

AN ORDINANCE 2019-05-30-0426

**MODIFYING THE DOCKLESS VEHICLE PILOT PROGRAM  
BY REDUCING THE NUMBER OF AUTHORIZED VEHICLES,  
ADJUSTING THE TERM OF PERMITS TO END ON  
SEPTEMBER 30, 2019, AUTHORIZING PRORATING PERMIT  
FEES, AND AUTHORIZING DEPOSIT OF ANTICIPATED  
REVENUE INTO THE GENERAL FUND**

\* \* \* \* \*

**WHEREAS**, the San Antonio City Council passed an ordinance regulating dockless vehicles on October 11, 2018, Ordinance Number 2018-10-11-0803, which has been made part of the City Code of San Antonio, Texas as Chapter 19, Article XIX, Sections 19-660 - 19-669; and

**WHEREAS**, this ordinance established a pilot program for the operation of these new types of vehicles so city staff could study and determine the effects and issues related to their operation; and

**WHEREAS**, following the adoption of the pilot program, seven companies applied for and obtained permits to operate a total of 14,100 e-scooters and 2,000 e-bikes; and

**WHEREAS**, on February 14, 2019, City Council imposed a moratorium on further permitting of dockless vehicles. At that time, the pilot program was amended to limit the hours of operation in order to reduce accidents occurring at night, staff were authorized to remove vehicles parked in prohibited areas without warning, and the Director of Center City Development and Operations (CCDO) was granted the authority to require the temporary removal of vehicles to avoid conflicts with cleaning sidewalks, construction activity, and special events; and

**WHEREAS**, during the development of the pilot program, staff committed to monitoring the program for six months before returning to City Council with recommended program changes in late spring. Staff developed recommendations include limiting the number of operators to three companies to be selected through a Request for Proposals (RFP), and maintaining the riding curfew that was implemented by City Council in February; and

**WHEREAS**, the Transportation Committee was briefed on these recommendations at their April 29, 2019, meeting and recommended that the item be presented to the full City Council at B Session; and

**WHEREAS**, the full Council was briefed at B Session on May 15, 2019, and the majority of the Council supported issuing an RFP. Staff will issue the solicitation in June with the goal of identifying three vendors that will have exclusive right to operate dockless vehicles by October, 2019; and

**WHEREAS**, this item allows for an extension of the companies' permits until the completion of an RFP process. During the extension, companies with over 1,000 permits will see a 50% reduction in the number of vehicles they are authorized to deploy. No new companies will be able to obtain permits under this extension period; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The Director of CCDO is authorized to administratively extend and prorate the term of permits of existing dockless vehicle operators so that all permits expire on September 30, 2019, to prorate fees as necessary, and to further administratively extend permits, without collecting additional fees, until City Council grants exclusive rights to operate dockless vehicles in City right-of-way to the firms awarded contracts following a Request for Proposal process.

**SECTION 2.** The Director of CCDO is authorized to limit those companies that are currently permitted for more than 1,000 vehicles to 50% of their current permit total. Additionally, the \$500 application fee will be maintained and the \$10 per vehicle permit fee will be prorated from the date the operators permit expires until September 30, 2019. The maximum number of permits that may be issued to the existing seven operators will be 8,850.

**SECTION 3.** The moratorium on new permits for participation in the Dockless Vehicle Pilot Program, effective January 22, 2019, as approved by the City Council Transportation Committee on that date, and approved by City Council on February 14, 2019 will remain in place until the conclusion of the RFP process.

**SECTION 4.** City Council further ordains that CHAPTER 19, "MOTOR VEHICLES AND TRAFFIC" of the City Code of San Antonio, Texas, Article XIX, Motor-Assisted Scooters, Electric Bicycles, and Bicycles Equipped with GPS, is hereby amended by adding language underlined (added) and deleting language that is struck through (deleted) within Section 19-661(a) as follows:

**ARTICLE XIX.  
MOTOR-ASSISTED SCOOTERS, ELECTRIC BICYCLES, AND BICYCLES EQUIPPED  
WITH GPS**

...

**Sec. 19-661. - Operation, parking, and required equipment of motor-assisted scooters, electric bicycles, and bicycles equipped with GPS.**

(a) Operation of motor-assisted scooters:

- (1) Riders must always yield to pedestrians.
- (2) Riders must use bike lanes when available.
- (3) In the absence of a bike lane, riders may ride on streets which have a speed limit of thirty-five (35) miles per hour or less, ~~and on sidewalks, including sidewalks adjacent to roads which have a speed limit over thirty-five (35) miles per hour.~~ Riders must obey all state and city traffic laws.
- (4) ~~If ridden on a sidewalk, riders must maintain a distance of two (2) feet from all pedestrians.~~ Riding on sidewalks is prohibited.
- (5) Riders may not ride on trails, creek ways, plazas and in parks, including but not limited to the Riverwalk, Alamo Plaza, La Villita, Main Plaza and Market Square. Public streets ~~and sidewalks~~ that intersect parks and plazas may be ridden upon.
- (6) The person operating or in control must be at least sixteen (16) years of age.
- (7) Riders may not have any passengers. Only one person may be on the vehicle when it is being operated.
- (8) Riders may not use a portable wireless communication device while operating a vehicle.
- (9) The wearing of a helmet is encouraged but not required.

...

**SECTION 5.** All other provisions of Chapter 19 of the City Code of San Antonio, Texas shall remain in full force and effect unless expressly amended by this ordinance.

**SECTION 6.** Violations of Section 19-661 (a) (4) occurring on or after July 1, 2019 shall be punished as provided in the revised Chapter 19 of the City Code of San Antonio, Texas.

**SECTION 7.** Should any article, section, part, paragraph, sentence, phrase, clause, or word of this Ordinance, for any reason, be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be illegal, inoperative, unconstitutional, invalid or ineffective.

**SECTION 8.** The publishers of the City Code of San Antonio, Texas are authorized to amend said code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing code.

**SECTION 9.** The City Clerk of the City of San Antonio is hereby directed to publish notice of this ordinance as required by the Charter of the City of San Antonio and the laws of the State of Texas

**SECTION 10.** Funds generated by this ordinance will be deposited into Fund 11001000, Internal Order 219000000000 and General Ledgers 4202420 and 4202966.

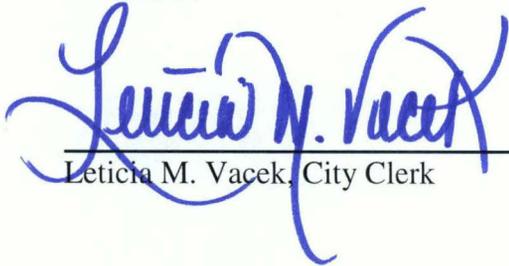
**SECTION 11.** This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

**SECTION 12.** Penalties provided for in this Chapter 19 for violation of Section 19-661(a)(4) of the City Code of San Antonio, Texas shall be effective five days after publication by the City Clerk.

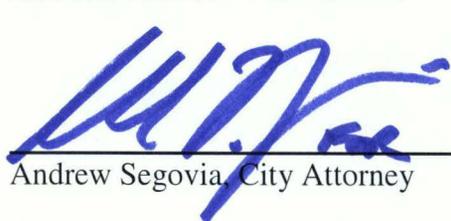
**PASSED and APPROVED** this 30th day of May, 2019.

  
M A Y O R  
Ron Nirenberg

**ATTEST:**

  
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Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Andrew Segovia, City Attorney

<b>Agenda Item:</b>	4
<b>Date:</b>	05/30/2019
<b>Time:</b>	10:49:49 AM
<b>Vote Type:</b>	Other: Remove Scooters From Sidewalks Eff 6-30
<b>Description:</b>	Ordinance modifying the Dockless Vehicle Pilot Program by reducing the number of authorized vehicles and prorating the term of permits to expire on September 30, 2019 to allow for the completion of a Request for Proposals to select companies with the exclusive right to operate. This ordinance is anticipated to generate approximately \$53,955.00 in revenue for prorated permit extensions through September 30, 2019 that will be deposited into the General Fund. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development & Operations]
<b>Result:</b>	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x				
Art A. Hall	District 2		x				
Rebecca Viagran	District 3		x				x
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5	x					
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8			x			
John Courage	District 9		x			x	
Clayton H. Perry	District 10		x				

<b>Agenda Item:</b>	4
<b>Date:</b>	05/30/2019
<b>Time:</b>	10:50:05 AM
<b>Vote Type:</b>	Motion to Approve
<b>Description:</b>	Ordinance modifying the Dockless Vehicle Pilot Program by reducing the number of authorized vehicles and prorating the term of permits to expire on September 30, 2019 to allow for the completion of a Request for Proposals to select companies with the exclusive right to operate. This ordinance is anticipated to generate approximately \$53,955.00 in revenue for prorated permit extensions through September 30, 2019 that will be deposited into the General Fund. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development & Operations]
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Rebecca Viagran	District 3		x				x
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5	x					
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x				
John Courage	District 9		x				
Clayton H. Perry	District 10		x				