

City of Falls Church

Date: 9-3-19	Title: CITY OF FALLS CHURCH SHARED MOBILITY DEVICES PILOT PROGRAM	Agenda No.: 2	
Proposed Motion: No formal action requested. Review and provide guidance.			
Originating Dept. Head: James B. Snyder Director Planning & Development Services; 703.248.5182 JBS 8-28-2019 Paul Stoddard, AICP Director of Planning; 703.248.5041 PS 8-28-2019 Kerri Oddenino KO 8-28-2019 Senior Planner; 703.248.5477		Disposition by Council:	
City Manager: Wyatt Shields 703.248.5004 FWS 8-28-19	City Attorney: Carol McCoskrie 703.248.5010 CWM 8-29-2019	CFO: Kiran Bawa 703.248.5092 KB 8-29-19	City Clerk: Celeste Heath 703.248.5014 CH 08-29-19

REQUEST: No formal Council action is requested at this time. Staff is seeking concurrence from Council to prepare the proposed shared mobility pilot program materials. Formal Council action will be requested once the memorandum of agreement and permit application are drafted.

If a locality does not implement an ordinance or pilot program by January 1, 2020, shared mobility device companies can operate in that locality as authorized by state legislation (details provided in this staff report).

RECOMMENDATION: This report provides the draft pilot program City staff has prepared to regulate use of motorized skateboards or scooter, bicycles, or electric power-assisted bicycles for hire. Staff recommends Council provide feedback on the key policy items contained in the pilot proposal described in this staff report. A summary of key policy items are contained in the chart at line 123 of this staff report.

BACKGROUND:

Shared mobility devices include motorized skateboards, scooters, bicycles, or electric-power assisted bicycles. These devices typically are shared among riders, operated by private companies, and are enabled by technology or apps. Shared mobility devices are often deployed as fleets of devices throughout a geographic area. Shared mobility devices are frequently “dockless”, meaning that they park in public spaces and “lock” to themselves in an app. The typical cost of an e-scooter ride involves a \$1 unlock fee + \$0.15 per minute.

Shared mobility devices are frequently used as a first mile/last mile solution by individuals traveling to and from rail transit and are also used for other short trips, typically in denser urban or urban-suburban areas. By providing another transportation option, the system increases mode

28 choice and reduces reliance on any single mode (such as automobile). In the City of Falls
29 Church, shared mobility devices can provide new connections to the East Falls Church and West
30 Falls Church Metro stations and provide more options for in-town trips.

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32 **POLICY GUIDANCE:**

33 In 2014, City Council adopted Mobility for all Modes as the City’s Transportation Master Plan.
34 That plan establishes a vision for expanded transportation mode choice and stronger connections
35 to the regional transportation system:

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37 *“Provide for the safe movement of people and goods within and through the City via a*
38 *transportation network that connects to the regional transportation network, offers*
39 *choices in travel modes, supports economic activity, is sensitive to the environment, and*
40 *provides equitable access for all City residents, workers, and visitors.”*

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42 Expanding shared mobility devices into the City is generally supported by adopted City policies.
43 Shared mobility devices will increase transportation mode choice and provide stronger
44 connections to the regional transportation network.

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46 **GENERAL ASSEMBLY LEGISLATION:**

47 The General Assembly passed legislation, effective July 1, 2019, that granted localities the
48 ability to regulate the use of motorized skateboards or scooters, bicycles or electric power-
49 assisted bicycles for hire.

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51 *“[§ 46.2-1315](#). Powers of localities to regulate use of motorized skateboards or scooters,*
52 *bicycles, or electric power-assisted bicycles for hire.*
53 *Any county, city, town, or political subdivision may (i) by ordinance regulate or (ii) by*
54 *any governing body action or administrative action establish a demonstration project or*
55 *pilot program regulating the operation of motorized skateboards or scooters, bicycles, or*
56 *electric power-assisted bicycles for hire, provided that such regulation or other*
57 *governing body or administrative action is consistent with this title. Such ordinance or*
58 *other governing body or administrative action may require persons offering motorized*
59 *skateboards or scooters, bicycles, or electric power-assisted bicycles for hire to be*
60 *licensed, provided that on or after January 1, 2020, in the absence of any licensing*
61 *ordinance, regulation, or other action, a person may offer motorized skateboards or*
62 *scooters, bicycles, or electric power-assisted bicycles for hire.”*

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64 Localities are not granted the power to ban motorized skateboards or scooter, bicycles, or electric
65 power-assisted bicycles, but may regulate them. If a locality does not implement an ordinance or
66 pilot program by January 1, 2020, shared mobility device companies can operate in that locality
67 as authorized by legislation. Devices as addressed in state legislation: (1) are less than 100
68 pounds, (2) have max speed of 20 mph, (3) are permitted to ride on sidewalks unless prohibited
69 by local ordinance, (4) have both headlight and taillight, and (5) if less than 14 years old, riders
70 need parental supervision. Per City Code, [Section 26-109](#), riders 14 years of age or younger are
71 required to wear a protective helmet.

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74 **REGIONAL CONTEXT:**

75 Shared mobility devices have been operating in other jurisdictions in the region under various
76 pilot programs. The below describes different aspects of those pilot programs.

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78 Timing

79 The table below provides information about the timing of pilot program launches and expected
80 adoptions of ordinances regulating the use of shared mobility devices in nearby jurisdictions.

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Location	Pilot Begins	Ordinance for Adoption
Arlington County, VA	Fall 2018	October or November 2019
City of Alexandria, VA	Fall 2018	Considering pilot extension, or ordinance in November or December 2019
City of Fairfax, VA	July 2019	Following conclusion of pilot program
Fairfax County, VA	Following adoption of ordinance	December 2019
City of Manassas, VA	Following adoption of ordinance	December 2019

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83 Number of Devices

84 The table below provides information about the total number of e-scooters deployed in
85 neighboring localities. The table also provides information about the maximum initial number of
86 e-scooters allowed per company by locality and the number of companies with active permits in
87 each locality.

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89 In addition to allowing an initial maximum number of e-scooters for deployment, neighboring
90 localities allow companies to add additional devices to their fleet based on performance. The
91 City of Alexandria, VA, and the City of Fairfax, VA, both allow companies to request an
92 additional 25 devices based on 4 consecutive weeks of use of the permitted maximum number of
93 vehicles being used an average of at least 3 trips per day.

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Location	Number of E-Scooters Deployed (Total) *	Initial Number of E-Scooters Allowed per Company	Number of Companies in Locality with Permits
Arlington County, VA	435	350	7
City of Alexandria, VA	650-700	200	7
City of Fairfax, VA	225-250	250	3

* Number is approximate

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98 Square Mileage
99 To provide a sense of scale, the area in square miles of neighboring localities with shared
100 mobility devices pilot programs is provided below. The City of Falls Church is 2.046 square
101 miles in area.
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Location	Area (mi ²)
Arlington County, VA	26 mi ²
City of Alexandria, VA	15.35 mi ²
City of Fairfax, VA	6.293 mi ²

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104 Fees
105 Fees administered as a part Shared Mobility Devices pilot programs in other localities are used to
106 cover administrative costs associated with set up, management, and evaluation of the pilot
107 programs.
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Location	Permit Fee	Right of Way Use Fee
Arlington County, VA	\$8,000	N/A
City of Alexandria, VA	\$5,000	N/A
City of Fairfax, VA	\$5,000	\$0.05 per trip

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110 Additional Information
111 More information about the pilot programs in nearby jurisdictions is available on jurisdictional
112 websites.

Location	Website
Arlington County, VA	https://transportation.arlingtonva.us/scooters-and-dockless-bikeshare/
City of Alexandria, VA	https://www.alexandriava.gov/DocklessMobility
City of Fairfax, VA	https://www.fairfaxva.gov/government/public-works/transportation-division/dockless-mobility

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115 **PROPOSED PILOT PROGRAM:**
116 Based on a review of pilot programs in other jurisdictions and consideration for the local content
117 in Falls Church, city staff prepared the below tables summarizing key features of a proposed
118 pilot program for the City of Falls Church. Additional information about the features below will
119 be provided in the memorandum of agreement. The memorandum of agreement may be modified
120 by mutual consent of authorized representatives from both parties, in writing. Note this pilot
121 program applies to devices available for hire.
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125 Shared Mobility Device Use
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Key Features	Recommendation
Locations permitted to operate	<u>Motorized bicycle or bicycle</u> : Riding on sidewalks permitted, but riding on streets encouraged <u>Motorized scooter or skateboard</u> : Riding on sidewalks permitted, but riding on streets encouraged, except on Route 7 and Route 29
Devices parked on sidewalk	Devices may not be parked on sidewalk in a way that impedes pedestrians or other traffic Corral areas will be available for e-scooter parking adjacent to Capital Bikeshare locations, in on-street parking spaces, and in other areas, as identified Companies required to provide kickstand on device so device may be parked upright
Max Speed	20 mph motorized bicycle or bicycle, 10 mph motorized scooter or skateboard. Companies must have a governor on device to limit speed of device within the City
Safety Features	Headlight and taillight required ¹ , lights to remain on for a minimum of 120 seconds after stopping 14 years of age or younger required to wear a helmet to operate or ride on shared mobility device, over 14 years old encouraged to wear a helmet
Minimum Age	Minimum age for independent rider is 14 years old. Adult supervision is required if under 14 years old
Equity Access	Company is required to provide an option to purchase rides without the use of a smartphone app Company will be required to provide instructions in English and Spanish

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129 Administration
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Key Features	Recommendation
Length of Pilot	Twelve (12) months, with option to extend upon agreement by both parties

¹ <https://law.lis.virginia.gov/vacode/title46.2/chapter8/section46.2-1015/>

Number of Companies in Pilot	Companies must apply for permit to participate in pilot program by a specified date
Number of Devices	Maximum of twenty five (25) devices per device type, per company may be deployed in the City, with option to increase the number of devices based on demand and with additional permit fees
Permit Fee	Up front permit fee of \$100 per device per company, regardless of fleet size
Right of Way Fee	Fee of \$0.05 per trip for use of City right of way, paid monthly
Cash Bond	Cash bond of \$5,000 that the City may use to pay costs related to removing and storing devices that do not comply with requirements
Business License	Companies must have a business license to operate in the City
Service Area	Devices permitted to operate throughout the City in public right of way
Device decal	Device decal must affixed to device and include name of permit holder, toll-free telephone number website address, and unique identification number, if operating in the City
Reporting requirements and data sharing	Company shall provide data to City staff in a monthly report by the 15 th of each month for previous month's activity
Customer service requirements	A staffed service center must be provided located within 25 miles of City limits, with a telephone number answered 24 hours a day, seven days a week. Contact information including name, telephone number, and email must be provided for each company

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PROCESS:

The City's shared mobility devices pilot program applicant process will include the following features: (1) Enter into a memorandum of understanding to accept performance measures and regulations, (2) Apply for business license to operate in City, (3) Applicable business taxes, (4) Permit application, (5) Permit fee to off-set City's oversight costs, (6) Per trip fee for use of City right of way.

FISCAL IMPACT: Proposed permit fees will generate revenues. Staff time will be required for management of the shared mobility devices pilot.

TIMING: Review full draft of Pilot Program at Council Meeting September 23, 2019. Pilot adoption date in October/November 2019.

ATTACHMENTS: 1. General Assembly Legislation
2. Bikeshare Update