



Title 12 and Title 15 Code Amendments

TITLE 12 (VEHICLES AND TRAFFIC)

CHAPTER 12.80 (MISCELLANEOUS TRAFFIC REGULATIONS)

12.80.090 (DRIVING ON SIDEWALKS)

TITLE 15 (PUBLIC SERVICES)

CHAPTER 15.08 (STREET RENTALS)

15.08.150 (SHARED MOBILITY DEVICES)

-Updated Floor Amendments

Strategic Goal #3 Promote the Visual Image of El Paso

3.1 Provide Business Friendly Permitting and Inspection Processes

3.2 Improve the Visual Impression of the Community

"Delivering Outstanding Services"



Shared Mobility Devices

Title 12 Chapter 12.80 Section 12.80.090

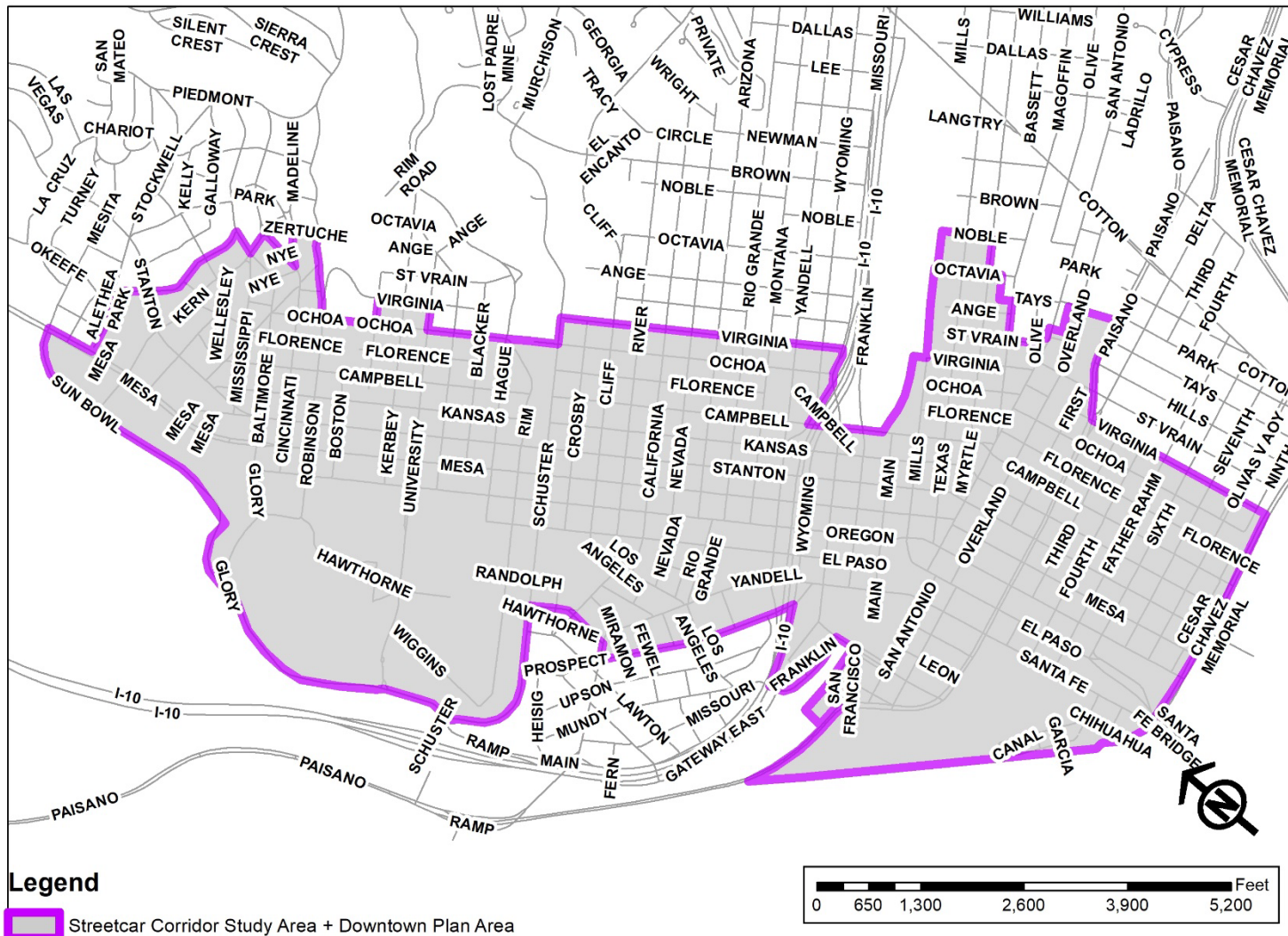
Title 15 Chapter 15.08 Section 15.08.150

In October 2018, electric scooter companies began to inquire about permitting and allowances for scooters within the public right-of-way and how to operate within the City of El Paso.

Staff began to look into drafting rules and regulations to permit them to operate, as well understand how to evaluate their effectiveness for additional rules and regulations.

Shared Mobility Devices
Title 15 Chapter 15.08 Section 15.08.150

Proposed Operation Boundary





Shared Mobility Devices

Title 12 Chapter 12.80 Section 12.80.090

Title 15 Chapter 15.08 Section 15.08.150

Goals

- Regulate shared mobility devices and scooters within the public right-of-way
- Evaluate rules and regulations to ensure a safe, equitable and effective alternative mode of transportation

Objectives

- Create new rules and regulations to establish standards for operation, parking, and safety
- Utilize a 12-month pilot program to better understand trends, patterns, and ways to adapt/improve the new technology



Shared Mobility Devices

Title 12 Chapter 12.80 Section 12.80.090

Title 15 Chapter 15.08 Section 15.08.150

Title 12 - Proposed Amendment

- Permits riding of scooters on sidewalks

Title 15 - Proposed amendment include regulations regarding:

- 12-month period for evaluation
- Definitions
- Outlines framework for permitting processes, insurance, etc.

Proposed rules and regulations adopted by the Director regarding:

- Permitting and Fees, *Penalties to be added*-(Proposed Rules and Regulations to be revised)
- Operations and Parking
- Safety standards
- Equitable Access
- Public Communication
- Insurance and Bonding
- Data



Shared Mobility Devices

Title 15 Chapter 15.08 Section 15.08.150

Pilot Program Fees

- **Previously Proposed Fee** *(from agenda item backup-Proposed Rules and Regulations)*

Description	Fee	Purpose/Covers costs associated with:
Application Fee	\$371	Application Review
Permit Fee	\$1/day per device; or Per-Trip Surcharge of \$0.25 for each booked trip	Fund improvement and installation of shared use mobility infrastructure
Annual Fee	\$50 per device	Analyzing and assessing data, responding to public complaints, cover costs associated with: removing broken, damaged and/or incorrectly parked vehicles if the company cannot or will not themselves; the purchase and installation of shared use mobility infrastructure

- **Revised Proposed Fee** *(Proposed Rules and Regulations to be revised)*

- Application Fee: \$371
- Permit Fee: \$21 per device



Shared Mobility Devices

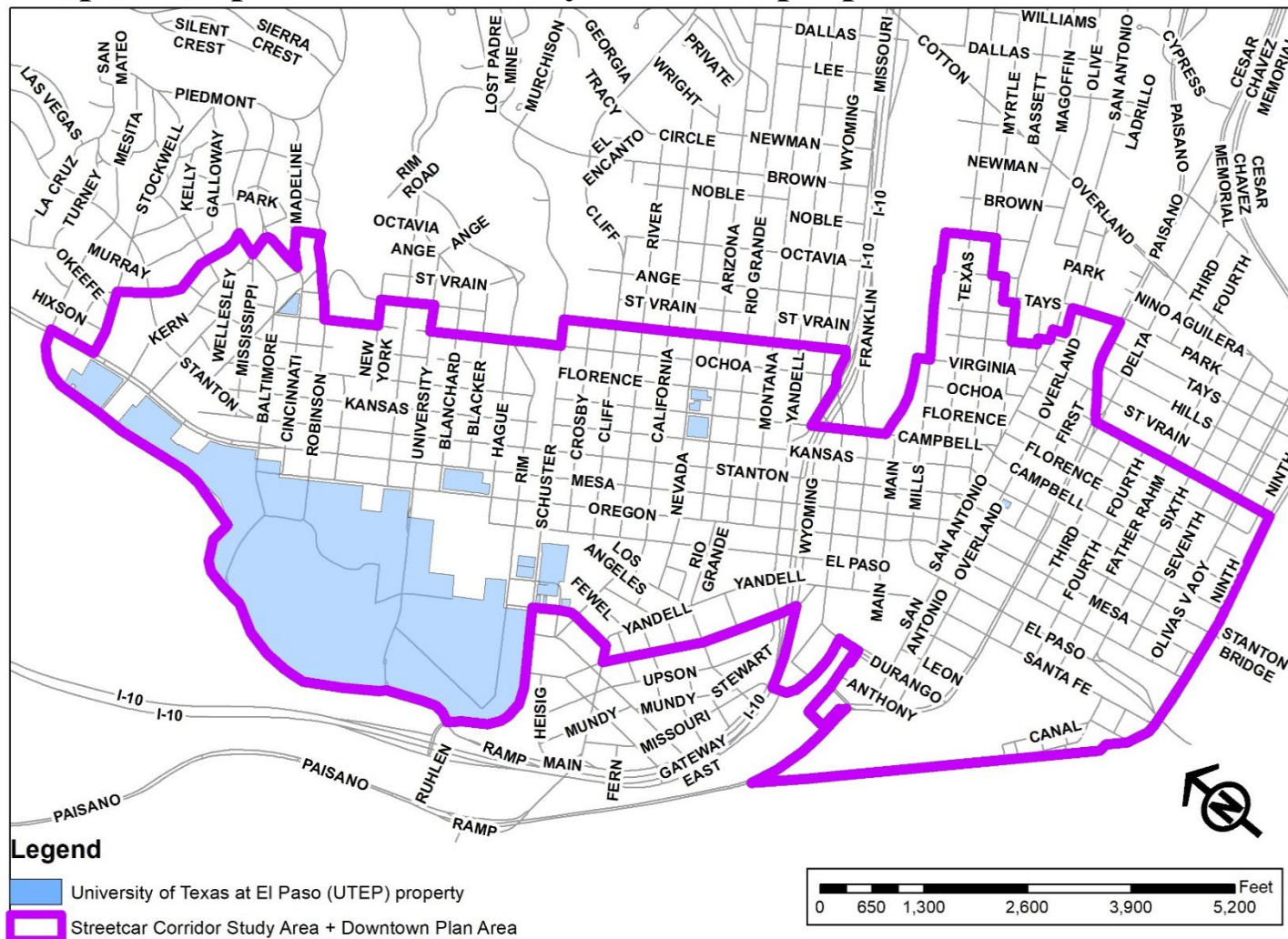
Title 15 Chapter 15.08 Section 15.08.150

Floor Amendments

- U. Not Applicable. This Section does not apply to the following: a Person, or government entity, placing a Shared Use Mobility Device on the Public Right of Way pursuant to a valid permit or authorization issued under any other Section of the El Paso City Code; or a government entity placing a Shared Use Mobility Device on the Public Right of Way pursuant to an interlocal or other similar agreement with the City of El Paso. A Permit under this Section does not authorize a Person to place or operate a Shared Use Mobility Device on private property or property owned or controlled by any other governmental entity, school district, or institution of higher education, including but not limited to the University of Texas at El Paso.

Shared Mobility Devices
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Proposed Operation Boundary w/ UTEP properties identified





Shared Mobility Devices

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Floor Amendments

WHEREAS, prior to or following the end of the evaluation period, the City may amend this ordinance, or enact further ordinances, to regulate shared use mobility devices in accordance to the findings made during the evaluation period, including the possibility of regulating through a franchise agreement.



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Floor Amendments

- C. Permit. A Person who wants to place a Shared Use Mobility Device on the Public Right of Way shall apply for a Permit on an application form as required by the Director. The Director shall issue a Permit to a Person that complies with requirements of this Section and any regulations adopted by the Director pursuant to this Section. The Director shall not issue a Permit to a Person that does not comply with the requirements of this Section or any regulations adopted by the Director pursuant to this Section. A Person is not eligible to apply for a Permit for one year following a revocation of a Permit under this Section. Unless terminated earlier as provided under this Section, all Permits issued under this Section expire January 31, 2020 regardless of the date such permit is issued. No Permit shall be issued to a Person owing ad valorem taxes to the City or who has defaulted on an agreement with the City within 5 years preceding the application for a Permit under this Section. Notwithstanding anything to the contrary, a permit may only be issued to a Person who owns the Shared Use Mobility Devices for which the Permit is requested. All application forms and documents under this Section must be executed by the owner of the Shared Use Mobility Devices. Nothing in this Section prohibits City Council from amending this Section to change the expiration date of all Permits.



Shared Mobility Devices

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Floor Amendments

- D. Regulations and Authority of Director. The Director is authorized to perform the following:
7. Deny a Permit for failure to comply with this Section or the regulations adopted by the Director under this Section. The Director may deny a permit for up to one year following a Person's failure to comply with this Section or the regulations adopted by the Director under this Section.
 8. Revoke a Permit after 3 violations by a Person of any requirements under this Section or the regulations adopted by the Director under this Section. Notwithstanding anything to the contrary, the Director shall revoke a permit after the first failure by a Person to comply with the requirements of Subsections P and G below.



Shared Mobility Devices

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Floor Amendments

- E. Proof of Ownership. A Person shall submit proof of ownership for all Shared Use Mobility Devices under a Permit.



Shared Mobility Devices

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Floor Amendments

- G. Indemnification and Release Requirements. Prior to obtaining a Permit, a Person applying for a Permit shall agree in writing to an indemnification and release agreement in the form approved by the City's Risk Manager after review by the City Attorney's Office. Refusal to indemnify the City, as required under the indemnification and release agreement, will result in a revocation of a Permit and future denial of a Permit under this Section.



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- O. Fees and Costs. City Council may establish fees related to this Section in the annual budget resolution, including but not limited to fees for the use of the Public Right of Way, fees for processing claims, and fees for impoundment of a Shared Use Mobility Device, as may be permitted by law. In addition, the City Council may establish fees sufficient to cover the costs of processing claims related to Shared Use Mobility Devices received by the City. A Person applying for a Permit, holding a Permit, or appealing a denial or revocation of a Permit under this Section shall pay the fees in the amounts provided in the annual budget resolution adopted by City Council.



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- S. Penalty. A person who violates a provision under this Section may be subject to any and all of the following:
- c. A Person that violates any provision under this Section may have the Person's Share Use Mobility Devices removed by the City from the Public Right of Way. Such removal shall be at the sole expense of the Person owning the Shared Use Mobility Device and the City may employ any methods allowed under law to recover the expenses of removing from the Public Right of Way and storing a removed Shared Use Mobility Device. A Person shall pay all expenses incurred by the City in the removal of a Shared Use Mobility Device before the City releases the Shared Use Mobility Device to the Person. Any Shared Use Mobility Devices that remain unclaimed for a period of 30 calendar days following removal from the Public Right of Way shall be disposed of in accordance to applicable law.



Shared Mobility Devices

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Floor Amendments

SECTION 3. This Ordinance takes effect January 31, 2019.



QUESTIONS ?