



Agenda Report

19-373

Agenda Date: 6/4/2019

REPORT TO COUNCIL

SUBJECT

Council Consideration of Options for the Development of a Bicycle and Scooter Share Program for the Purpose of Establishing Regulations

BACKGROUND

In December 2018 and January 2019, the City Council discussed and took actions on the operation of bicycle and scooter share devices in Santa Clara. The Council approved emergency and regular ordinances which prohibit the operation of bicycle and scooter share in Santa Clara from December 20, 2018 to December 19, 2019. The City Council also directed staff to quickly return to the Council with a proposed permanent bicycle and scooter share program to allow the City to properly regulate the use of this new mobility option within City limits.

In other cities where similar bicycle and scooter share programs have been implemented, significant concerns that have arisen are speeding, riding on and obstructing sidewalks and interfering with transit stops when improperly parked. Establishing regulations prior to allowing the use of these shared mobility devices on public streets, allows the City to alleviate the above outcomes and work collaboratively with bicycle and scooter share operators to establish best practices, permit conditions and assure successful implementation and operation. One of the key goals of the proposed bicycle and scooter share program is to provide innovative and sustainable mobility options while protecting public interest and safety.

DISCUSSION

Staff developed a workplan and schedule for the establishment of a permanent bicycle and scooter share program as directed by the City Council. This workplan includes research, community outreach/meetings, coordination with other cities and transportation agencies, meetings with business and institutional stakeholders and meetings with bicycle and scooter share operators. Since January 2019, staff has made progress in the following areas:

- 1. Research and Coordination:** Completed research on what other cities have enacted in relation to bicycle and scooter share programs. Staff have also communicated with several cities regarding their programs.
- 2. Community meetings:** Conducted community meetings to solicit feedback from residents, businesses, major commercial areas, private developers and other stakeholders.
- 3. Operators:** Staff have met with bicycle and scooter share operator companies to better understand the technology and capabilities of these devices.
- 4. Bicycle and Pedestrian Advisory Committee:** Provided updates to the City's BPAC and solicited initial feedback.
- 5. Draft Regulations:** Selected regulation areas and topics and developed draft regulations. Staff has prepared a matrix that provides the regulation areas that staff recommends to be

included within the overall program. Additionally, options are presented for City Council discussion (Attachment 1).

At the City Council meeting on June 4, 2019, staff will: 1) provide a more detailed progress update on the bicycle and scooter share program, 2) discuss staff's draft regulations areas and available options (Attachment 1), and 3) seek the Council's input on the overall bicycle and scooter share program.

AB1112 - Shared mobility devices: local regulation

On May 7, 2019 the State Assembly approved a bill (47-12) that could affect and/or limit regulation of scooters. As currently drafted the bill states that:

"In regulating shared mobility devices and providers, a local authority shall not impose any unduly restrictive requirement on a provider, including requiring operation below cost, and shall not subject the riders of mobility devices to requirements more restrictive than those applicable to riders of personally owned similar transportation devices, including, but not limited to, personally owned electric bicycles and electric scooters."

The bill will next go to the state senate, and staff will continue to track the bill. If the bill or a similar one is ultimately approved, it would significantly affect the regulations the City is considering.

FISCAL IMPACT

There is no impact to the City other than administrative staff time and expense.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Review and provide input on the overall bicycle and scooter share program.

Reviewed by: Craig Mobeck, Director of Public Works

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Bicycle and Scooter Share Regulation Options Matrix