



City of Harrisonburg, Virginia

Office of the City Manager

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G. Chris Brown
City Attorney

TO: Eric Campbell, City Manager
FROM: Wesley Russ, Assistant City Attorney
DATE: February 4, 2019
RE: Shared Mobility Devices (Scooters) Permitting Process

Summary: Consider adopting a permit process for Shared Mobility Devices

Background: On October 12, 2018, Bird launched a motorized foot-scooter rental service in Harrisonburg. On November 10, 2018, Lime launched a similar rental service. At the January 8, 2019 City Council meeting, City Council approved several amendments to the City Code to address concerns related to the parking of scooters. An additional amendment to enable a permitting system for commercial scooter rentals was tabled to allow staff additional time to create a memorandum of understanding to govern their operations.

Key Issues: City Council previously heard about a proposal to amend Section 6-1-18 of the City Code to prohibit commercial vehicles from being parked on sidewalks or other city property entirely, unless the operator has a license, permit or franchise issued by the city. Commercial scooters or other merchandise parked in public rights-of-way without a license, permit or franchise would be subject to impoundment by HPD.

Staff have completed a draft Permit Application and Memorandum of Understanding for interested scooter operators to sign. These permits would apply not only to scooters but to any “shared mobility device” (SMD), including dockless bicycles and pedal-assist e-bikes.

The goal of the permit is to allow commercial rentals of dockless SMDs while providing certain safeguards to ensure they are used regularly. Each operator in Harrisonburg will be required to share information with the City regarding the size of their current fleet and the number of riders through both monthly summaries and access to real-time information. The currently existing operators will be allowed a fleet size of either 100 SMDs or their average number of riders per day over a three-week period divided by 4, whichever is greater. Moving forward, operators will be allowed to increase the size of their fleet if they demonstrate that their SMDs are averaging 4 rides per day.

Based on staff’s research into other localities with SMDs, it appears most localities allow fleet size increases if SMDs average 3 rides per day. In Virginia, Arlington and Alexandria both use 3 rides per day. Staff suggests a higher threshold of 4 rides per SMD per day, given the anticipated high volume of short rides in the vicinity of JMU. Charlottesville also uses this higher threshold of 4 rides per SMD per day. As proposed, operators would be required to decrease the size of their fleet if their SMDs averaged fewer than 1 ride per SMD per day.

Given the large affect that the local student population is anticipated to have on ridership numbers, operators may have to reduce the size of their fleet over the summer. To ensure that SMDs are a reliable, alternative mode of transportation for students, staff’s proposal would allow operators to return their fleet size to its spring semester levels once JMU opens dorms for students in the fall.



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The proposed Memorandum of Understanding would also require operators to address any parking issues within two hours of notification between 6AM and 11PM, whether from a member of the public or from City staff. Failure to do so may result in the SMD being impounded and fees charged before its return.

Finally, the proposed Memorandum of Understanding allows the Director of Public Works to designate certain areas in the Downtown Business District as approved staging areas. Operators who want to “stage” SMDs downtown would be required to stage them within these parking areas only.

As drafted, permits would be for a Demonstration Project that will last one year, with the option to extend the project a further three months. At that point, based on the larger volume of data over a longer period and insight gleaned from other communities, the terms of the memorandum of understanding could be adjusted before implementing a more permanent licensing program.

Environmental Impact: N/A

Fiscal Impact: N/A

Prior Actions: N/A

Alternatives: (a) Approve the proposed amendment to Section 6-1-18 and authorize the City Manager to administer a permit and Memorandum of Understanding substantially similar to the attached draft; or
(b) Deny the proposed amendment to Section 6-1-18 and deny the request to administer a permit program.

Community Engagement: N/A

Recommendation: Staff recommends approval of the amendment and permit program as presented.

Attachments: Draft Memorandum of Understanding; Draft Application; Proposed Amendment to Section 6-1-18

Review:

The initiating Department Director will place in Legistar, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda. The completion of review only addresses the readiness of the issue for Council consideration. This does not address the recommendation for approval or denial of the issue.

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