



## Legislation Details (With Text)

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**Title:** Creating Chapter 141 of the Legislative Code to regulate shared transportation systems.

**Sponsors:** Amy Brendmoen

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
4/17/2019	1	Mayor's Office	Signed	
4/10/2019	1	City Council	Adopted	Pass
4/3/2019	1	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption	Pass
3/27/2019	1	City Council	Laid Over to Third Reading/Public Hearing	
3/20/2019	1	City Council	Laid Over to Second Reading	

Creating Chapter 141 of the Legislative Code to regulate shared transportation systems.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

### SECTION 1

WHEREAS, in 2018 shared transportation vehicle companies deployed electronic scooters and dockless bicycles for rental, which involved parking the scooters and bicycles on the public right of way; and

WHEREAS, in 2018 the City granted permission to the shared transportation vehicle companies by entering into contracts with the companies; and

WHEREAS, in 2018 the contracts did not address the impact of shared transportation vehicles on the Department of Parks and Recreation; and

WHEREAS, given the potential impact on the public right of way, as well as City parkland, the City wants to ensure that shared transportation vehicle companies are required to seek permission to operate shared transportation systems within the City; and

WHEREAS, the City also wants to have the ability to approve new shared transportation system devices as technology advances; and

WHEREAS, the City wants to ensure via regulation that the public's access to the right of way and to parkland is protected, and, at the same time, wants to encourage development of alternative transportation systems; now, therefore be it

RESOLVED, that the Council of the City of Saint Paul does hereby ordain:

The Saint Paul Legislative Code is hereby amended by adding Chapter 141 as follows:

## **CHAPTER 141 - SHARED TRANSPORTATION SYSTEMS**

### **Sec. 141.01. - Definitions.**

The definitions of this section apply in the interpretation and enforcement of this chapter:

*Bicycle* has the meaning specified in Minnesota Statutes Section 169.011.

*Director* means the Director of the Department of Public Works for the purposes of use of the public right of way and Director of the Department of Parks and Recreation for the purposes of use of parks.

*Electric-assisted bicycle* has the meaning specified in Minnesota Statutes Section 169.011.

*Low power vehicle* includes motorized foot scooters, bicycles, electric-assist bicycles, and any other powered transportation device expressly approved by the City.

*Motor vehicle* has the meaning specified in Minnesota Statutes Section 169.011.

*Motorcycle* has the meaning specified in Minnesota Statutes Section 169.011.

*Motorized bicycle* has the meaning specified in Minnesota Statutes Section 169.011.

*Motorized foot scooter* has the meaning specified in Minnesota Statutes Section 169.011.

Parkland means all property under the control of the Department of Parks and Recreation, including parks, trails, parkways

*Passenger vehicle* has the meaning specified in Minnesota Statutes Section 169.011.

*Shared device* means an vehicle specifically permitted by contract with the City to operate in a shared transportation system.

*Shared transportation system operator* means a business, including a nonprofit organization, that provides shared transportation devices for use in the City of Saint Paul.

*Shared transportation system* means the system by which a shared transportation operator, pursuant to a contract with the City of Saint Paul, provides one or more shared devices for vending, renting, or lending where, by design, the shared devices are intended to be parked in the right of way or on other publicly owned properties when not rented by a customer.

*Vehicle* has the meaning specified in Minnesota Statutes Section 169.011.

**141.02. - Contract required.** (a) No person may operate a shared transportation system on the public right of way or on park property without a valid contract with the City, which has been approved by the appropriate Director and by the City Council.

(b) The contract must specifically identify the types of shared devices that are permitted to be operated. No shared transportation operator may operate a shared transportation system with shared devices that are not specifically identified in the operator's contract with the City.

**141.03. - Equipment requirements.** (a) When used in a shared transportation system, each shared device must meet the applicable Federal and State safety standards set for the particular device.

(b) Each shared device must comply with the applicable equipment registration requirements.

(c) Each shared device must be equipped with technology, such as GPS, that allows the shared device to be located and tracked by the shared transportation operator and the City.

(d) Each shared device must include contact information for the shared transportation operator.

**141.04. - Contract limitations.** (a) The City may limit the number of shared devices that an shared transportation system operator is permitted to operate.

(b) The City may limit the number of shared transportation systems that are approved to operate.

(c) In making the determination of the number of devices and systems permitted to operate in the City the directors of public works and parks and recreation shall consider the City's ability (1) to maintain the integrity of the city's entire transportation system; (2) to keep rights-of-way, trails, and park walkways free and clear of unnecessary obstructions; and (3) to protect the health, safety, and welfare of the residents of the city.

**141.05. - Use of unauthorized shared transportation system.** (a) The renter of a shared device not authorized by the City of Saint Paul may ride that shared device into and through the city. The renter using that unauthorized shared device must maintain possession of the device while in the city. The unauthorized shared device must not be rented to another user while the device is in the city. The unauthorized shared device must not be left in the city.

**141.06. - Control of right-of-way and parkland.** Control of the public right of way and parkland remains the sole responsibility of the City and nothing herein operates to transfer ownership or control to the shared transportation system operators, or to any other party. Any contract provision to the contrary will be null and void.

**141.07. - Property outside right-of way.** Contracts issued pursuant to this chapter do not confer rights to private property or to public property other than that stated in the contract, to the shared transportation system operators, or to any other party.

**141.08. - Compliance with laws.** Shared transportation system operators and their consumers shall comply with all applicable federal, state, and local laws, as they may be amended from time to time.

**141.09. - Attachment prohibited.** Shared devices that are part of a shared transportation system may not be secured, attached, or connected to a bicycle rack, or any other immovable object on the right of way, unless expressly permitted by the contract between the City and the shared transportation operator.

**141.10. - Impounding authorized.** (a) A shared device may be immediately impounded by any traffic officer or duly authorized city employee because:

(1) The shared device was found improperly attached in violation of section 141.09 of this chapter.

(2) The shared device was found unattended and blocking traffic or public infrastructure, interfering with maintenance of the right of way or parkland, or otherwise compromising public safety.

(3) The shared device is part of an unauthorized shared transportation system.

(4) The shared device is in violation of one or more of the terms of the contract or is in violation of one or more of the terms of this chapter.

(b) Not more than seventy-two (72) hours after impounding of a shared device, the city shall provide notice to the owner if identifiable. If the shared device is redeemed prior to the notice, or if the city is unable to identify the owner, then notice need not be sent. Saturdays, Sundays and City holidays are to be excluded from the calculation of the seventy-two-hour period.

(c) All shared devices impounded under this section are subject to an impound fee sufficient to offset the city's costs of enforcement and storage for each such shared device.

(d) Any shared device coming into the possession of the City and remaining unclaimed by the owner for a period of at least sixty (60) days may be sold at public auction or sale following reasonable notice.

## SECTION 2

This Ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.