



Legislation Details (With Text)

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**On agenda:** 12/9/2019      **Final action:**

**Title:** Request approval of Transportation Safety Commission-recommended Shared Mobility Devices (SMDs) pilot program

**Sponsors:**

**Indexes:**

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**Attachments:** 1. Regulatory Requirements for Agenda Items Rev 081519 (002), 2. TSC Motion on SMD Pilot 120419 Final, 3. SMD MOA\_2019-11-26, 4. SMD Permit Application\_2019-11-26, 5. SMD Pilot Summary\_2019-11-26

Date	Ver.	Action By	Action	Result
12/9/2019	1	Town Council Meeting	approved	Pass

**Subject:**  
Request approval of Transportation Safety Commission-recommended Shared Mobility Devices (SMDs) pilot program

**EXPLANATION AND SUMMARY :**

On September 9, 2019 Council held a work session to discuss required regulations for Shared Mobility Devices (SMDs) in accordance with Sate Code:

*§ 46.2-1315 <<http://law.lis.virginia.gov/vacode/46.2-1315>> . Powers of localities to regulate use of motorized skateboards or scooters, bicycles, or electric power-assisted bicycles for hire. Any county, city, town, or political subdivision may (i) by ordinance regulate or (ii) by any governing body action or administrative action establish a demonstration project or pilot program regulating the operation of motorized skateboards or scooters, bicycles, or electric power-assisted bicycles for hire, provided that such regulation or other governing body or administrative action is consistent with this title. Such ordinance or other governing body or administrative action may require persons offering motorized skateboards or scooters, bicycles, or electric power-assisted bicycles for hire to be licensed, provided that on or after January 1, 2020, in the absence of any licensing ordinance, regulation, or other action, a person may offer motorized skateboards or scooters, bicycles, or electric power-assisted bicycles for hire.*

Staff provided documentation of SMD pilot programs currently in operation in other jurisdictions, including Alexandria, Arlington, and City of Fairfax. Staff recommended that the Town create a pilot program similar to these, but tailored to Vienna’s needs. At the conclusion of the September 9, 2019 work session, Council has directed staff to prepare a pilot program with the Transportation Safety Commission’s input.

During the November 26, 2019 Transportation Safety Commission (TSC) meeting, there was a discussion related to a pilot program for shared mobility devices (SMDs). The proposed program will provide the Town an opportunity to evaluate benefits and challenges associated with SMDs and will

require companies to sign a Memorandum of Agreement (MOA) to ensure operational practices meet certain standards. The TSC recommends that Council adopt the attached pilot program.

The following is a summary of some of the distinctions made to the Town's proposed SMD pilot program documents:

- Language was added to the MOA requiring operators to provide the Town and third-party vendors with mobility data specifications (MDS), which is the data used by the Town and its third-party vendor to analyze shared mobility device data.
- Language was added to the MOA to require approval from the Town for dock locations if an operator is to utilize docks as a part of its operation. Docks cannot interfere with normal pedestrian traffic, any ADA access, or snow removal efforts.
- Language was added to the MOA to require operators to limit the speed of scooters to 10 mph along the Nutley Street SW and Maple Avenue corridors in anticipation of scooter-users utilizing the sidewalk due to safety concerns.
- Language was added to the MOA that requires operators to ensure SMDs are parked in a manner that does not impede snow removal. It also states that it is highly recommended to remove SMDs to avoid impeding snow removal.
- Language was added to the MOA to clarify that the Town has no authority to regulate use of SMDs on private property and/or property not owned by the Town.

**Departmental Recommendation** : Recommend approval.

**Finance Recommendation** : Recommend approval.

**Purchasing Recommendation** : N/A

**Town Attorney Recommendation** : Pursuant to Virginia Code § 46.2-1315, Town Council has broad discretion to adopt a SMD program for use of the right-of-way and operation of SMDs in Town. Town Council may adopt the proposed pilot program in its discretion. A program must be adopted prior to January 1, 2020 or the Town may be precluded from later adopting a program after the study period.

**Town Manager's Recommendation** : I recommend the Town Council approve the Shared Mobility Devices pilot program and Memorandum of Agreement, as presented.

Cost and Financing: N/A

Account Number: N/A

Decision Needed by This date: 12/09/19

#### **PROPOSED/SUGGESTED MOTION**

"I move to approve the Shared Mobility Devices pilot program and Memorandum of Agreement as recommended by the Transportation Safety Commission."

Or

Other action deemed necessary by Council.