



CITY OF KNOXVILLE, TENNESSEE

City Council

AGENDA INFORMATION SHEET

AGENDA DATE: November 30, 2021

DEPARTMENT: Administration

DIRECTOR: Erin Gill

AGENDA SUMMARY An Ordinance to amend Chapters 16, 17, and 20 of the Knoxville City Code in order to establish a permit and associated regulations for shareable personal micromobility vehicles and systems.

COUNCIL DISTRICT(S) AFFECTED All

BACKGROUND Shared Personal Micromobility Vehicles (PMVs), commonly referred to as "scooters," are an increasingly popular trend used for short-medium distance trips that serve as convenient and relatively safe way to navigate Knoxville. Over the last calendar year, there have been around 130,000 shared PMV trips, mainly around Knoxville's downtown core and the Fort Sanders/UT Campus area.

In 2019, Knoxville established a pilot program with two vendors to evaluate how PMV's would function in the Knoxville environment, and what legal and programmatic conditions would need to be established in order to accommodate a permanent framework for the operation of shared PMV programs within City rights of way. The pilot demonstrated that PMVs provide a valued mobility option to residents, but that the operation of shared PMV programs needs to be carefully regulated in order to more adequately address concerns. The proposed ordinance changes will move the City out of the current pilot program, and instead codify a permit-based system to enable limited deployment of shared PMVs, while introducing clear restrictions related to the type and number of allowable devices, parking and operational requirements, data sharing, and other aspects to help make sure the program remains a safe method of mobility.

The proposed ordinance changes reference and work in conjunction with extensive administrative regulations concurrently adopted by the City administration to provide additional specifications necessary for receipt and maintenance of a Sharable PMV permit. In developing the proposed ordinance, City officials met with experts as well as researched successful programs in peer cities. A public survey seeking feedback on the pilot program was conducted provided helpful feedback which informed initial proposed changes. On August 17th, 2021, a public meeting was held that presented survey results and provided an overview of proposed changes, with dedicated half of the agenda to public comment. Proposed changes have also been presented to the Mayor's Council on Disability Issues (CODI) and the technical committee of Knoxville Regional Transit Planning Organization (TPO). An email address was also established to collect public comments.

A new ordinance section [SECTION XXX] includes key provisions associated with:

Operating Permits

The ordinance establishes a Sharable PMV permit, "operating permit," as a requirement of operating a shared PMV system within City limits. It specifies an application framework and fee structure for operating permits, which will be two year permits, and can be revoked at any time for failure to follow regulations established by ordinance and administrative rules. These operating permits will cost each vendor \$12,000 as well as a \$5,000 bond. These costs are largely in place to fund infrastructure and maintenance for in-street scooter corrals, but also cover other program costs like 3rd party data management systems. The administrative regulations specify that only 2 permits may be issued/active at a given time.

Device Fleet

Permitted vendors will each be allowed to deploy no more than 300 devices each, per ordinance. In addition to the traditional "standing" scooters, vendors will be allowed to deploy seated scooters (small, electric small devices that have a seat), but such devices will be limited to 30 per vendor, and each seated scooter deployed counts as 3 devices toward the total cap, thereby lowering the total number of allowable devices. A bikeshare program would also be a likely outcome of the competitive permit application process, where vendors who can deploy a minimum of 50 shared bikes/e-bikes would be awarded a large advantage over others who cannot.

Parking

One of the biggest concerns City staff has heard from the public regarding the Shared Micromobility Device program is that scooters are left on the sidewalk in a disorganized and cluttered way. To mitigate this, the ordinance codifies parking guidelines that restrict device parking to allowable zones, where applicable, and in all cases within specifications to prevent blocking of sidewalks and other access points. Vendors that fail to ensure compliance with these parking requirements may have their permit revoked - and the ordinance clearly authorizes the City to cite, impound, and dispose of improperly parked devices at the permit-holder's expense.

The ordinance works in conjunction with administrative regulations that designate Downtown and Fort Sanders as "In-Street Parking Zones" where hashed spots and on-street parking spots may be converted to corrals capable of holding up to 10 devices. In these zones, vendors may only deploy devices in these corrals. At the end of each operating day, vendors must go around the in-street parking zone and collect all non-corralled devices and restage them in the corrals or move them out of the zone. This model has been shown in other cities to largely cut down on sidewalk clutter, increase organization, and decrease the amount of riders on the sidewalk since devices are not rented on the sidewalk.

Devices not deployed in the in-street parking zone would continue to need to be deployed under NACTO guidelines, which dictate specific rules to ensure sidewalk access. While riders do not have to end rides in the corrals, they can be incentivized to do so, and vendors, per ordinance, are responsible for ensuring all PMVs are parked properly, regardless of location.

The ordinance also allows for the creation of “No Parking” zones, which can be defined in precise (or broad) geographic locations within administrative regulations; vendors must prohibit users from ending rides when within these No Parking zones .

Enforcement

While riders may be cited for improper parking or riding of a PMV, the ordinance firmly establishes the permit holder as the responsible party for ensuring compliance with all rules and regulations. The ordinance establishes multiple pathways to ensure permitted vendors maintain compliance with ordinance rules and the administrative regulations. As penalties for noncompliance, the City may 1) cite, impound, store, and dispose of improperly used or parked permitted PMVs at the operator’s expense; 2) issue civil citations with fines of \$50 per day per vehicle for any violation; and 3) revoke the permit, thereby requiring removal of all of a vendor’s vehicles.

In particular, parking enforcement will be more consistent to ensure that if a device is not parked or is ridden correctly, a ticket can be issued by the City to the vendor, who may choose to pass on the charge to the rider through their own methods. This model is in use in many other cities, and focusing enforcement actions on the vendors is largely considered best practice.

OTHER ORDINANCE REVISIONS

While the most substantive proposed change is the addition of a new section of the code specific to Sharable Powered Micromobility Vehicles and Systems, minor changes are also submitted to Chapter 17 and Chapter 20. These changes add relevant definitions for PMVs and provide clarification that PMVs and their users share similar permissions and restrictions to bicycles for the purposes of traffic rules and use within parks and park facilities, including greenways.

OPTIONS Approve or Deny

RECOMMENDATION Approve

ESTIMATED PROJECT SCHEDULE If approved, the ordinance changes would take effect January 1, 2020. The City aims to issue the first 2 permits by March 31st. The moratorium prohibiting the operation of shared PMV systems outside of that pilot expires on December 31, 2021.

PRIOR ACTION/REVIEW City Council first approved the execution of contracts with two pilot scooter vendors in February 2019.

FISCAL INFORMATION The two-year operating permits will cost each permitted vendor \$12,000. These fees are designed to cover the cost to the City of managing the program, including investing in In-street parking corrals, which have a total initial cost of \$11,200 with a total estimated annual maintenance cost of \$4,020.

ATTACHMENTS:

- Scooter Ordinance-CM (DOCX)
- Ordinance Wording: Shareable PMVs - Ch. 16 (PDF)
- Ordinance Wording: Abbrev Motor Vehicles and Traffic - Ch. 17 (DOCX)
- Ordinance Wording: Parks and Greenways - Ch. 20 (DOCX)
- Administrative Regulations - Jan. 2022 (PDF)