

- Cities should require that operators develop, and share with the city, their operations plans. At a minimum, operations plans should include detailed information about equipment maintenance and inspection schedules, repair, safe battery handling practices, and staffing and training. Key provisions include:
 - Operators must conduct full maintenance checks on each vehicle in their fleet, once a month at minimum.
 - Operators should conduct weekly on-street checks on all heavily-used vehicles (as determined by the city), and repair/replace components as needed on an ongoing basis.
 - Operators should provide a signed certification for all maintenance actions.
 - Operators must keep a record of maintenance activities, including but not limited to vehicle identification number and maintenance performed, to be sent to the city on a monthly basis.
- Cities should require that operators immediately inform the city of any incidents with e-scooters in public or private space, including but not limited to: crashes, structural integrity issues, fires, tampering, damaged/leaking batteries, and electrical/charging issues.
- To ensure rapid and appropriate responses to local issues, cities should require that operators hire locally-stationed staff to implement their operations plan, oversee and manage operations, coordinate engagement efforts, and coordinate with the city.
 - Operators must provide the city with the name and contact phone number for a senior-level local staff person who can liaise with the city at any time (24/7) to address operational issues.

Equipment Standards:

- All vehicles must comply with safety standards established by the Consumer Product Safety Commission and all other federal, state, and city safety standards:
 - For e-bikes/electric-assist bikes, refer to CPSC Public Law “107-319” (low speed electric bicycles) for maximum engine wattage. Note that these standards are evolving.
 - For e-scooters, refer to CPSC in Public Law “107-319” for weight bearing standards. Note that these standards are evolving.
 - All vehicles must be certified as safe to operate under any applicable standard by Underwriters Laboratories (UL) or an equivalent safety rating agency.

- The maximum motor assist speed for e-scooters should be no greater than 15 mph, and 20 mph for Class 1 e-bikes. Cities should reserve the right to require that operators restrict vehicle speeds to lower than 15 mph, either in specific areas or as a general rule for operations.
- A unique identifier number should be prominently displayed on both sides of each vehicle.
- Each vehicle should be equipped with on-board GPS, capable of providing real-time location data.
- All vehicles should have equipment meeting all local and state specifications, including but not limited to brakes, reflectors and lighting as set forth in relevant state codes.
- The city retains the right to suspend/terminate an operator's permit for equipment safety concerns.

Batteries:

- Cities must require operators to detail battery safety practices, including:
 - How operators will charge, store, and dispose of batteries, including timelines for disposal and contracts in place for disposal.
 - The operator's prior incidents involving battery tampering and procedures for preventing any future incidents of battery tampering.
 - Information about the battery management systems the operator uses, including where this information is stored and the level of information about battery health that the operator is receiving.
 - How the operator identifies at-risk vehicles and how the operator responds to these identified risks.
- Cities should require operators to share materials and/or describe the process for instructing subcontractors on the collection and charging of e-scooters.

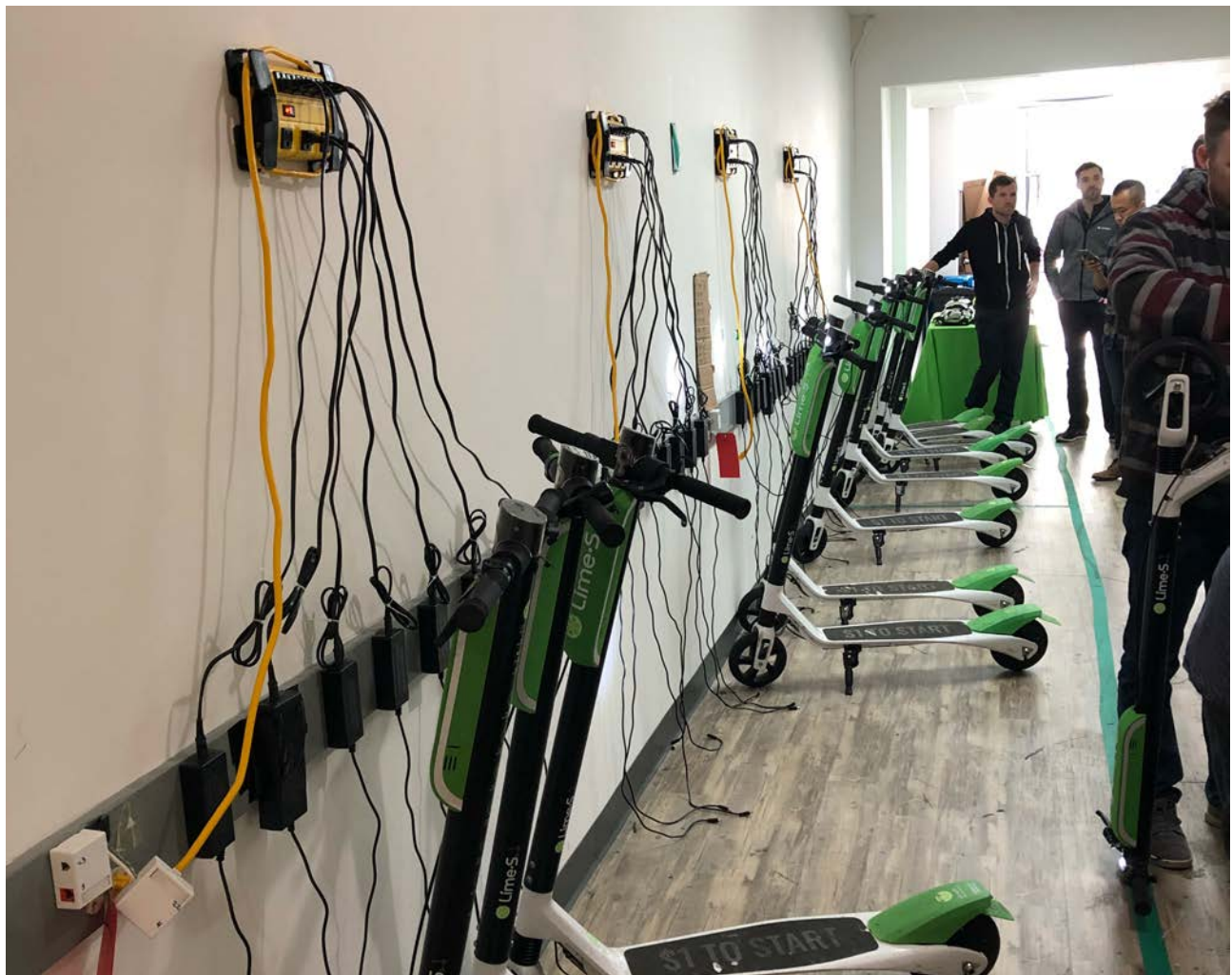
Issue Reporting & Mitigation:

- In the case of an immediate equipment safety issue of limited spread, cities should require operators to turn off the vehicle upon notification of a safety hazard, then remove the vehicle from service.
- In the case of an immediate equipment safety issue of unknown scale, cities should require operators to immediately disable all potentially affected vehicles upon notification, then remove vehicles from city streets within 24 hours until further investigation can be completed. Relaunch must be approved by the city.
- Customers must be provided with specified mechanisms (phone number, email, app feature) to notify the operator that there is a safety or maintenance issues with their vehicle.

Discussion

To date, e-scooters have been largely regulated as personal consumer products, not as shared-use fleet vehicles. As such, there are few equipment standards for features such as wheel size, center of gravity, platform size, acceleration and braking interface, and lights. In addition, there have been some reports of spontaneous battery combustion from e-scooters and e-bikes.

Preliminary reports show a higher injury and fatality rate for scooter share trips than bike share trips. Some injuries may be caused by pavement quality combined with the geometric characteristics of current scooter models: Most consumer bikes, and all shared-use bikes in the U.S., have wheels that are 26 inches or larger and most folding bike models have wheel sizes of 16 or 20 inches. In comparison, current shared scooter models have wheels measuring between 8 and 10 inches. The smaller wheel size may make pavement irregularities more dangerous to scooter riders than they typically are to bike riders.



Credit: Vox

Customer Service

Customer service should be managed by operators, but regulated by cities. Issues that the customer service operator should be prepared to address include: troubleshooting technical and operational issues, responding to complaints and requests, outreach, and providing information about the service, price, and other questions.

Best Practice Recommendations

- In addition to a customer service hotline, cities should require operators to establish a customer service center to respond to customer concerns, and at a minimum provide:
 - Pricing information, cash access and discount membership services
 - Account troubleshooting and information on policies and terms and conditions for use
 - Ways to report unsafe operations
- The customer service center must be open and provide real-time customer support by phone, online, and in-person during hours as required by the city.
- The customer service center must be capable of accepting calls/re-routed information from existing city customer service centers, such as a 311 or equivalent service.
- Cities should require operators to be staffed to receive and respond to feedback in multiple languages as specified by the city.
- Cities should require operators to provide the city with monthly reports of all correspondence received through their customer service hotline, contact email, and non-emergency hotline (if applicable). Monthly reports should include telephone wait times, email response times and a description of the nature of each inquiry. issues.

Discussion

Immediate complaint resolution must be balanced with overall system needs. Cities and operators may have different goals and items of concern. Cities, in particular, may have a lower tolerance for reports of damaged equipment or vehicles blocking sidewalks. Most cities require minimum of 1 and a maximum of 2 hours for operators to comply with complaints related to improperly parked vehicles. Cities should reserve the right to require more rapid response times to address urgent safety issues.

To improve the quality of service, many larger markets require shared micromobility providers to establish operations and customer service centers within city limits. This ensures that operators can more readily meet their operational responsibilities and better understand local conditions. In addition, to support partnerships within the local public, companies should consider renting space in existing community locations, such as community development corporations, YMCA's, etc.

Staffing & Workforce Development

Appropriate staffing is required of operators to ensure optimal operations, accountability, and continued adherence to permit requirements.

Best Practice Recommendations

- Cities should require operators to comply with all local, state and federal workplace safety and wage requirements.
- Cities should require local/regional vendor staffing, at a minimum, to consist of the following roles. In smaller markets, some of these roles can be fulfilled by the same person:
 - General manager
 - Local fleet operations manager
 - Local public outreach manager
 - A 24 hour contact person or persons, if different from above.
- Cities should require operators to show that they have made efforts to hire locally and hire from outside of the city/region only when all reasonable efforts to hire locally (career fairs, etc.) have been exhausted.

Discussion

Local community groups can be a great resource to find and train staff to manage, operate, and maintain shared micromobility systems. Cities should also consider providing incentives for specific contracting goals, such as M/WBE, returning citizens, veterans, community groups, and use of W2 employees (vs. independent contractors).

Cities have indicated that shared micromobility companies have high turnover rates for operations and city government liaison staff. At the same time, reports have surfaced about poor working conditions for front-line independent contractors. The extensive use of “gig-economy” workers by the newer shared micromobility companies, especially for recharging jobs, should be carefully monitored to ensure that equipment is being appropriately maintained and working conditions are fair and safe.

Pricing

While the price of privately-operated shared micromobility services is largely up to the operator, cities have an interest in ensuring that customers receive adequate and appropriate information about prices, price changes, and available discounts. In addition, cities have an interest in ensuring that shared micromobility services are available to people with lower incomes.

Best Practice Recommendations

- Cities should require that:
 - Operators offer income-based discounted payment plans that waive any applicable service deposits to customers at or below an income specified by the city.
 - Operators provide two-month advance notification of upcoming user price increases.
 - Operators develop a cash-based payment program.
- Operators should use enrollment in social support programs (SNAP, WIC, public housing, etc.) as acceptable income verification proxies for discounted rates and memberships.

Discussion

To encourage operators to provide discounted pricing and payment options, some cities report success in using incentives (e.g. fleet size increase) for operators that increase sign-ups and ridership for users with lower incomes. Some operators have had success in developing partnerships with local direct-service community groups to drive enrollment. In addition, using in-person operations centers can facilitate the management of inquiries related to discounted rates, cash acceptance, and reloadable prepaid fare card options.



4.0

Public Engagement

Public engagement has a vital role in the adoption of new mobility systems. Introducing or expanding shared micromobility options provides cities with opportunities to support necessary programing that can increase ridership and help meet mobility needs. Public engagement is resource-intensive, and cities often have limited ability to conduct robust public engagement processes. For shared micromobility to thrive, operators must share the task of developing and implementing all activities and materials related to the safety, use, and promotion of bike and scooter share.

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Staffing & Events

Public events, demonstrations, and learn-to-ride classes are key components of strong public engagement. Events can help teach people how shared micromobility services work and can inform planning and implementation decision-making.

Best Practice Recommendations

- Cities should require that companies develop and share with the city outreach and engagement plans. The plans should outline how the company will communicate on an ongoing basis with the public about their product and how to use it. This should include, but not be limited to, discounted rates and non-smartphone payment options, pricing changes, safety, system planning and expansion, and operational changes.
- Cities should require that operators hire staff to coordinate, run, and support city-initiated engagement and rider education efforts, including but not limited to fairs, festivals, and neighborhood meetings.
- Cities should require that operators develop or support in-person pop-up safety demonstrations at a frequency and in locations determined appropriate by the city, with that frequency re-assessed with each fleet expansion.

Outreach Materials & Campaigns

Intentionally diverse and expansive communication campaigns are key to expanding the reach of information to prospective riders and non-riders alike.

Best Practice Recommendations

- Cities should require that operators develop outreach and education campaigns as requested by the city and support/promote city-initiated campaigns. Outreach and education campaigns should be sure to engage pedestrians, people with disabilities, and older adults.
- All public-facing communications (websites, marketing, social media) should be in all languages required by the city.

Pricing & Discount Programs

Affordability is a basic component in addressing barriers to use for shared micromobility. Ensuring equitable access requires accommodations that expand access for people with lower incomes.

Best Practice Recommendations

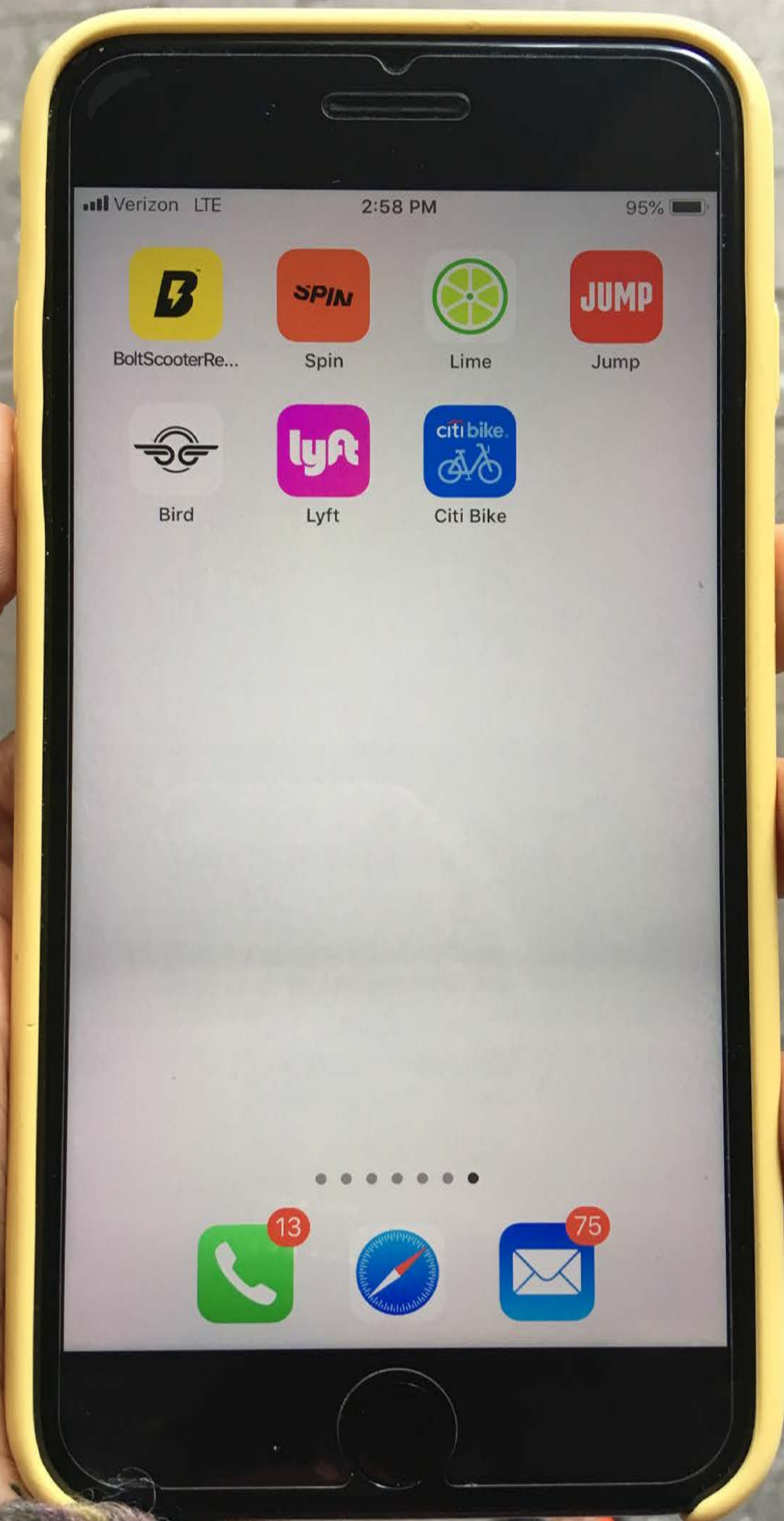
- All fees and costs (including penalties), the system's terms of service, and user instructions should be easily accessible to the public, both online and printed. Print materials should be distributed at a frequency and in target areas specified by the city.
- Information on income-based discounts, and cash-access programs should be heavily advertised and easily accessible both in-app and online.

Discussion

Shared micromobility system work best when they are planned with rather than for communities. Public engagement should be dynamic, intentional, and iterative. To address longstanding structural inequities, cities and operators should develop engagement programming that meets the needs of disadvantaged populations first, as those solutions can most often be extrapolated to the population at large. Effective public engagement can often reveal localized circumstances that could impede or enhance the success of shared micromobility systems. Strong public engagement planning for shared micromobility includes ensuring sufficient resources for management, outreach, marketing, and education.



Public engagement must be at the fore of shared micromobility advocacy, planning, implementation and operations. Refer to NACTO's **Strategies for Engaging Community**, and to the **Better Bike Share Partnership** for additional resources.



5.0

Mobility Data & User Privacy

Cities need access to the data generated by shared micromobility and other mobility service providers. This information ensures that city governments can effectively regulate and make informed decisions about what is happening on the public right-of-way and how it might impact safety, health, equity, environmental outcomes, and the distribution of people and resources.

Best Practice Recommendations

- Cities should require that operators provide trip data at a level of detail and frequency that allows them to accurately determine permit compliance, evaluate system performance and impact, and answer other planning, research, regulatory, and compliance questions.
- Cities should reserve the right to:
 - Specify new data formats and requirements as new technology is developed.
 - Share data with third-party researcher/organization to fulfill planning, research, regulatory, or compliance needs.
 - Hire a third party to perform security audit at any time the city determines an audit is warranted.
 - Request aggregated reports on system use, compliance, and other aspects of operations (e.g. parking complaints, crashes, damaged or lost small vehicles).
 - Suspend/revoke permits of operators found to be submitting incomplete or inaccurate data, such as under or over-representing the total number of units in service.
 - Require that companies send an opt-in user survey to all users for cities to better understand the users of a system for planning purposes.
 - Restrict operators from collecting personal data related to race, gender, religion, or age, except for survey data collected on an opt-in basis and for a public purpose expressly set forth by the city.
 - Restrict operators from instituting retroactive changes to privacy policies or terms of use.

- Cities should require operators to develop, implement, and share a privacy policy that complies with relevant state and federal laws/acts. At a minimum, this policy should include:
 - Recognition that trip data can become personally identifiable information, especially when combined with other data sources, and should be treated as such in policy and practice.
 - Defined limitations on collection, storage, or usage of any personal data or personally identifiable information of program participants to the satisfaction of the city.
 - Protocols for who has access to data and what to do in the case of data breach.
 - Protocols for records retention in full accordance with local and state policies.
- Cities should require operators to prove that they are in compliance with contractual requirements, industry standards, and laws regarding data privacy and consumer data protection.
- Cities should require operators to make its policies, procedures and practices regarding data security available to the city upon request.
- Cities should require that companies make real-time available vehicle location data available to the public for use in creating apps that are not affiliated with the companies or the city.

Discussion

Most cities use a combination of data formats and tools to gather and analyze data provided by shared micromobility companies. The two most commonly specified data formats are the **General Bikeshare Feed (GBFS)** and **Mobility Data Specification (MDS)**. Data produced via the MDS feed can be run through the **SharedStreets** Mobility Metrics plugin, or through a similar tool, in order to aggregate data to protect personal privacy while ensuring data quality for analysis and regulation.

For more information:

- **MDS** - Open Mobility Foundation
- **GBFS** - NABSA
- **SharedStreets Mobility Metrics** plugin - SharedStreets

With the rise of shared micromobility and app-enabled ride-hail services, cities and operators must grapple with important questions about data privacy. To address this, city transportation departments are coordinating with their legal departments to develop or update protocols for how to handle, store and protect data. In particular, ensuring that geospatial trip data is treated as personally identifiable information (PII) is an essential part of best practice data management.

Discussion (continued)

Shared micromobility services provide opportunities for cities to gather information about how and why people move around a city that can be used for service planning or to inform policy decisions. In planning for and permitting shared micromobility services, cities should explore options for gathering information through online and phone user surveys and in-person intercept surveys. If possible, surveys should be conducted during the pre-launch and pilot periods, as well as during full operation to best understand how shared micromobility services are used and identify other trends in how residents move around the city. To conduct statistically rigorous surveys, many cities have found success in collaborating with local institutions such as local health departments. Cities can also gain additional insights by coordinating their survey questions with those asked in other cities to benchmark their results and generate a clearer picture of shared micromobility use.



Refer to NACTO's **Managing Mobility Data** for additional information and resources.



For additional information on surveying, check out NACTO's **Intercept Survey Toolkit**.



6.0

Infrastructure

Infrastructure is essential for shared micromobility to succeed as a viable transportation option. Cities must build out bike lane networks that encourage and protect riders. They must also decide where in the right-of-way shared micromobility vehicles should be parked and what locking requirements are appropriate for their city.

Working with companies, cities must develop ways to clearly articulate information about where to ride and park to the public to ensure that shared micromobility vehicles do not impede people using the sidewalk, especially people with disabilities. Finally, cities and companies must determine how to clearly identify and communicate to the public places where riding shared micromobility vehicles is restricted or banned.

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Shared Micromobility Parking

In permitting shared micromobility companies to operate in the public right-of-way, cities must decide where is appropriate for companies and customers to leave their vehicles. Increasingly, cities and operators are striking a balance by encouraging customers to use “corrals” or designated shared micromobility parking zones in high volume or crowded areas, but also allowing users to drop off vehicles in the furniture zone of sidewalks. Designating locations provides cities and operators more control over the start and end location of vehicles, increases predictability for users and non-users alike, and reduces encroachment in the public right-of-way.

In Street Option

Seattle



Credit: Seattle DOT

In Street Corral

Washington D.C.



Credit: NACTO

Docking Points

Sidewalk Option

Seattle



Credit: Elvert Barnes

Painted Corral with Racks

Orlando, FL



Credit: City of Orlando

Painted Sidewalk

Atlanta



Credit: NACTO

Marked Location on Sidewalk

Best Practice Recommendations

General:

- Cities should require that operators develop and share with the city a parking management plan that outlines vehicle parking strategies and priorities. At a minimum, this plan should describe how the operator will:
 - Deploy geofencing capabilities (if applicable).
 - Communicate with customers about appropriate parking locations.
 - Detect and move improperly parked vehicles and respond to city requests.
 - Staff rebalancing services and train staff to ensure that vehicles are parked correctly
- Operators should have a means of communicating with the user when a scooter has been parked in a non-permitted area. The communication to the user should be sent electronically at the end of the ride.

Corrals & Designated Parking Areas:

- At the city's request, operators must geofence special parking zones, special events, and other locations in their app within 48 hours of notice.
- Corrals should be marked with neutral, non-branded, or universal-branded signage to best inform customers of where vehicles should be parked.
- In determining appropriate parking locations, most cities use the following guidelines:
 - Vehicles should not be parked within 5'-15' of a crosswalk or curb ramp.
 - Vehicles parked on sidewalks may only be parked in the street furniture zone, unless otherwise permitted by the city.
 - A minimum 6' clear path is required for all sidewalk corral locations.
- If using bike racks or other lock-to equipment, cities should ensure that shared micromobility vehicles do not restrict parking options for people using personal bikes and e-scooters.
- Cities should reserve the right to approve all corral or designated parking locations and plans.



Refer to NACTO's **Bike Share Station Siting Guide** for additional information and resources.

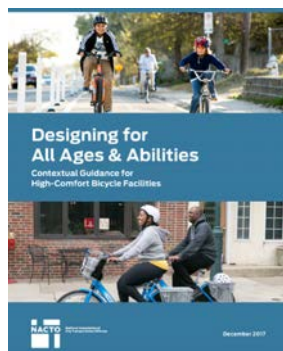
Discussion

Shared micromobility corrals and “stations” strike a balance between ease-of-use and predictability. While dockless services were initially developed to allow customers to pick up or drop off vehicles anywhere, cities and operators have increasingly shifted toward corral-based systems which encourage customers to pick up and drop off vehicles from designated areas on the sidewalk or in the parking lane. While not every location needs designated shared micromobility parking, corrals and designated areas are particularly important in higher volume or crowded areas where many trips start and end and where sidewalk space is at a premium. When provided, customers often do not have to use the corrals, but operators must rebalance vehicles to those locations.

Corrals and designated parking areas can be demarcated with signage, planters, or flexible delineators to increase visibility and provide protection from moving vehicles. Cities may have to allocate staff time to identify locations and conduct necessary outreach with communities.

The parking lane or street space (e.g. daylighted areas, curb extensions etc.) is the best place for designated shared micromobility parking. Large numbers of shared micromobility vehicles on the sidewalk can block accessible travel paths and can prohibit safe movement for people with visual disabilities, people using wheelchairs and other wheeled vehicles, and people maneuvering strollers. The Seattle Department of Transportation and Rooted in Rights have developed a **video** to explain proper bike share parking to maintain accessibility for people with disabilities. In addition, in many cities, riding on the sidewalk is illegal; providing sidewalk parking can confuse customers about where they are allowed to ride.

Geofencing is an emerging technology, and is currently limited in its accuracy. Providers should continue to expeditiously develop more accurate GPS as a core part of system tracking. In the meantime, geofencing is not sufficient to be solely used to enforce or verify proper parking by users. Most geofencing technologies use GPS, which as currently installed in most shared mobility devices is accurate to within 5-10 feet, making it more useful in delineating where bike and scooter use is prohibited or restricted (such as in speed) for larger areas such as beach boardwalks, popular shared-use paths, specific streets, campuses, or parks. To date, there has been no success with prohibiting bike and scooter use on smaller footprints such as sidewalks.



Refer to NACTO's **Designing for All Ages & Abilities** for additional resources on building safe places to ride.

Providing Safe Place to Ride

To fully realize the potential of shared micromobility, cities must redesign their streets so that everyone has a safe, low-stress network of places to ride. Poor or inadequate infrastructure leads to increased injuries and fatalities. In places without clearly marked, safe places to ride, riders often report feeling safer riding on the sidewalk even though sidewalk riding is often illegal.

Best Practice Recommendations

- Cities should develop a legal and operational mechanism to direct permit fees to city infrastructure projects, such as building protected bike lanes or shared-use paths.
- Cities should convene to discuss how street design standards may need to change to accommodate a wider array of low-to-moderate speed micromobility vehicles.
- Cities should prioritize the development of bikeways that are safe and comfortable for users of all ages and abilities.

Discussion

The rapid adoption of shared micromobility services, 84 million trips in 2018 alone, means that **cities may have to speed up implementation timelines for building high-quality bike infrastructure** and consider how rising volumes will impact design specifications. In particular, engineers, planners and designers will need to consider what kinds of vehicles belong in bike lanes, and what factors (e.g. speed, rate of acceleration, maneuverability), should help determine what is allowed where.

Restricted/Limited Access Areas

Some cities have areas where shared micromobility services may not operate or where vehicles must move at slower speeds to ensure safety.

Best Practice Recommendations

- Cities should identify and define areas where shared micromobility services should be non-electric only, or otherwise restricted in operation (not allowed, or restricted in speed).
- Operators must comply with geofencing requests to prohibit vehicle use in locations or during events as identified by the city. (Note geofencing technology limitations, as detailed on page 39).
- Cities should require that operators limit speeds to appropriate levels. Operators must employ speed reductions in high-pedestrian, high-utilization and prohibited spaces upon request from the city.
 - Unrestricted: 15 mph
 - Slow zone: 5-12 mph
 - Non-electric vehicle: 0-3 mph
 - Prohibited spaces: User must walk vehicle
- Operators should be required to include an in-app explanation of geofencing (both area designations and the process that is initiated if a user enters a restricted area).
- Cities should provide operators with shapefiles to indicate geofenced borders in order to ensure compliance and accurate communication across operators.



7.0

Current State of Practice

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Vehicle Requirements		
City	Max Vehicles Permitted	Speed Maximum
Austin	500 per company for the initial release	20 mph for e-scooters and e-bikes
Baltimore	1,000 - 2,000 per applicant	Citywide:15 mph Reduced: 8 mph
Bellevue	200 e-bikes	20 mph Class 1 + 2 e-bikes 28 mph Class 3 e-bikes
Charlotte	N/A	15 mph for e-scooters 20 mph for e-bikes
Chicago	2,500 - 3,500 citywide	15 mph
Denver	500 per operator for e-bikes 350 per operator for e-scooters, etc	N/A
Durham	600 e-scooters 1,200 bikes/e-bikes	N/A
Ft. Lauderdale	500 per company for the initial release	N/A
Los Angeles	3,000 per applicant	15 mph
Oakland	N/A	15 mph for e-scooters
Santa Monica	3,000 total citywide	15 mph for e-scooters 20 mph for e-bikes
Seattle	20,000	15 mph
Washington D.C.	600 per permit type (bike or scooter) with quarterly performance based increases ranging from 0-300	10 mph for e-scooter 20 mph for e-bikes

Fleet Requirements			
City	Fleet Size Adjustments	Distribution Requirements	Max # of Companies
Austin	If average r/v/d falls below 2, a portion of the fleet may be required to be relocated. If r/v/d is 3 or higher, increments of 250 additional vehicles may be deployed..	Operators are licensed to operate in Austin's downtown Austin project coordination zone with supplemental licenses to provide additional units in areas outside of this area. The Director may require a reduction in a licensee's total number of units based on the overall number of units concentrated within a specific area.	10
Baltimore	Based on requirement compliance, utilization, and performance.	No more than 12 vehicles per Block Face, except as may be permitted to accommodate a special event. If more than 35% of fleet is located in any one zone, permit holder must redistribute vehicles.	N/A
Bellevue	Based on requirement compliance.	Minimum allowed service area defined; citywide distribution incentivized. Operators must rebalance to designated bike hubs. 50% of fleet or more at Activity Centers, 10% at Bus Stops, 15% in Neighborhoods.	N/A
Charlotte	A dynamic cap based on average number of r/v/d, requirement compliance and performance.	N/A	N/A

Fleet Requirements			
City	Fleet Size Adjustments	Distribution Requirements	Max # of Companies
Chicago	Based on requirement compliance, utilization, and performance.	Daily 5 a.m. rebalancing requirement. Must have at least 25% of scooters in Priority Sub Area 1 and at least 25% of its scooters in Priority Sub-Area 2, distributed proportionately at the beginning of each day.	N/A
Denver	Based on requirement compliance, utilization, and performance.	Vehicles that are part of the “opportunity area” fleet will be required to be rebalanced back to designated opportunity areas at least once per day.	5
Durham	Based on requirement compliance, utilization, and performance.	Atleast 20% of devices within designated census tracts.	N/A
Ft. Lauderdale	Up to 250 additional vehicles after 30 days of service subject to approval.	N/A	N/A
Los Angeles	An additional 2,500 scooters allowed in non-San Fernando valley disadvantaged communities. 5,000 allowed in the San Fernando Valley disadvantaged communities.	N/A	N/A

Fleet Requirements			
City	Fleet Size Adjustments	Distribution Requirements	Max # of Companies
Oakland	Based on requirement compliance, utilization, and performance.	Over 50% of scooters must be deployed in defined Communities of Concern.	N/A
Santa Monica	Can increase the fleet size for achieving 3 r/v/d (e-bikes) or 4 r/v/d (scooters).	Maximum of 1/3 of total vehicles may be in the downtown district.	N/A
Seattle	Vendors who deploy adaptive cycles receive application preference and could get a bonus of up to 1,000 extra devices.	Minimum of 10% of vehicles available across three equity focus areas.	10
Washington D.C.	Based on requirement compliance, utilization, and performance. Increases of up to 25% per quarter may be allowed at DDOT's discretion. Permit holder may request fleet expansion above twenty-five percent (25%) but not more than fifty percent (50%) for demonstrated exceptional performance.	Minimum of 6 vehicles available in each ward (at 6 AM each day).	10 per vehicle type

Data Requirements	
City	Data Reporting Methods
Austin	Austin Dockless API
Baltimore	Publicly available API MDS compatible API
Bellevue	MDS compatible API GBFS compatible API Third-party analyst via API
Charlotte	Monthly Reports MDS compatible API
Chicago	MDS compatible API GBFS compatible API
Denver	API Monthly Reports
Durham	Third party provider
Ft. Lauderdale	Monthly data report
Los Angeles	MDS compatible API
Oakland	Publicly available (GBFS) API MDS compatible API GBFS compatible API
Santa Monica	MDS compatible API GBFS compatible API Weekly and Monthly Reports
Seattle	MDS compatible API
Washington D.C.	DC Dockless Data API

Fees					
City	Application/ Permit Fee	Per Device Fee	Per Trip Fee	Performance Bond	Relocation/ Removal
Austin	N/A	\$60	N/A	\$100/device	Invoice the companies
Baltimore	TBD	TBD	\$0.10	\$10,000	\$220 for first 5 scooters seized at one time, \$44 per additional seized scooter; \$220 for first 3 e-bikes seized at one time, \$73 per additional seized e-bike; \$15 per day for each group (up to 5 scooters 3 e-bikes) for storage
Bellevue	\$226 permit application fee \$6,855 annual ROW lease fee	N/A	N/A	\$10,000	Cost recovery
Chicago	\$250	\$120	N/A	N/A	\$100 per scooter
Denver	\$150 application \$15,000 permit fee	N/A	N/A	\$20 bikes/\$30 e-scooters	N/A
Durham	\$1,000 application \$500 renewal	\$100 e-scooters \$50 e-bikes	N/A	\$10,000	\$50
Ft. Lauderdale	\$150 application \$100 annual permit	\$10	N/A	\$80/vehicle	\$75 + \$50 per day for storage

Fees

City	Application/ Permit Fee	Per Device Fee	Per Trip Fee	Performance Bond	Relocation/ Removal
Los Angeles	\$20,000	\$130 \$39 in disadvantaged communities	N/A	\$80/vehicle	Reimburse the City and storage fees
Oakland	\$2,500 application \$30,000 permit fee	\$64	\$0.10 when parked or left standing in a metered zone during hours of operation	N/A	\$50 + \$140 per hour for confiscation
Santa Monica	\$20,000	\$130 + \$1/day	N/A	N/A	
Seattle	N/A	\$50	N/A	\$10,000	Cost recovery
Washington D.C.	\$75 application and technology \$250 initial permit fee \$100 annual fee	\$60 (pro-rated by month)	N/A	\$10,000	All costs from bond

Employee Requirements	
City	Requirement
Chicago	Vendors are encouraged to include in their hiring plan steps they will take to identify, train, and employ local residents that have been historically disadvantaged in participating in the local economy. Vendors are also encouraged to have specific contracting goals for minority and women-owned businesses including, but is not limited to, the creation of local workforce development and training programs, and the establishment of partnerships with local workforce development and training programs or organizations. (d) Vendors are encouraged to hire: (i) 75% of their staff from Chicago; and (ii) at least 30% of their staff from job training placement programs operating in Chicago.
Oakland	Vendors are required to include a hiring and labor plan, including number of full time employees and contract employees expected to be employed in Oakland. If charging or servicing of Scooters is contracted to a third parties, Operators must take steps to prevent conflicts between contractors seeking to charge or service scooters.
Seattle	The vendor shall compensate all employees consistent with Seattle's minimum-wage laws in SMC Chapter 14.19. The vendor shall comply with all local, state, and federal workplace safety requirements.
Washington D.C.	When applying, operators must specify how they will advance skills training for staff and contractors, and how operators will make efforts to hire a local workforce.

Adaptive Device Requirements	
City	Requirement
Baltimore	Adaptive vehicles are not counted towards the maximum number of allowed vehicles
Bellevue	Incentive (choice of fee reduction or fleet bonus) to provide adaptive devices equal to 5 percent of total fleet.
Los Angeles	No minimum fleet size for fleets consisting solely of nonelectric adaptive bikes. Operators with a less than 50% electric fleet must reserve a minimum of 1% of their fleet size for adaptive bicycles
Oakland	Operators must provide Adaptive Scooters for persons with disabilities. The total percentage of Adaptive Scooters shall be based on expected need, performance, and usage. If the operator is unable to deploy Adaptive Scooters at the time of permit issuance, they must submit a plan to do so, within 3 months.
Seattle	Permit fees are used to partner with existing providers to increase adaptive cycling access. Operators are strongly encouraged to deploy adaptive cycles as part of their fleets with a bonus of +1,000 vehicles as incentive.

Discounted Pricing Programs	
City	Requirement
Baltimore	Low-income plan required. Variable pricing only allowed if proven to increase equity.
Chicago	Operators are required to provide programs for nonsmartphone and cash-based access
Oakland	Operators are required to provide a discounted plan equivalent to \$5/year (unlimited 30 minutes trips) for users with low income and implement a marketing and targeted outreach plan. Cash payment and non-smartphone access options are also required.
Seattle	If an operator's fleet is majority electric, the operator must provide discounted access at no more than \$1.50 per hour. Operator must also provide cash and non-smartphone payment options.
Washington D.C.	Operator are required to provide a low-income customer plan that waives vehicle deposit fees and provides unlimited trips under 30 minutes. Operator must also provide cash and nonsmartphone payment options.

Multi-Language Requirements	
City	Requirement
Baltimore	5 required languages for company website and 24-hour customer service line.
Bellevue	6 required non-English languages for company website and mobile app
Chicago	6 required languages for 24-hour customer service line.
Oakland	At a minimum 2 required languages for company website, call center and mobile application.
Santa Monica	Customer support service in multiple languages is preferred.
Seattle	8 required languages for marketing materials, rider education signage, required disclosures to riders and all required contact methods.
Washington D.C.	Operators are encouraged to maintain a multilingual website.

Parking Requirements	
City	Requirement
Austin	Dockless bikes and scooters may only be parked in the furniture zone, at a bike rack, or in a painted corral.
Bellevue	Out-of-Hub Parking Penalty – \$1 per trip ended outside of bike hubs beyond the monthly target percentage allowed.
Chicago	Operators must use photo and geofencing technology to ensure parking compliance. Operators must require customers who rent scooters with a smartphone to send photos of their properly-parked scooters at the end of the trip.
Denver	Operators are required to install and maintain painted dockless parking zones at a rate of up to 1 zone per 10 permitted fleet vehicles.
Oakland	Operators must propose a minimum of 1 designated scooter parking area per 15 permitted scooters. Lock-to scooters are also permitted.
Santa Monica	Scooters may be parked in the furniture zone, painted corrals, or at bike racks. There are additional geofenced restrictions.
Seattle	Bikes may be parked in the furniture zone, at a bike rack, or in a bike share parking area. Permit fees used to build designed parking areas, and vendors required to mark these in-app.



ClimateWorks
FOUNDATION

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Chapter 10-14

BICYCLES, E-BIKES, AND E-SCOOTERS

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Section 10-14-01 DEFINITIONS

For the purposes of this Chapter, the following terms, phrases, words, and derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. Words used throughout this Title, but not defined herein, shall have their plain, ordinary, and common meaning. Words in any gender shall apply to the feminine, masculine, and neuter genders.

- A. **ABANDONMENT:** A bicycle, E-bike, E-scooter, or any part thereof, that is left or remains unattended or unused in a public place for seventy-two (72) consecutive hours or longer after it is tagged with a notice of intention to abate.
- B. **BICYCLE:** Every vehicle having two (2) tandem wheels, or two (2) parallel wheels and one (1) forward wheel, any two of which are not less than twelve (12) inches in diameter, propelled exclusively by human power upon which any person may ride, except scooters and similar devices.
- C. **BIKE LANE:** A portion of a roadway designated for preferential or exclusive use by bicycles, E-bikes, or E-scooters that is distinguished from that portion of the roadway to be used by motor vehicles by a painted strip and other pavement markings.
- D. **BIKE PATH:** A completely separate right-of-way designated primarily for use by bicycles E-bikes, E-scooters, or pedestrians, including but not limited to the Greenbelt. Conflicts with pedestrians are kept to a minimum while cross-flows by motor vehicles are discouraged. The term bike path includes both the paved surface and minimum of two feet (2') on either side.
- E. **BIKE PATH APPROACH:** That area where a transition is made between a roadway, parking lot, sidewalk or other facility and a bike path. This area is generally identified by wooden bollards, pavement markings and a parking prohibition.
- F. **BIKE/PEDESTRIAN CURB RAMP:** A break in a curb designated to facilitate movement by the operator of a bicycle, E-bike, or E-scooter, pedestrian or person with a disability from a street or parking lot to a sidewalk or bicycle facility.
- G. **BIKE ROUTE:** Any roadway specifically signed for shared use by bicycles, E-bikes, or E-scooters, and motor vehicles.
- H. **BOISE RIVER GREENBELT ("Greenbelt"):** The paved or improved pathways and connecting trails and the twenty (20) feet of publicly owned greenspace on either side, including picnic tables, barbeque stands, benches and other improvements and fixtures connecting Boise Parks along the Boise River and maintained by the Department of Parks and Recreation and delineated generally in the publication known as the Map, and/or specifically in the Inventory of Park Properties at the office of the Director of the Department of Parks and Recreation. Greenbelt does not include any private property which may lie within twenty (20) feet of the paved or improved pathways and connecting trails.
- I. **ELECTRIC POWER-ASSISTED BICYCLE ("E-bike"):** A vehicle having two (2) tandem wheels or two (2) parallel wheels and one (1) forward wheel, any two of which are not less than twelve (12) inches in diameter, that is designed to be operated by human power with the assistance of an electric motor that has a power output of not more than seven hundred fifty (750) watts that: (i) is incapable of propelling the vehicle at a speed of more than twenty (20) miles per hour; and (ii) disengages or ceases to function when the vehicle's brakes are applied. An E-bike is not a motor vehicle for purposes of this Chapter.
- J. **ELECTRIC POWER-ASSISTED SCOOTER ("E-scooter"):** A two (2) wheeled device that has handlebars, has a floorboard that is designed to be stood upon when riding, and is powered by an electric motor that has a power output of not more than three hundred (300) watts that: (i) is incapable of propelling the device at a speed of more than fifteen (15) miles per hour; and (ii)

disengages or ceases to function when the device's brakes are applied. An E-scooter is not a motor vehicle for purposes of this Chapter.

- K. **FOOTHILLS TRAILS:** Paths and trails in the Ridge to Rivers Trail Network that are located entirely and solely on property owned by the City.
- L. **OBSTRUCTIVE BICYCLE, E-BIKE, OR E-SCOOTER:** Any bicycle, E-bike, E-scooter, or any part thereof, left in a public place that obstructs or impedes vehicular or pedestrian traffic.
- M. **PUBLIC PLACE:** Any publicly owned property, including, but not limited to, sidewalks, streets, alleys, parks, and plazas located within the City jurisdictional limits.

(Ord 38-18, Amended, 9/25/18; Ord 28-18, Amended 8/21/18; Ord 35-17, Amended 12/19/17; 6763, Amended, 01/12/2010)

Section 10-14-02 TRAFFIC LAWS APPLY TO PERSONS RIDING BICYCLES E-BIKES, AND E-SCOOTERS

- A. Every person, regardless of age, who operates a bicycle or an E-bike, or E-scooter upon a roadway, public parking lot, sidewalk, bike path, bike lane or other public vehicular right-of-way in the city of Boise City ("City") shall be granted the same rights and shall be subject to the same responsibilities applicable to a motor vehicle operator by the laws of the state of Idaho, and the provisions of Title 10 of the Boise City Code not in conflict with and as authorized under Title 49, Idaho Code; except where provisions of those laws and ordinances by their very nature can have no application to bicycles, E-bikes, or E-scooters, or where portions of this Chapter direct otherwise.
- B.
 - 1. Any peace officer as defined in Idaho Code Section 19-5101 (d), operating a bicycle E-bike, or E-scooter in the course and scope of his official duties is exempt from the requirements of Section 10-14-02(A) above. if the bicycle, E-bike, or E-scooter is being operated under any of the following circumstances:
 - a. In response to an emergency call.
 - b. While engaged in rescue operations.
 - c. In the immediate pursuit of an actual or suspected violator of the law.
 - 2. This Section does not relieve a peace officer from the duty to operate a bicycle, E-bike, or E-scooter with due regard for the safety of all persons.

(Ord-28-18, Amended, 8/21/18; Ord 35-17, Amended; 5719, Amended, 04/09/1996)

Section 10-14-03 REQUIRED EQUIPMENT

No person shall operate a bicycle or E-bike, or E-scooter without the following equipment:

- A. Brakes capable of causing the bicycle, E-bike, or E-scooter to stop within twenty-five feet (25') at ten (10) miles per hour on dry, level, clean pavement; and
- B. A bell, the human voice or other audible warning device capable of being heard at a distance of at least one hundred feet (100') away, except that no bicycle, E-bike, or E-scooter shall be equipped

with nor shall any person use upon a bicycle E-bike, or E-scooter any siren or whistle; and

- C. When in use at nighttime, a red reflector on the rear visible from a distance of three hundred feet (300') when directly in front of lawful upper beams of a motor vehicle, and a forward-facing white light attached either to the bicycle, E-bike, E-scooter or the operator that is visible from a distance of at least five hundred feet (500') in front of the bicycle, E-bike, or E-scooter. A bicycle, E-bike, or E-scooter shall be equipped with a front-facing white or yellow reflector when the operator uses a generator powered light that is unlit when the bicycle, E-bike, or E-scooter is stopped; and
- D. All bicycles and E-bikes shall have a permanent seat designed for the bicycle or the E-bike being operated. E-scooters shall not have any attached seats.

(Ord 28-18, Amended, 8/21/18)

Section 10-14-04 RIDING ON BICYCLES, E-BIKES, OR E-SCOOTERS:

- A. No person riding or operating a bicycle or E-bike shall ride other than upon or astride a permanent and regular seat attached thereto.
- B. No bicycle or an E-bike shall be used to carry more persons at one time than the number for which it is designed and equipped.
- C. No E-scooter shall be used to carry more than one (1) person at one time.
- D. No person shall operate a bicycle or an E-bike that is either too large or too small for such person to operate safely.
- E. Every person operating a bicycle, E-bike, or E-scooter shall keep at least one (1) hand on the handlebar at all times, and shall carry nothing that prevents full control of the bicycle, E-bike, or E-scooter or obstructs the operator's vision.

(Ord 28-18, Amended, 8/21/18)

Section 10-14-05 CLINGING TO MOTOR VEHICLES

Persons riding or operating bicycles, E-bikes, or E-scooters shall not attach themselves or such bicycles, E-bikes, or E-scooters to a moving motor vehicle. This Section shall not prohibit attaching a trailer device to a bicycle or E-bike that is designed to accommodate such a device. Attaching a trailer to and E-scooter is prohibited.

(Ord 28-18, Amended, 8/21/18)

Section 10-14-06 RIDING ON ROADWAYS

- A. No person shall operate a bicycle, E-bike, or E-scooter on a roadway against the flow of motorized vehicular traffic, except where permitted by official signs or pavement markings.
- B. Every person operating a bicycle, E-bike, or E-scooter upon a two-way roadway is entitled to use the lane appropriate for the intended destination, including the right-hand lane and any designated bus lane. The bicycle, E-bike, or E-scooter rider shall proceed in the same direction of travel as other vehicles authorized to use that lane. On one-way roadways a bicycle, E-bike, or E-scooter may be operated in any existing lane.

- C. The operator of a bicycle, E-bike, or E-scooter traveling at a rate of speed that delays a vehicle or vehicles following in the same lane shall be required, when it is unlawful or unsafe for the following vehicle to pass, to move as far to the right of the traveled roadway, or to the left where the bicycle, E-bike, or E-scooter is in the left lane of a one-way roadway, as is safe under the conditions then existing; provided, however, that when the operator is within fifty feet (50') of an intersection, he shall not be required to move to the right or left until he has moved through the intersection.
- D. In right turn only lanes where traffic signs or signals indicate a bus, trolley or street car is permitted to go straight rather than turn right, a bicycle, E-bike, or E-scooter operator shall be permitted to go straight rather than turn right.

(Ord-28-18 amended, 8/21/18; Ord 35-17, Amended 12/1/17; 6763, Amended, 01/12/2010)

Section 10-14-07 USING PROVIDED BIKE LANES AND BIKE PATHS

- A. Wherever a bike lane is present upon a roadway, the operator of a bicycle E-bike, or E-scooter shall use that lane and shall not use the roadway; except that the operator shall not be required to use or remain in a bike lane:
1. When the lane is of insufficient width to permit safe bicycle, E-bike, or E-scooter operation; or
 2. When the condition of the pavement, or the presence of water, dirt, glass or other foreign objects upon the pavement prevents safe bicycle, E-bike, or E-scooter operation in the lane; or
 3. When moving into position to make a right or left turn; or
 4. When an opening car door or other obstruction in an adjacent parking lane requires movement out of the lane.
- B. Wherever a bike path has been provided immediately adjacent to a roadway, the operator of a bicycle, E-bike, or E-scooter shall use that path and shall not use the roadway if official signs or markings so direct; except that the operator of a bicycle, E-bike, or E-scooter shall not be required to use or remain on a bike path:
1. When the path is of insufficient width to permit safe bicycle, E-bike, or E-scooter operation; or
 2. When the condition of the surface, or the presence of water, dirt, glass or other foreign objects upon the surface prevents safe bicycle, E-bike, or E-scooter operation on the path.

(Ord 28-18, amended. 8/21/18: Ord 35-4-17, Amended 12/19/17; 4406, 05/29/1979)

Section 10-14-08 FOOTHILLS TRAILS

No person shall operate, drive, lead, or ride an E-bike or E-scooter on any foothills trail unless written authorization is obtained from the City's Department of Parks and Recreation in accordance with the provisions of the American with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq.

(Ord 28-18, Amended, 8/21/18)

Section 10-14-09 RIDING UPON SIDEWALKS AND UPON AND WITHIN CROSSWALKS

- A. A bicycle, E-bike or E-scooter may be operated upon a sidewalk and upon and within a crosswalk, except where prohibited by official traffic control devices, or when the number of pedestrians using the sidewalk renders riding on the sidewalk unsafe because of the risk of colliding with a pedestrians, in which case the operator of a bicycle, E-bike, or E-scooter must dismount and walk the bicycle, E-bike, or E-scooter to an area where safe riding may resume.
- B. Any operator of a bicycle, E-bike, or E-scooter riding upon a sidewalk, or across a road way upon and within a crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible warning before overtaking and passing such pedestrian. The audible warning may be given by the voice or by a bell or other lawful device capable of giving an audible signal to the person or persons being overtaken and passed.
- C. Any operator of a bicycle, E-bike or E-scooter riding upon a sidewalk, or across a roadway upon and within a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same circumstances.
- D. Any operator of a bicycle, E-bike, or E-scooter riding on the sidewalk shall not suddenly leave a curb or other place of safety and move into the path of a vehicle that is so close as to constitute an immediate hazard.

(Ord 28-18, Amended, 8/21/18; Ord 35-17, Amended 12/19/17; 6763, Amended, 01/12/2010; 4406-A, 06/11/1979)

Section 10-14-10 PASSING OTHER VEHICLES

The operator of a bicycle, E-bikes, or E-scooter may pass another vehicle upon the right when traveling on a two-way roadway and may pass on the left when traveling in the left lane of a one-way roadway, but only under conditions permitting such movement in safety. The operator of a bicycle, E-bike, or E-scooter shall not pass between two (2) lanes of motor vehicles proceeding in the same direction.

(Ord 28-18, Amended, 8/21/18)

Section 10-14-11 DISMOUNT NOT REQUIRED WHEN STOPPING

Whenever a bicycle, E-bike, or E-scooter operator is required to bring the bicycle, E-bike, or E-scooter to a stop in conformance with the official traffic control devices, the operator shall halt forward motion but shall not be required to dismount or remove his feet from the pedals or the floorboard.

(Ord 28-18, Amended, 8/21/18)

Section 10-14-12 TURN SIGNALS

The operator of a bicycle, E-bike, or E-scooter intending to turn shall signal his intent to turn with the appropriate hand and arm signal at least one hundred feet (100') prior to turning. The hand signal need not be continuous.

(Ord 28-18, Amended, 8/21/18)

Section 10-14-13 RIDING IN GROUPS

Persons riding bicycles, E-bikes or E-scooters shall not ride more than two (2) abreast except upon bike paths of twelve feet (12') or more. The operator of a bicycle, E-bike, or E-scooter operating two (2) abreast upon a roadway, or bike path, shall return to a single file configuration when a vehicle approaches from behind in the same lane

(Ord 28-18, Amended, 8/21/18)

Section 10-14-14 BICYCLE OR E-BIKE OR E-SCOOTER PARKING

Bicycles, E-bikes or E-scooters shall not be parked in such a manner as to obstruct or impede the movement of pedestrians, motor vehicles or other bicycles, E-bikes, or E-scooters, or to cause damage to trees, shrubs or other living plants.

(Ord 28-18, Amended, 8/21/18)

Section 10-14-15 USE OF BIKE PATHS AND BIKE LANES BY OTHER NON-MOTORIZED MODES OF TRANSPORTATION

- A. No person shall drive, lead or ride a horse or other animal upon a bike lane or bike path.
- B. No person shall roller skate, ride or operate a skateboard or gravity-operated or human powered vehicle not classified as a bicycle, E-bike, or E-scooter upon a bike lane or bike path except in public parks.
- C. Pedestrians shall not travel upon a bike path where a separate foot path has been provided or upon a bike lane where a sidewalk is provided.
- D. When a pedestrian is traveling upon a bike path or bike lane:
 - 1. The operator of a bicycle, E-bike, or E-scooter approaching the pedestrian from the rear shall be required to give audible warning when overtaking and passing such pedestrian; and
 - 2. The operator of a bicycle, E-bike, or E-scooter and a pedestrian approaching each other shall each be required to move to and remain upon their right-hand half of the surface.
- E. The operator of a bicycle, E-bike, or E-scooter shall always yield the right-of-way to a pedestrian who has a disability.

(Ord 28-18, Amended, 8/21/18)

Section 10-14-16 GROUP EVENTS

A race, parade or other group event for bicycles, E-bikes, or E-scooter may be conducted upon public rights-of-way in the City if a permit is obtained. Permit applications shall be made through the office of the City Clerk.

(Ord 28-18, Amended, 8/21/18)

Section 10-14-17 UNLAWFUL USE OF BIKE LANES AND BIKE PATHS

It shall be unlawful for any person without authorization from the local authority having jurisdiction thereof to cut, alter, break, injure, damage or perform work upon any bike path or bike lane in the City.

Section 10-14-18 RECKLESS OR INATTENTIVE OPERATION

A person who uses or rides a bicycle, E-bike, or E-scooter on any public or private property open to public use inattentively, or carelessly and heedlessly, in light of the circumstances then existing, or without due caution and circumspection, or at such speed or in any other manner as to endanger or be likely to endanger any person or property shall be guilty of reckless or inattentive operation, a misdemeanor and, upon conviction may be sentenced to jail for not more than six (6) months or may be fined not more than one thousand dollars (\$1,000.00) or may be punished by both fine and imprisonment.

Section 10-14-19 BASIC RULE AND MAXIMUM POSTED SPEED LIMITS

A person who uses, operates, or rides a bicycle, E-bike or E-scooter on any public or private property open to public use shall obey all posted maximum speed limits. Maximum speed limits may vary depending on location and pedestrian traffic levels. It is the responsibility of the operator of a bicycle, E-bike or E-scooter to know and obey all applicable maximum speed limits in the area of operation. Notwithstanding any posted maximum speed limit, no person shall use, operate, or ride a bicycle, E-bike or E-scooter at a speed greater than is reasonable and prudent under the conditions or circumstances then existing and having regard to the actual and potential hazards then existing.

(Ord 28-18, Amended, 8/21/18)

Section 10-14-20 BICYCLE, E-BIKE, E-SCOOTER LICENSES:

- A. The City, as a matter of public policy, recommends that all residents of the City who own a bicycle, E-bike or E-scooter have such bicycle, E-bike or E-scooter registered with and tagged by the Boise Police Department or its designated agents. The purpose of license is to assist the owner, the Boise Police Department, or other public safety agencies in recovering said bicycle, E-bike, or E-scooter should the bicycle, E-bike or E-scooter be stolen or otherwise misplaced.
- B. A bicycle, E-bike or E-scooter may be registered by filing with the Boise Police Department the name and address of the owner together with a complete description of the bicycle, E-bike or E-scooter on forms provided by or made available through the Boise Police Department. The fee for said registration may be established by resolution of the Boise City Council. The registration fee applies for the entire period the license registrant owns the licensed bicycle. Registration shall be serially numbered and kept on file by the Boise Police Department. Upon such registration, the Boise Police Department or its designee shall cause an identification tag to be affixed to the registered bicycle, E-bike, or E-scooter which shall be serially numbered to correspond with the registration number. Such tag shall remain affixed to the bicycle, E-bike, or E-scooter unless removed by the said Department for cause or for re-tagging upon re-registration.
- C. Any person who willfully removes, defaces, or destroys any bicycle, E-bike or E-scooter identification tag issued by the City on a bicycle, E-bike, or E-scooter not owned by the person shall be guilty of a misdemeanor and upon conviction may be sentenced to jail for not more than six (6) months or may be fined not more than one thousand dollars (\$1,000.00) or may be punished by both fine and imprisonment.
- D. Within ten (10) days after any bicycle, E-bike, or E-scooter registered hereunder shall have changed ownership or have been dismantled or taken out of operation, the person whose name the bicycle, E-bike, or E-scooter has been registered is encouraged to report such information to the Boise Police Department. In case of change of ownership, upon payment of the registration fee and production of a bill of sale signed by the previous registered owner, the registration shall be changed to show the name of the new owner or reregistered with a new number and cancellation of the former.
- E. Revenue from sale of such registration and licenses shall be used to benefit the bicycle, E-bike, or E-scooter community through safety education and infrastructure improvements.

((Ord 28-18, Amended, 8/21/18; 6763, Added, 01/12/2010))

Section 10-14-21 NOTICE OF VIOLATIONS AND PROCEDURES

- A. Upon observing any violation of the provisions of this Chapter, the Boise Police Department is authorized to serve a notice of violation, "citation", by personally serving the person violating the

provisions of this Chapter with a citation.

- B. Every citation shall include the following, if applicable to the observed violation:
 - 1. The date and time when the violation was observed;
 - 2. The location where the violation occurred;
 - 3. The code section violated and a brief description of the violation;
 - 4. The fine amount;
 - 5. Instructions explaining how the violation may be paid and the fine amount associated with the violation; and
 - 6. A statement describing the process by which the citation may be contested.
- C. One copy or an automated record of each citation shall be filed with the City Clerk's Office.
- D. Each person served with a citation shall within ten (10) business days from the date on the citation:
 - 1. Pay the corresponding fine amount on the City Clerk's Fee Schedule;
 - 2. Pay the corresponding fine amount, plus any applicable fees, using an online payment system authorized by the City Clerk's Office; or
 - 3. Appear at the City Clerk's Office to contest the violation through the Clerk's administrative process in order to avoid an administrative fee being assessed to the citation in addition to the original fine amount.
- E. Failure to either pay the fine or appear to contest the violation within ten (10) business days from the date on the citation shall result in an additional fifteen-dollar (\$15.00) administrative fee being assessed for each violation to defray the administrative and personnel costs and mailing expenses arising from such overdue fines.

Section 10-14-22 PENALTIES

Unless otherwise provided, any person who violates any provision of this Chapter shall be deemed guilty of an infraction and upon conviction shall be punishable by civil infraction penalty as established by the Boise City Council and listed on the most current City Clerk Fee Schedule.

Section 10-14-23 PROCEDURES TO CONTEST VIOLATIONS IN COURT, DELINQUENCY AND COLLECTION

- A. In order to contest a citation in the Fourth District Magistrate Court, the cited individual must within thirty (30) days:
 - 1. Contest the violation through the City Clerk's administrative process; and
 - 2. Accept service of complaint and summons in person at the City Clerk's Office.Failure to strictly comply with these requirements will prevent the cited individual from contesting their citation in court. Although a citation that is contested within thirty (30) days at the Clerk's Office may be contested in court, failure to contest the citation at the Clerk's Office within ten (10) days of the violation will result in the application of the fifteen-dollar administrative fee pursuant to Section 10-14-19(E).
- B. Delinquent Citations. A citation shall be deemed delinquent if:
 - 1. The citation is not paid or contested within thirty (30) days from the date of its original date of issuance; or

2. The cited individual fails to accept service of the summons within thirty (30) days of written notice to contest the citation.

If a citation becomes delinquent, all applicable late fees shall be assessed in addition to the original citation fine amount. The City may utilize all available collection methods to recoup fines and late fees owed on all delinquent citations. Nothing herein alters the assessment of fees associated with failure to pay the citation within the time frames dictated within this Chapter.

(Ord 28-18, Amended, 8/21/18)

Section 10-14-24 LABELING REQUIREMENT

On and after July 1, 2019, manufactures and distributors of E-bikes or E-scooters shall apply a label in legible type, that is permanently affixed in a prominent location, to each E-bike. The label shall contain the top assisted speed and motor wattage of the E-bike or E-scooter.

(Ord 28-18, Amended, 8/21/18)

Section 10-14-25 TAMPERING RESTRICTION

No person shall knowingly modify an E-bike or E-scooter so as to change its speed capability.

(Ord 28-18, Amended, 8/21/18)

Section 10-14-26 CPSC COMPLIANCE

An E-bike shall comply with the equipment and manufacturing requirements for bicycles adopted by the United States Consumer Product Safety Commission (16 C.F.R. part 1512).

Section 10-14-27 REMOVAL OF ABANDONED AND OBSTRUCTIVE BICYCLES, E-BIKES, E-SCOOTERS, OR ANY PART THEREOF FROM PUBLIC PLACES

A. Nuisance Declared. The accumulation of abandoned and obstructive bicycles, E-bikes, E-scooters, or any part thereof, in public places promotes urban blight, invites theft and vandalism, and creates a hazard to the general public's health, safety, and welfare, thereby constituting a public nuisance. Abandoned and obstructive bicycles, E-bikes, E-scooters, or any part thereof may be abated in accordance with this Chapter.

B. Prohibited Behavior. No person shall abandon a bicycle, E-bike, E-scooter, or any part thereof in a public place. No person shall leave an obstructive bicycle, E-bike, E-scooter, or any part thereof in a public place.

C. Enforcement. In accordance with this Chapter, the Boise Police Department, the Boise City Code Compliance Office, or authorized designees are authorized to mark abandoned or obstructive bicycles, E-bikes, E-scooters, or any part thereof, for abatement and to order the removal and impoundment of such abandoned or obstructive bicycles, E-bikes, E-scooters, or any part thereof from public places. The provision of this Section shall not apply to stationless bicycle share program devices.

D. Notice of Intention to Abate Abandoned Bicycle, E-bike, E-scooter, or Any Part Thereof. All notices of intention to abate shall be firmly and conspicuously affixed to the bicycle, E-bike, E-scooter, or any part thereof. The notice of intention to abate shall contain: the date and time the notice was posted, the date and time after which the bicycle, E-Bike, or any part thereof shall be removed, the contact information and address for the location where the bicycle, E-bike, E-scooter, or any part thereof shall be impounded, and information on how to request a post-storage administrative review.

E. Notice of Abatement of Obstructive Bicycle, E-bike, E-scooter, or Any Part Thereof. All notices of abatement of an obstructive bicycle, E-bike, E-scooter, or any part thereof shall be firmly and conspicuously posted as near as possible to the location from where the obstructive bicycle, E-bike, E-scooter, or part was removed. The notice of abatement shall contain: the date and time the bicycle, E-Bike, or part was removed, the reason for the removal, the contact information and address for the location where the obstructive bicycle, E-bike, E-scooter, or part are impounded, and information on how to request an administrative review.

F. Abatement of Abandoned Bicycle, E-Bike, E-scooter, or Any Part Thereof. No less than seventy-two (72) hours after the posting of a notice of intention to abate, the City may remove and impound an abandoned bicycle, E-bike, E-scooter, or any part thereof.

G. Immediate Abatement of Obstructive Bicycle, E-bike, E-scooter, or Any Part Thereof. The City may immediately remove and impound any obstructive bicycle, E-bike, E-scooter, or part thereof.

H. Storage. All abated abandoned and obstructive bicycles, E-bikes, E-scooters, or part shall be stored and disposed of by the Boise Police Department in accordance with Idaho Code § 55-403. Reasonable storage fees, in an amount established by the Boise City Council and listed on the most current fee schedule, may be charged to the owner of the abated bicycle, E-bike, E-scooters, or any part thereof to cover the costs of removal, impoundment, storage, recordkeeping, and other associated costs. Owners shall be required to pay all storages fees in full prior to the release of abated bicycles, E-bikes, E-scooters, or part.

I. Post-Storage Administrative Review. Whenever an abandoned or obstructive bicycle, E-bike, E-scooter, or any part thereof, is abated and impounded by the City, the owner of such property shall be provided with the opportunity for a post-storage administrative review to determine the validity of the removal and storage of such property. In order for an owner to receive a post-storage administrative review, the owner must request the review in writing from the City within thirty (30) business days of the posting of the notice of intention to abate or notice of immediate abatement. The City shall conduct the post-storage review within forty-eight (48) hours of the request, excluding weekends and holidays. Failure by the owner to request or to attend a review shall satisfy the post-storage administrative review for that owner. If it is determined at the review that there was not reasonable cause to deem the abated bicycle, E-bike, E-scooter, or any part thereof, abandoned or obstructive, the City shall be responsible for payment of all storage fees.

J. Disposal. Any bicycle, E-bike, E-scooter, or part thereof that is abated and impounded under this Chapter and that is not claimed and redeemed by its owner within the time limits set forth in Idaho Code § 55-403 shall become the property of the City and shall be sold. Proceeds, if any, from the sale of abated bicycles, E-bikes, E-scooters, or part thereof, shall be applied first to all outstanding storage fees and any expenses related to the sale of such property. The balance of such proceeds, if any, shall be kept by the Boise Police Department in a separate fund for a period of one (1) year from the date of sale in accordance with Idaho Code § 55-404.

(Ord-38-18, Amended, 9/25/18)

Section 10-14-28 SEVERABILITY

If any clause, sentence, paragraph, section, or any part of this Chapter is declared or adjudged to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect, invalidate, or nullify the remainder of this Chapter.

(Ord 28-18, Amended, 8/21/18; Ord 35-17, Amended, 12/19/18; 6763 Added, 01/12/2010; 4406, 05/29/1979)