



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 30, 2019

TO: Mayor and Councilmembers

FROM: Transportation Planning & Parking Division, Public Works Department

SUBJECT: Amendment Of Shared Mobility Ordinance, Establishment Of The Bike Share Program, And Removal Of Bicycle License Requirements In Chapter 10.52

RECOMMENDATION: That Council:

- A. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.53 of the Santa Barbara Municipal Code Regulating Shared Mobility Services and Devices; and
- B. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.52 of the Santa Barbara Municipal Code Regulating Bicycles.

EXECUTIVE SUMMARY:

On June 19, 2018, City Council adopted an emergency ordinance to regulate the operation of shared mobility services. The emergency ordinance added Chapter 10.53 to the Municipal Code, and was in response to scooter share companies conducting unannounced and unpermitted launches of thousands of scooters in cities across the nation, including Santa Barbara. Staff returned to Council on February 12, 2019, following extensive research on shared mobility services and holding a public workshop for input. Council directed staff to amend Chapter 10.53, requiring scooter share companies seeking a permit with the City to provide users with scooters that are safe and that cannot technologically be operated on sidewalks. The proposed amendments implement the Council's direction by prohibiting shared scooters until subsequent adoption of rules and regulations governing shared scooter operations. The proposed amendments to the Ordinance establish a more efficient permitting system for all types of shared mobility devices and will also allow the City to move forward with a pilot bike share component. This will implement Circulation Element Policy 1.2 of the General Plan. Finally, staff recommends eliminating certain regulations contained in Chapter 10.52 that require bicycles to be registered with the Police Department prior to being ridden in the city.

On April 9, 2019, staff presented the proposed amendments to the Ordinance Committee. The Ordinance Committee voted unanimously to forward the proposed amendments to Council.

DISCUSSION:

Scooter Share

A number of key issues have been identified through staff research and community outreach regarding the safe operation of shared scooters in Santa Barbara. For example, a recent study conducted by the University of California, Los Angeles, found that shared scooter users have a high propensity to experience solo crashes, and 70 percent of accidents resulted in a head injury or bone fracture. In light of this research, and based on Council's direction, staff amended Chapter 10.53 to establish a permitting program with regulations for shared scooter operators that addresses safety concerns such as requiring technology that will prevent shared scooters from operating on sidewalks. Shared scooter operators will not be permitted until staff develops regulations that address safety concerns.

Scooter share and forms of micro mobility are rapidly changing fields, and continued input from users, cities with robust scooter share programs, and law enforcement will assist staff in developing regulations that contain best practices.

Bike Share

The 2011 Circulation Element of the General Plan recommends the implementation of a shared bicycle program to increase mobility options, decrease transportation costs, reduce air pollution and greenhouse gas emissions, and reduce parking demand. The 2016 Bicycle Master Plan also recommends the implementation of a shared bicycle program and specifically states, "Bike share is a convenient, cost-effective, and healthy way of encouraging locals and visitors to make short trips by bike, and to bridge the 'last mile' between public transit and destinations." A bike share pilot program would meet the recommendations of these City policies.

Bike share programs have evolved dramatically in the last several years. Initial approaches to bike share often involved station-based "docks," implemented by placing a series of self-serve docks or kiosks at various points around a city. Users would typically check out a bike at one of these docks, use it to complete their trip, and return the bike to another dock in close proximity to their destination. However, new technology has enabled bike share programs to go "dockless," with bicycles located and rented using GPS-enabled mobile phone applications rather than retrieved from and returned to a specific "docked" location. The next user can simply rent the bicycle from the spot where it was deposited by the prior user.

Though bike share systems can offer unique opportunities, there are many challenges to effective implementation and regulation. Docked systems require significant infrastructure investment and they need to limit availability to designated docking areas. Conversely, dockless shared bicycles offer more flexible transportation options, but can result in bicycles left in areas where they do not belong, causing safety concerns or nuisances. Examples would be bicycles left on the sidewalk in the pedestrian pathway or on private property.

Staff has already developed rules and regulations for shared bicycles and is recommending the implementation of a pilot Bike Share Program (Program) in the City for a maximum of three years (Attachment). This Program will allow permittees to operate a system of self-service rental bicycles within a specified service area. Staff also proposes that permitted operators be required to apply for permits on an annual basis within the three year pilot. After the three-year period and the accompanying information and data developed from the operation of the Program, City staff and the Transportation and Circulation Committee will evaluate the program to determine whether further amendments to the rules and regulations are necessary for a permanent program.

As recommended by staff and the Transportation and Circulation Committee, the revised rules and regulations address the following key issues:

- **Sidewalk Hazards and Clutter** – Permitted Operators are required to promptly remove bicycles left on sidewalks and limit the amount of City staff time required to remedy these issues.
- **Vendor Operations and Responsibility** – Permitted Operators are held accountable for users operating safely and responsively in accordance with their permit conditions.
- **Data Accessibility** – Permitted Operators are required to provide useful data that will enable the City to have an understanding of user behavior to make necessary program adjustments.
- **Equity** – Permitted Operators are required to provide an operation plan to make bike share available to all communities, ensuring that access to the Program is provided for communities in identified Low-Moderate Income Census Block Groups.
- **Availability** – Permitted Operators would be required to provide a sufficient supply of bicycles in high-traffic locations, such as transit hubs, so that users can consistently rely on this service for their transportation needs. For an effective “last mile” transportation solution, the user must be able to rely on finding a working bicycle when needed.

- **Public Safety** – Permitted Operators are required to promote safe and lawful operation of the shared bikes and to always ensure that the bicycles are maintained in safe working condition.

Amendments to Chapter 10.52

While shared mobility services involve a new and emerging technology, the requirement for residents to register and obtain a bicycle license with the Police Department is outdated. The license requirements in Chapter 10.52 do not involve the bike share program and permitting requirements for operators.

In 1975, Council approved an ordinance creating a licensing program that makes it unlawful for any resident to ride a bicycle within the City without first having registered their bicycle with the Police Department. Section 10.52.018 requires a resident to notify the Police Department within ten (10) days of selling or disposing their bicycle and obliges the new purchaser (if they are a resident) to then obtain a license. The authority for cities to create this registration program is codified in sections 3900 to 39011 of the Vehicle Code.

While the registration fee to obtain a license under the Municipal Code is nominal (\$1), the existence of the ordinance is impractical as residents are not registering their bikes and subsequently the Police Department is not enforcing these code sections. Moreover, the cost to run the registration would vastly exceed the nominal fee imposed. Therefore, staff is recommending eliminating all code sections contained in Chapter 10.52 referencing the requirement for bicycles to be registered while still maintaining that bicycles be ridden in a secure manner and not on sidewalks.

Ordinance Committee Discussion

On April 9, 2019, staff presented the proposed amendments to the Ordinance Committee. The Committee voted unanimously to forward the proposed amendments to Council.

An additional motion to impose a delay on the addition of pedal-assist e-bikes to the bike share fleet was put forth by Committee Member Rowse, with the intent that any program be thoroughly vetted with human-powered bikes first. Committee Chair Sneddon favored having a nominal number of e-bikes in the Program so that they could be tested and possibly reach a larger population of users. Committee Member Rouse and Committee Member Gutierrez voted in favor of limiting the initial phase of the Program to human-powered bikes with Chair Sneddon voting no.

BUDGET/FINANCIAL INFORMATION:

General operation of the Program would be run by contracted permittees within the City of Santa Barbara. Though the City will incur costs associated with the implementation of the Program, such as the addition of bike parking infrastructure, or the staff time involved with Program management, fees set by the City are intended to offset these costs. At the end of any shared mobility pilot program period, the fees and required City resources will be evaluated and revisited. At such time as we are ready to move forward with incurring costs, staff will return with the recommended appropriation authority and related funding sources.

SUSTAINABILITY IMPACT:

As mentioned in the Circulation Element, an effective bike share program can increase personal mobility, potentially reduce air pollution and greenhouse gas emissions, reduce parking demand, and decrease the overall cost of transportation to individuals. It may help in the City's sustainability goals of emissions and traffic congestion reductions.

ENVIORNMENTAL REVIEW:

This ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) because the activity will not result in a direct or reasonable foreseeable indirect physical change in the environment, and Section 15060(c)(3) because the activity is not a project as defined in Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly.

ATTACHMENT: Draft Bike Share Rules and Regulations

PREPARED BY: Robert Dayton, Transportation Planning & Parking
Manager/SLF/mj

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office