

ORDINANCE NS-2333

AN ORDINANCE AMENDING THE BEND CODE TO ADD SECTION 7.60, SHARED MICROMOBILITY BUSINESSES

Findings:

- A. In 2018 and early 2019, the City received inquiries and potential interest from several providers of shared electric scooter (e-scooter) services about operating in the City.
- B. State law already allows e-scooters to be operated within roadways. However, shared e-scooter operators and other shared micromobility businesses are increasingly advocating for and deploying “dockless” system models, where the e-scooters and other transportation devices are used for point-to-point trips and are not necessarily returned to a fixed location.
- C. Dockless system models can result in a proliferation of the devices on the roadways and on public and private property, including sidewalks, where they have not generally been present. This can result in challenges, including safety and access issues, for users of sidewalks and other rights-of-way, regardless of their status or mode of travel.
- D. Shared micromobility businesses and other emerging modes of active transportation may have significant potential for reducing traffic congestion and parking demand, encouraging travel mode shift opportunities, better leveraging public transportation systems, and other benefits that correlate with the City’s Comprehensive Plan, Climate Action Resolution, Transportation System Plan, and other guiding policies.
- E. In order to effectively evaluate the challenges and potential benefits presented by shared micromobility businesses and the devices they provide, the Council has directed staff to study the possibility of offering a temporary pilot program for shared micromobility businesses for a limited period in 2020. This direction from the Council does not commit to approving a pilot program, but only to study the possibility of a program.
- F. A pilot program, if approved, would include operating requirements and provisions for licensing or permitting shared micromobility businesses.
- G. In the interim, the current City code requires an amendment to clarify that no shared micromobility business may operate on rights-of-way in the City unless and until a pilot program is approved, and a license or permit is obtained under that program.

Based on these findings, the City of Bend ordains as follows:

Section 1. The Bend Code is amended to add Chapter 7.60:

7.60.005 Shared Micromobility Businesses.

A. Shared micromobility business are businesses or other organizations that provide any transportation solution such as bikes, e-bikes, scooters, e-scooters, or any other small, lightweight vehicle used as a shared resource among multiple users that can be used for point-to-point trips. Shared micromobility businesses do not include businesses or other organizations that provide this kind of transportation solution from a fixed location that is not on City property or right-of-way, where the user returns the device to that location at the end of the for hire period.

B. No shared micromobility business may provide services or operate within the City without a valid license or permit, or upon receiving approval under a pilot permitting or licensing program.

C. Any violation of this chapter is a Class A civil infraction.

Section 2. Declaration of Emergency. The City Council finds that this ordinance is necessary for the health, safety and welfare of the public, and finds that an emergency exists. The ordinance therefore becomes effective upon its passage.


All other provisions of the Bend Code remain unchanged and in full effect.

First Reading Date: April 17, 2019

Adopted by roll call vote and second reading on: May 1, 2019


YES: Sally Russell, Mayor
Bruce Abernethy
Barb Campbell
Bill Moseley
Justin Livingston
Gena Goodman-Campbell
Chris Piper

NO: none


Sally Russell, Mayor

ATTEST:


Robyn Christie, City of Bend Recorder


Mary Winters, City Attorney