

Board of County Commissioners

**Public Hearing
Micromobility Device Ordinance**

March 8, 2022



Presentation Outline

- **Purpose & Background**
- **Ordinance Overview**
- **Summary & Next Steps**
- **Requested Action**



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Purpose

- Provide an update on ordinance development
- Review the draft ordinance
- Discuss key elements of proposed operations
- Highlight next steps in implementation



Background

- **Most recent BCC work session – Oct. 12, 2021**
 - Multiple BCC discussions on this issue
 - Staff presented overview of draft ordinance and potential administration
 - BCC direction to continue program development
 - Limit maximum number of micromobility devices to 1,500 due to population/land area
 - Review proposed permit fees relative to anticipated costs
 - Develop Request for Proposal
 - Brief Commissioners to receive additional input on ordinance



Background

Revisions based on Input in Ordinance and/or RFP

- Complaint response time changed to one hour
- Ability to amend/suspend operations if needed
- Restriction of all operations to 10 miles per hour
- Parking installation allowed on private property
- Penalty fees
- Minimum/maximum and total devices allowable
 - Ordinance notes quantity determined by license and Director can change
 - RFP caps total devices in program at 1,500





Background

Summary

- **County's proposed program similar to other programs**
 - Operations, use of RFP, and fee structure
 - Company responsibilities for safe operations, enforcement, and reporting
 - Orlando's revised ordinance adopted Dec. 6, 2021



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Ordinance Overview

- **Creates new Article VIII of Chapter 35, “Micromobility Devices”**
 - **Sec. 35-96. Purpose, intent, and applicability; findings**
 - **Sec. 35-97. Definitions**
 - **Sec. 35-98. Micromobility device operations in Orange County**
 - **Sec. 35-99. Proposals**
 - **Sec. 35-100. License agreement; term**
 - **Sec. 35-101. Delivery and operation of micromobility devices**
 - **Sec. 35-102. Company responsibilities**
 - **Sec. 35-103. Micromobility device operational requirements**
 - **Sec. 35-104. Micromobility device requirements**
 - **Sec. 35-105. Impoundment**



Ordinance Overview

Operations in Orange County

- **Requires license for micromobility device operations**
- **Prohibit any company from operating without a license**
 - Not prohibiting micromobility devices due to statutes
- **Issue RFP to select up to 3 companies**
 - Provide for status quo operations until approval of RFP
 - RFP sets maximum of 1,500 devices divided among companies



Ordinance Overview

Fee Structure

- **Enables License and Micromobility Device Fees**
 - **License Fee: \$10,125 plus \$1,000 per parking area**
 - Implement parking areas and monitoring software to start program
 - **Micromobility Device Fee: \$1 per day per active device in fleet**
 - Staff oversight, maintenance of parking areas, and other administration
 - Lighting, sidewalks, safety studies, and active transportation improvements
- **Penalty Fee: \$100 per incident per day (in RFP)**



Ordinance Overview

Application for County License

- **Company Operations Plan**
- **Safety Operational Analysis**
- **Additional documentation for review**
 - Waiver/release form
 - Emergency preparedness plan
 - Sanitation plan for daily cleaning
 - Any plans for access or disability services





Ordinance Overview

Company Operations Plan

- **Business operations plan that describes:**
 - Geographic area (including geofencing to restrict areas)
 - Proposed parking locations/plan
 - Device management (staging and rebalancing)
 - Rider and public safety concerns, including accessibility





Ordinance Overview

Safety Operational Analysis

- **Company's analysis based on Traffic Engineering Division methodology**
- **Criteria includes:**
 - Sidewalk locations/widths
 - ADA compliance
 - Transit stops
 - Posted speeds
 - Traffic volumes and crash data
 - Roadway lighting



Ordinance Overview

License Requirements

- **Would require an approved license agreement to operate**
 - Establish maximum number of devices
 - Device fees
 - Revocation of license for compliance issues
 - Liability insurance
 - Performance surety
 - Indemnification from any liability, loss, or damage



Ordinance Overview

Operation of Devices

- **Allows devices only in a County-approved Service Area**
 - Restricted through geofencing
 - May be restricted on heavily traveled streets
- **Must park in designated areas only**
 - Park upright, on sidewalk/hard surface, and maintain 4-foot clear zone
 - Devices parked outside these areas will continue to charge the user
- **Implement rental terms**
 - No rentals to riders under 18 years old
 - No rental without rider executing waiver/release form prior to use



Ordinance Overview

Company Responsibilities

▪ Manage devices

- Rebalancing at least every 24 hours
- Removing device within 1 hour of notice of request, violation, or emergency event

▪ Staffing

- Two local staff, including program administrator as main contact
- Available by phone 24 hours per day/7 days per week
- Responds within 24 hours of County geofencing/administrative requests



Ordinance Overview

Company Responsibilities

- **Provide information in mobile application**
 - Rules, regulations and laws applicable to riding, operating, and parking
 - Where devices may be operated
 - Operation at own risk
 - Yield to pedestrians and give audible signal
 - Helmets encouraged
 - Ability to notify company of safety and maintenance issues
 - All information in English, Spanish, Haitian Creole, and Portuguese



Ordinance Overview

Parking Areas for Devices

- Draft ordinance requires parking in designated areas only
- County to provide/maintain all parking areas
 - Available to all companies
 - Companies pay fee of \$1,000 per area for installation
 - Public Works maintains parking with Micromobility Device Fee
 - Any parking on private property done by company with owner permission
 - All parking areas installed to County specifications



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Summary & Next Steps

Staff Recommendations

- RFP to select up to 3 companies
- County to install/maintain parking areas
- Fee structure:
 - License Fee: \$10,125 plus \$1,000 per parking area
 - Micromobility Device Fee: \$1 per day per device
 - Penalty Fee: \$100 per incident per day



Summary & Next Steps

Tentative Schedule

- Share BCC action with stakeholders/advisory boards – Mar. 2022
- Issue RFP – May 2022
- Bring RFP approval of up to 3 companies for license to BCC – Aug./Sept. 2022
- Execute contracts – Oct./Nov. 2022
- Install parking areas – Nov./Dec. 2022



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Requested Action

- **Adopt the Micromobility Device ordinance.**

AN ORDINANCE PERTAINING TO MICROMOBILITY DEVICES; CREATING ARTICLE VIII OF CHAPTER 35, ORANGE COUNTY CODE; PROVIDING PURPOSE, INTENT, AND APPLICABILITY; PROVIDING FINDINGS; PROVIDING DEFINITIONS; MICROMOBILITY DEVICE OPERATIONS; LICENSE APPLICATION; LICENSE AGREEMENT; TERMS; DELIVERY AND OPERATION OF MICROMOBILITY DEVICES; COMPANY RESPONSIBILITIES; MICROMOBILITY DEVICE OPERATIONAL REQUIREMENTS; MICROMOBILITY DEVICE REQUIREMENTS; PARKING REQUIREMENTS; IMPOUNDMENT; AND AN EFFECTIVE DATE.

- **Allow staff to make amendments consistent with Board direction and to correct scrivener's errors**
- **Direct staff to issue the Request for Proposals for micromobility device operations.**
- **Approve the proposed micromobility fee structure.**

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