



Legislation Details (With Text)

**File #:** 22-1303      **Version:** 1      **Name:**

**Type:** CONSENT AGENDA      **Status:** Approved

**File created:** 5/24/2022      **In control:** Department of Transportation

**On agenda:** 6/22/2022      **Final action:**

**Title:** An ordinance amending Chapter 28, "Motor Vehicles and Traffic" of the Dallas City Code by amending Section 28-41.1.1 "Restrictions on the Use of Motor Assisted Scooters, Pocket Bikes, and Minimotorbikes" to (1) provide definitions; (2) designate authority; (3) provide for permissible behavior and define what constitutes an offense; (4) provide a penalty not to exceed \$200.00; (5) provide a saving clause; (6) provide a severability clause; and (7) provide an effective date - Financing: This action has no cost consideration to the City (see Fiscal Information)

**Sponsors:**

**Indexes:** 100

**Code sections:**

**Attachments:** 1. Ordinance

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** June 22, 2022

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Department of Transportation

**EXECUTIVE:** Dr. Robert Perez

**SUBJECT**

An ordinance amending Chapter 28, "Motor Vehicles and Traffic" of the Dallas City Code by amending Section 28-41.1.1 "Restrictions on the Use of Motor Assisted Scooters, Pocket Bikes, and Minimotorbikes" to (1) provide definitions; (2) designate authority; (3) provide for permissible behavior and define what constitutes an offense; (4) provide a penalty not to exceed \$200.00; (5) provide a saving clause; (6) provide a severability clause; and (7) provide an effective date - Financing: This action has no cost consideration to the City (see Fiscal Information)

**BACKGROUND**

The Dockless Vehicle Program was halted in Fall 2020 to address public safety concerns. A Public Hearing was held on October 7, 2020, where staff presented proposed Director Rules, under the authority given in Section 43, Article X of the Dallas City Code, that were intended to address concerns previously raised by business districts and the Dallas Police Department, including stopping scooter operations at 9:00 PM each day and limiting the number of vehicles deployed per block face

to a maximum of eight per operator. However, through internal staff discussions, and discussions with stakeholders and operators, additional issues were identified, and it was determined that more changes would be needed to resume the program in a way that effectively advances broader city goals of safety, equity, economic vitality, and environmental sustainability.

In the Fall of 2021, at the direction of the Transportation and Infrastructure Committee, a Micromobility Working Group was formed to identify areas of the Dockless Vehicle Program that could be improved upon for relaunch. The working group identified 17 key issues that were broken down into the following categories: 1) Rider Operation (Ch. 28); 2) Permit Program (Ch. 43); and 3) general program management. In addition to feedback from the working group, input was received from the Transportation and Infrastructure Committee (Presented February 22, 2022) and dockless vehicle operators.

Three agenda items presenting ordinance amendments to the Dallas City Code for Chapters 9, 28, and 43 to incorporate the changes and revisions for a successful relaunch of the dockless vehicle program are required. These items will be heard together and cannot move forward unless all three are approved collectively.

This item reflects the changes specifically in Section 28-41.1.1 as outlined below:

- 1) Additional requirements on riders/users to operate vehicles in a safe and orderly manner that puts pedestrians as the top priority;
- 2) Additional requirements on riders/users to park vehicles in a safe and orderly manner that does not contribute to cluttered sidewalks;
- 3) Clarifies and expands on what constitutes an 'offense', including not abiding by the new requirements for riding and parking behavior;
- 4) Apply the provisions to privately owned and shared dockless vehicles alike;
- 5) Applies the provisions to devices similar to motor assisted scooters.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On February 22, 2006, City Council authorized an ordinance amending Chapter 28 of the Dallas City Code to restrict the operation of pocket bikes, mini-motorbikes and motor assisted scooters within the city limits of Dallas, by Ordinance No. 26265.

The Mobility Solutions, Infrastructure & Sustainability Committee was briefed on Bike Share Program Update on August 14, 2017.

The Mobility Solutions, Infrastructure & Sustainability Committee was briefed on the Bike Share Pilot Program Timeline on February 26, 2018.

The Mobility Solutions, Infrastructure & Sustainability Committee was briefed on Shared Mobility Vehicles on March 26, 2018.

The Mobility Solutions, Infrastructure & Sustainability Committee was briefed on Dockless Vehicles Ordinance and Fee Structure on April 9, 2018.

City Council was briefed on the Dockless Vehicles Ordinance Discussion and the Motor Assisted Scooter Ordinance Discussion on June 6, 2018.

On June 27, 2018, City Council authorized an ordinance amending Chapter 28, "Motor Vehicles and Traffic," of the Dallas City Code by amending Section 28-41.1; (1) providing that motor-assisted

scooters may be operated on city owned and city operated property and in the public right-of-way; and (2) providing rules for operating and riding motor-assisted scooters on city owned and city operated property and on any public path, trail, alley, street, highway, or sidewalk within the City, by Ordinance No. 30935.

The Mobility Solutions, Infrastructure & Sustainability Committee was briefed on Dockless Vehicles Program and Motorized Scooter Ordinance on October 8, 2018.

On November 28, 2018, City Council authorized an ordinance amending Chapter 28, Motor Vehicles and Traffic," of the Dallas City Code by amending Sections 28-41.1 and 28-41.1.1; extending the sunset date of Section 28.41.1.1 to November 28, 2019; and providing that the requirements of Section 28-41.1 take effect if Section 28-41.1.1 has not been re-enacted on or before November 28, 2019, by Ordinance No. 31048.

The Public Safety Committee was briefed by memorandum regarding this matter on November 12, 2019.

The Transportation and Infrastructure Committee was briefed on Update on Dockless Mobility Program on December 3, 2019.

The Public Safety Committee was briefed on Dockless Vehicle Enforcement on December 9, 2019.

The Transportation and Infrastructure Committee was briefed on Update on Dockless Mobility Program on February 18, 2020.

City Council was briefed on Dockless Vehicle Ordinance Proposed Amendments on March 4, 2020.

On March 25, 2020, City Council authorized and ordinance amending Chapter 28, "Motor Vehicles and Traffic," and Chapter 43, "Streets and Sidewalks," of the Dallas City Code by (1) amending the regulations for dockless vehicles and motor-assisted scooters, by Ordinance No. 31479.

The Transportation and Infrastructure Committee was briefed by memorandum regarding this matter on September 21, 2021.

The Transportation and Infrastructure Committee was briefed on the Micromobility Working Group Update and Initial Recommendations on February 22, 2022.

City Council was briefed on Micromobility Working Group Recommendations on June 15, 2022.

### **FISCAL INFORMATION**

This action has no cost consideration to the City. Ordinance enforcement of penalty up to \$200.00 may generate additional revenues to the City.