



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
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Legislation Details (With Text)

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Attachments: 1. Draft Staff Presentation, 2. City of Raleigh Master Encroachment Agreement for Operation of Dockless Scooter Devices, 3. City of Durham Ordinance to Regulate the Operation of Shared Active Transportation Systems, 4. Staff Presentation, 5. Council Questions with Staff Response, 6. Asheville - E-scooters and e-scooter share programs Ordinance, 7. Greensboro - Standup electric scooter share permit Ordinance

Date	Ver.	Action By	Action	Result
1/16/2019	1	Town Council	received and filed	

Electric Scooter Update.

Staff:

Rae Buckley, Director of Organizational and Strategic Initiatives
Steve Lehew, Lieutenant
Sarah Poulton, Downtown Special Project Manager
Tiffanie Sneed, Senior Legal Advisor

Department:

Town Manager's Office
Police Department
Town Manager's Office
Police Department

Overview: On August 23 and 24, 2018, Bird distributed 90 electric scooters at locations around the University of North Carolina - Chapel Hill (UNC) campus. Bird removed the scooters on August 24, 2018 after UNC and Town representatives requested the removal. The purpose of this memorandum is to provide the Council with information about electric scooters including local and state considerations and the actions taken by other municipalities who have also had electric scooters distributed in their jurisdiction without prior authorization.



Recommendation(s):

That the Council receive this information and provide feedback or direction to the Town Manager about what further steps or information the Council would like staff to pursue.

Key Issues:

- An electric scooter (scooter) is powered by a gas or electric motor. Recently, this type of scooter has been introduced by companies that use apps to allow users to rent by the minute. Scooters can reach speeds up to 25 mph. Most companies hire residents to gather scooters at night, charge them in their homes, and redistribute them to specific locations in the morning.
- Bird distributed 90 electric scooters in Chapel Hill on August 23 and 24 before they withdrew them from service by request. In that time, there were 1,316 rides taken by 720 individuals.
- Electric scooters can provide "last mile" service and may decrease the use of automobiles on short

trips.

- Local considerations about electric scooters include concerns about safety, sidewalk clutter, enforcement, and oversight. At a state level, there are questions about whether electric scooters should be classified as vehicles and the registration and insurance associated with the classification.
- Companies like Bird have distributed electric scooters in major cities across the country during the past year. Below is a summary of information about the response to electric scooters from several NC municipalities. We will provide updates to the Council on this information at the January 16 meeting.
 - **Raleigh:** Scooters were distributed in Raleigh and allowed to remain while the city decided how to manage them. On October 16, 2018, the City Council approved the use of a Master Encroachment Agreement to regulate electric scooter usage in the short term. City staff are working on ordinance changes and a competitive bid process for the long term. The Master Encroachment Agreement permit fee is currently set at \$300 per scooter and there is a cap of 500 scooters per operator. The Council discussed a cap of 1,500 for all operators in the city. The Master Encroachment Agreement is attached to this memorandum.
 - **Durham:** Scooters were not distributed in Durham without prior permission. On October 15, the City Council passed an ordinance to regulate Shared Active Transportation Systems and has opened a permit process through which companies can apply for a permit to distribute electric scooters and electric bikes. There is an initial permit application fee of \$1,000 and a permit issuance fee of \$100 per scooter. In addition, the city set a \$50 fee for devices that are relocated by the city and an annual permit renewal fee of \$500. The City Ordinance is attached to this Memorandum.
 - **Asheville:** On November 27, 2018, the City Council passed an ordinance to prohibit the use of electric scooters within city limits.
 - **Charlotte:** Electric scooters are allowed from two companies, Lime and Bird, under a temporary pilot program started in May. There are currently 800 electric scooters split between the two companies. The City Council initiated the process to develop an E-scooter plan. The draft E-Scooter plan was reviewed on November 26, 2018 by the City Council's Transportation and Planning Committee.
- While Chapel Hill does not have an ordinance allowing or prohibiting the use of electric scooters, there are several Chapel Hill Code of Ordinance sections that apply to their use, including:
 - Sidewalk sales ([Chapter 17, Article VI, Section 17-77](https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_CH21TRCO_ARTIINGE_S21-30PBISKROSKSCCEPUST) https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_CH21TRCO_ARTIINGE_S21-30PBISKROSKSCCEPUST)
 - Operation of bicycles and scooters on certain public streets ([Chapter 21, Article 1, Section 21-3](https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_CH21TRCO_ARTIINGE_S21-30PBISKROSKSCCEPUST) https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_CH21TRCO_ARTIINGE_S21-30PBISKROSKSCCEPUST)
 - Greenway electric vehicle limitations ([Chapter 12, Article 1, Section 12-3.d.](https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_CH21TRCO_ARTIINGE_S21-30PBISKROSKSCCEPUST) https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_CH21TRCO_ARTIINGE_S21-30PBISKROSKSCCEPUST)
- State law and classifications are also a factor that apply to the use of electric scooters.
 - The state has not classified an electric scooter in Chapter 20 of the Motor Vehicle Statutes. A bill has been drafted that is expected to be filed in the upcoming 2019 long session of the General Assembly that would provide a classification for electric scooters and requirements for operation.
 - In the absence of a state classification for electric scooters, the closest classification would be a moped. The statute for mopeds requires that the vehicle be registered and insured and that the rider wear a DOT approved helmet.

Fiscal Impact/Resources: The financial impact of allowing ride share companies to distribute electric scooters is unknown. Some municipalities have anticipated a cost associated with oversight and enforcement.



Attachments:

- Draft Staff Presentation
- City of Raleigh Master Encroachment Agreement for Operation of Dockless Scooter Devices
- City of Durham Ordinance to Regulate the Operation of Shared Active Transportation Systems

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Sarah Poulton, Downtown Special Project Manager
Steve Lehew, Lieutenant

RECOMMENDATION: That the Council receive this information and provide feedback or direction to the Town Manager about what further steps or information the Council would like staff to pursue.