

ORDINANCE NO. _____

An ordinance adding Section 71.29 to the Los Angeles Municipal Code authorizing the Department of Transportation (Department) to implement a Shared Mobility Device Pilot Program and issue permits to qualified pilot program operators.

WHEREAS, state law authorizes a local authority to regulate the operation and use of bicycles, scooters and other shared mobility devices within its jurisdiction to the extent that the local regulations are not in conflict with state law;

WHEREAS, the Los Angeles City Council finds that there is a need to regulate operators and users of the shared mobility devices on City streets and public rights-of-way;

WHEREAS, regulations are needed to prevent shared mobility devices from being illegally placed or parked on a sidewalk or on a public right-of-way and to ensure that an operator whose shared mobility devices have been placed illegally on a sidewalk or other public right-of-way removes them in an expedient manner pursuant to Department Rules and Guidelines;

WHEREAS, regulations are needed to accommodate a shared mobility device user's ability to travel safely in areas designated by the City for operation and the parking of the devices while safe-guarding pedestrian movement on the sidewalk and other public rights-of-way;

WHEREAS, regulations are necessary to ensure that operators and users are obeying state laws and Department Rules and Guidelines governing the safe operation of the vehicles while in use;

WHEREAS, regulations are needed to create an enforceable framework for managing shared mobility services;

WHEREAS, since the shared mobility devices have begun operating in areas of the City not permitted for their use, the City has received numerous complaints about these devices being operated in a manner that is inconsistent with state law, including being operated on sidewalks, or left on sidewalks or in a public right-of-way so as to impede pedestrian traffic, including blocking access for the disabled, blocking access to business entrances and apartment dwellings, and blocking access by vehicles to designated metered parking spaces and other on-street parking;

WHEREAS, by implementing the pilot program, the City intends to study the data collected during the pilot period to ensure safe and equitable access, maintenance and operations, to determine proper fleet size in various locations within the City, and to fine tune and update the current rules and regulations in real time to ensure compliance with

local and state laws, including the development of data programs to aid in enforcement, and to prevent the accumulation of devices on sidewalks or other public rights-of-way; and

WHEREAS, the City Council seeks to create a Shared Mobility Pilot Program, which will authorize the Department to issue permits to an operator of shared mobility devices, and to enforce rules and regulations developed by the Department regarding the use of the devices on City public rights-of-way.

NOW, THEREFORE,

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Section 71.29 is added to the Los Angeles Municipal Code to read as follows:

SEC. 71.29. REGULATION OF SHARED MOBILITY DEVICES.

The Department shall implement a Shared Mobility Device Pilot Program, and issue a permit to a qualified pilot program operator, as defined in the Department's Rules and Guidelines, including, but not limited to, an operator of a dockless bicycle, electric bicycle, motorized scooter and electric scooter. Under the Pilot Program, an operator of a shared mobility device shall obtain a permit from the Department and comply with all Department permit rules, regulations, indemnification, insurance and fee requirements set forth in the Department's Rules and Guidelines. Failure to comply with the Department's Rules and Guidelines may result in the suspension, revocation, or a reduction of the number of permits issued by the Department to an operator. The Department may amend its Rules and Guidelines as necessary during the life of the Pilot Program.

Sec. 2. **URGENCY CLAUSE.** The City Council finds and declares that this ordinance is required for the immediate protection of public peace, health and safety for the following reason: Many people are currently operating shared mobility devices in the City of Los Angeles without regulations, which are needed to protect the health and safety of the public. Regulations requiring the placement or parking of shared mobility devices on approved locations on City sidewalks and public rights-of-way will provide sufficient space for safe passage of pedestrians, and reduce sidewalk and pathway interference that is inconsistent with the Americans with Disabilities Act (ADA). Regulations setting safe speed limits for the operation of shared mobility devices will reduce the likelihood of accidents or injuries involving riders of shared mobility devices, motorists, or pedestrians. In order for the City of Los Angeles to protect the health and safety of its residents, the Shared Mobility Device Pilot Program must become effective as soon as possible. For all these reasons, the ordinance shall become effective upon publication pursuant to Los Angeles Charter Section 253.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By Michael D. Nagle
MICHAEL D. NAGLE
Deputy City Attorney

Date 9/13/18

File No. _____

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I hereby certify that the foregoing ordinance was introduced at the meeting of the Council of the City of Los Angeles on September 21, 2018, and was passed at its meeting of September 28, 2018.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____