

RECEIVED

Agenda Items: ID#19-1776 (3-B)

Date: 76/25/2019

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CITY OF FRESNO  
CITY CLERK'S OFFICE



## Late Submission Information Packet

Agenda Related Item(s) – ID#19-1776 (3-B)

Item(s)

**WORKSHOP – Shared Mobility Devices**

**Contents: Version 2 – Revised PowerPoint**

### **Supplemental Information:**

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

### **Americans with Disabilities Act (ADA):**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

# SHARED MOBILITY DEVICE WORKSHOP



## OVERVIEW

- Bikes, Scooters, etc.
- Typically Battery Powered
- May be Docked or Dockless
- Allow for Electronic Payment (Mobile/Credit/Debit)
- Charged at Night by Third Parties
- Providers: Lime, Bird, Jump, CitiBike, etc.



## FEATURES

- Electronic Payment
- Cash Payment Options
- GPS Tracking & Control/Geofencing
- Origin/Destination Data
- Helmets Available
- Programs for disadvantaged





## BENEFITS

- Fun
- Convenient
- Easy to Use
- Highly Manuverable
- "Zero" Emission



## DISADVANTAGES

- **Safety**

- Operator Inexperience
- Lack of Protective Equipment
- Interaction with Autos, Pedestrians, Bicycles

- **Parking**

- ROW use
- ADA/Accessibility



## LEGAL/RISK

- ADA lawsuits for operation on or blocking sidewalks
- Personal injury lawsuits for small scooter wheels causing accidents from potholes, cracks, or debris on pavement
- Pedestrians could be struck or trip over equipment
- Risk mitigation:
  - Require mobility companies to assume all risks with indemnification and insurance
  - Designate docking stations or parking areas
  - Require users to sign waivers of claims against



Who is Liable for Damages After an Electric Scooter Accident?

Who is liable for damages after an electric scooter accident? That's a question you might be asked. The answer is that it depends on the circumstances. If you were hit by a scooter while on the sidewalk, the scooter company may be liable.

If you were hit by a scooter while on the street, the scooter company may be liable for the accident. If you were hit by a scooter while on the street, the scooter company may be liable for the accident.

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[Schedule a Free Consultation](#)





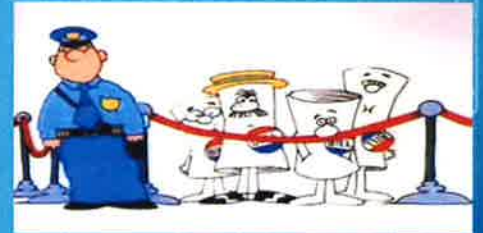
## PROPOSED LEGISLATION - AB1112

- Requires visible, unique alphanumeric ID on device.
- Allows City to require trip data but limits it to aggregated form
- Prohibits City from imposing unduly restrictive requirements including:
  - requiring operation below cost
  - requiring providers to pay unreasonable fees
  - creating more restrictive requirements than that for personally owned devices





## PROPOSED LEGISLATION - AB1286



- Provider must obtain a permit/agreement with City
- Sets minimum insurance requirements for provider
- Prohibits waivers of rider's legal rights or remedies
- Requires City to adopt operation, parking, maintenance, and safety rules prior to permitting

## OTHER CONSIDERATIONS

- Increased competition
- Evolving technologies/new platforms
- City's cost to manage



## **FEEs CHARGED TO OPERATORS**

- **Other agency fee structures**

- Intended to recover costs
- Typically a flat permit fee and per device/mile fee
- Annual fees (flat fee + per device/mile fee) \$50,000 - \$85,000 for a 500 unit fleet
- Impound/storage fees often \$100-150 per incident



## **OPTIONS**

- **Do nothing – will be allowed under state law with no City protection (not recommended)**
- **Prohibit Operation**
- **Regulate Operation**
  - **Ordinance to control operation and parking**
  - **Require permit and franchise agreement with insurance, indemnification and cost recovery provisions**
  - **Require a Pilot Program**

## **PILOT PROGRAM STEPS** (DATES ARE APPROXIMATE)

- **Revised ordinance to Council for approval** (August 2019)
- **Negotiate pilot franchise agreement with provider** (Sept-Oct 2019)
- **Launch six month pilot** (Oct 2019-Mar 2020)
- **Extend pilot an additional 6 months \*** (Apr-Sep 2020)
- **Award competitively bid franchise agreement(s)\*\*** TBD

\* Optional based on results of first six months

\*\* Dependent upon success of pilot