



Legislation Text

File #: 9348-19, **Version:** 1

SUBJECT/RECOMMENDATION:

Approve amendments to the Code of Ordinances amending Chapter 25 - Public Transportation Carriers, Article I - Public Conveyances to define micromobility device, motorized scooter, and shared mobility device provider and make other amendments to related definitions, to establish standards for micromobility devices, to require a license for shared mobility devices offered for rent within the city, and to add penalties; and pass Ordinance 9348-19 on first reading.

SUMMARY:

On June 18, 2019, the Governor of Florida signed House Bill 453, "Micromobility Devices," which granted riders of micromobility devices, including motorized scooters, the same rights and duties as those which apply to bicycle riders, thereby allowing riders to operate these devices on sidewalks and in roads. The City Council relied on the home rule rights preserved in the bill to declare a 6-month moratorium to allow staff the opportunity to develop a regulatory framework for the reservation and rental of these devices by vendors. The moratorium expires on December 17, 2019.

On September 3, 2019, staff presented to City Council a framework for a temporary pilot program and requested guidance on certain key issues for the program. Council provided direction regarding suggested boundaries for a pilot program (portion of Downtown, prohibited on Clearwater Beach), where to ride (on streets, not sidewalks), where to park (in corrals), and hours of operation (limited, not 24 hours/day) and directed staff to develop the framework for regulating micromobility devices and motorized scooters through a pilot program in the Downtown area.

Proposed Ordinance 9348-19 amends Chapter 25 - Public Transportation Carriers, Article I - Public Conveyances to address micromobility devices and motorized scooters, establishing license requirements to rent shared mobility devices, which is inclusive of micromobility devices and motorized scooters, and to add penalties for failure to comply with this Article. Placing the regulations for micromobility devices in Section 25.02, which provides the regulations for low-speed for hire vehicles and other similar devices, will ensure conformity and consistency in the regulation of these forms of alternative motorized travel and public transparency.

Specifically, proposed Ordinance 9348-19 addresses the following:

- Section 25.01 - Definitions: Adds new definitions for micromobility device, motorized scooter, shared mobility device provider, and sidewalk, and amends definition for recreational vehicle to include micromobility device and motorized scooter within. Differences from state regulations as directed by City Council will be addressed in the pilot program Request for Proposals (RFP) (i.e., limiting maximum speed to 15 mph, not 20 mph).
- Section 25.02 - Standards for pedicabs, low-speed for hire vehicles, surrey bicycles, and micromobility devices; equipment and restrictions: Adds a new subsection (4) providing standards for micromobility devices, including setting a minimum user age of 16, prohibiting more than one person to ride on a device designed for a single rider, prohibiting riding on sidewalks, and prohibiting the blocking of

- access to building entries and parking areas.
- Section 25.19 - Shared Mobility Device License Required: Establishes a *Shared Mobility Device License* requirement for vendors who want to display or rent micromobility devices or motorized scooters. This standard is to ensure that any business renting such devices must first obtain a license from the city for this activity, which initially would be made available through a pilot program. It also prohibits granting of this type of license to an operator wanting to rent such devices on Clearwater Beach, Sand Key, Island Estates or any other area restricted under Section 25.18 of the code.
- Section 25.20 - Penalties: Adds a section providing for penalties for violation of this Article of the code.

In addition to the proposed ordinance, staff has prepared a detailed list of pilot program regulations and components which expands on the initial issues discussed with City Council in September. This list is council consideration prior to staff proceeding with the development and issuance of a RFP.