



Albemarle County

Legislation Details (With Text)

File #:	19-590	Version:	1	Name:	
Type:	Ordinance	Status:		Public Hearing	
File created:	11/27/2019	In control:		Board of Supervisors	
On agenda:	12/18/2019	Final action:			
Title:	Regulation and Licensure of Certain Mobility Devices. To receive public comment on its intent to adopt an ordinance to amend Chapter 9 (Motor Vehicles and Traffic) of the Albemarle County Code by adding the following proposed provisions: (1) Article IX (§§ 9-900 to 9-910) would establish regulations for bicycles, electric power-assisted bicycles, motorized skateboards or scooters, and mopeds (collectively, the "vehicles") by making the riders of the vehicles subject to applicable traffic laws, requiring the vehicles to be equipped with lights and brakes, requiring the vehicles be operated on roadways generally and prohibiting them from being operated on sidewalks, regulating parking the vehicles and other manners of their operation, establishing penalties for violations, requiring that accidents be reported, and disposing of unclaimed vehicles; and (2) Article X (§§ 9-1000 to 9-1007) would establish a licensing program for any business that offers, or applies to offer, a bicycle, electric power-assisted bicycle, or motorized skateboard or scooter (collectively, the "vehicles"), for hire, and to authorize the County Executive or his designee to administer a permitting program, including issuing permits and establishing a cap on the number of vehicles licensed to operate under the program, establishing reasonable fees, charges, and penalties, establishing regulations for suspending or revoking permits for violations of the program, and establishing an administrative appeal process for permit denials, suspensions, revocations, and the number of vehicles allowed under a permit.				

Sponsors:

Indexes:

Code sections:

Attachments: 1. Att.A - Proposed Ordinance

Date	Ver.	Action By	Action	Result
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AGENDA DATE: 12/18/2019

TITLE:

Regulation and Licensure of Certain Mobility Devices

SUBJECT/PROPOSAL/REQUEST: Public Hearing on proposed ordinance to regulate and require the licensure of certain mobility devices when offered for hire

ITEM TYPE: Regular Action Item

STAFF CONTACT(S): Richardson, Walker, Kamptner, Herrick, Filardo, McCulley, Benish, McDermott

PRESENTER (S): Kevin McDermott

LEGAL REVIEW: Yes

REVIEWED BY: Jeffrey B. Richardson

BACKGROUND: Since November 2018, the City of Charlottesville has been operating a pilot program for Shared Electric Bicycles (e-bikes) and Electric Scooters (e-scooters) (collectively referred to as Dockless Mobility). Since then, multiple companies have been providing Dockless Mobility services in the region. Many of these devices have frequently crossed the City line into the County. Of the more than 200,000 trips taken on Dockless Mobility devices over the past year, according to City data, approximately 8,500 (roughly 4%) started or ended in Albemarle County.

In March 2019, the General Assembly enacted HB 2752, which enables localities to both regulate and/or require the licensure of motorized skateboards or scooters, bicycles, or electric power-assisted bicycles for hire. The new law also provides that on or after January 1, 2020, in the absence of any licensing ordinance, regulation, or other action, a person may offer motorized skateboards or scooters, bicycles, or electric power-assisted bicycles for hire.

With this January 1 date in mind, City staff began working with County and University of Virginia staff to develop an ordinance and policies that would meet regional needs. This proposed City ordinance is now advancing through the approval process and is expected to be adopted prior to January 1, 2020.

At the November 20, 2019 Board of Supervisors meeting, staff presented, and the Board reviewed, the applicable State laws, the City effort, and the effect of both on the County. As a result, the Board directed staff to draft a proposed County ordinance for public hearing prior to January 1, 2020.

STRATEGIC PLAN: Thriving Development Areas: Attract quality employment, commercial, and high density residential uses into development areas by providing services and infrastructure that encourage redevelopment and private investment while protecting the quality of neighborhoods

DISCUSSION: Attachment A is a proposed ordinance to address Dockless Mobility devices and renters in the County. The ordinance closely tracks the City of Charlottesville's proposed ordinance, thereby reducing confusion for users and vendors. Among other provisions, the proposed ordinance would:

- Require certain safety equipment, including lights and brakes;
- Set operational direction for riders, including how and where to ride in the roadway;
- Prohibit riding on the sidewalk, punishable by a fine;
- Regulate how and where devices may be parked;
- Allow for the disposition of unclaimed devices; and
- Prohibit certain unsafe practices, such as riding while attached to another vehicle, riding with earphones, and having more than one rider on a device.

The proposed ordinance also would create a permit program for Dockless Mobility devices for hire. Among other provisions, the proposed ordinance would also:

- Require a permit to offer Dockless Mobility devices for hire;
- Allow the County to cap the fleet size in such a program; and
- Create a process and fees for the submission, review, and approval of such permits.

County staff is currently drafting specific requirements and a process for this permit program, which will be outlined for the Board of Supervisors at the December 18th meeting.

BUDGET IMPACT: Staff estimates that adoption of the ordinance would result in approximately 20 hours of Community Development Department staff time each year to process and manage an expected two applications per year, and approximately 20 hours of Police Department staff time each year to enforce the ordinance regulations. Staff believes that these staff impacts could be absorbed by current staffing levels, with the Police Department potentially funding the additional staff time with overtime pay of approximately \$750.00 per year.

RECOMMENDATION:

If the Board wishes to regulate the operation of Dockless Mobility devices and require their licensure when offered for hire, staff recommends that following a public hearing, the Board adopt the attached proposed ordinance (Attachment A).

ATTACHMENTS:

Att. A - Proposed ordinance