

ORDINANCE NO.: 2018-078

Establishing a Moratorium on Shared Mobility Vehicles

WHEREAS, shared mobility vehicles are an increasingly popular trend, with numerous companies deploying electric scooters in urban settings, such as the City of Columbia; and,

WHEREAS, while the City of Columbia recognizes that low-emission, shared mobility vehicle options, such as electric scooters, can create more diverse, convenient, and accessible transportation, these vehicles also pose significant public safety challenges, along with additional considerations of managing the right-of-way appropriately and adapting old regulations to new business types; and,

WHEREAS, the unregulated deployment of shared mobility vehicle options has created hazardous and disturbing situations which has resulted in municipalities taking the extreme step of banning these vehicles; and,

WHEREAS, the City of Columbia seeks to create a balance between the benefits of shared mobility vehicles and the inherent risks of introducing these vehicles on the road without adequate planning; and,

WHEREAS, in order to best accommodate this emerging business model, the City of Columbia proposes a three hundred and sixty-five (365) day moratorium for the benefit of the public's safety, which will allow the City to explore shared mobility options and offer opportunities for effective and meaningful collaboration with shared mobility vehicle providers; and,

WHEREAS, an emergency exists in that it is necessary for the immediate preservation of the public peace, property, health, and safety that this ordinance take effect immediately upon its passage; NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia this 15th day of January, 2019 as follows:

Section 1. There is hereby enacted a three hundred and sixty-five (365) day moratorium upon shared mobility vehicles being placed in the public right-of-way or on public property, being operated in the public right-of-way or on public property, or being distributed for use anywhere in the City, in order to allow for adequate pedestrian traffic flow and to promote public safety.

Section 2. For the purpose of this ordinance, "shared mobility vehicle" means any two-wheeled device, that:

1. is powered by a motor;
2. is rendered operable or inoperable via a point-of-sale terminal or an on-demand portal, whether through a smartphone application, membership card, or similar method;
3. is operated by a private entity that owns, manages, or maintains devices for shared use by members of the public; and,
4. is available to members of the public in unstaffed, self-service locations.

ORIGINAL
STAMPED IN RED

Section 3. Any shared mobility vehicle left on a public street, sidewalk or right-of-way unattended is subject to being impounded by employees of the City of Columbia until claimed by the rightful owner as determined by the City Manager, or her designee(s), and all civil penalties owed to the City are paid in full.

Section 4. Any impounded shared mobility vehicle which is not claimed within twenty-one (21) days of the date of the impoundment shall be deemed abandoned and shall be disposed as provided by law.

Section 5. In addition to any other enforcement or legal action that the City may take, any violation of this ordinance is subject to a civil fine of two hundred and fifty dollars (\$250.00) to be levied by a City of Columbia Uniform Ordinance Summons and triable by a Municipal Court Judge. This fine shall be imposed for each shared mobility vehicle, and for each occurrence and each day that the shared mobility vehicle(s) is or are distributed, operated, used, rented, or furnished in violation of this ordinance, unless the shared mobility vehicle is impounded as an abandoned vehicle by the City of Columbia prior to collection of the civil penalty in which case the penalty shall not exceed five hundred dollars (\$500.00).

Section 6. An emergency is declared to exist in that it is necessary for immediate preservation of the public peace, property, health, and safety that this ordinance take effect immediately upon its passage.

Section 7. In the event that any portion of this ordinance shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other portion of this ordinance.

This ordinance is effective upon final reading.

Requested by:

Assistant City Manager Gentry




Mayor

Approved by:



City Manager

Approved as to form:



City Attorney

ATTEST:


City Clerk

Public Hearing: 1/8/2019
Introduced: 1/8/2019
Final Reading: 1/15/2019