



City of Chicago



SO2017-8622

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	12/13/2017
Sponsor(s):	Moreno (1)
Type:	Ordinance
Title:	Amendment of Municipal Code Titles 2 and 9 concerning Free-Floating Vehicle Provider Pilot Program
Committee(s) Assignment:	Joint Committee: Economic, Capital and Technology Development; Pedestrian and Traffic Safety

SUBSTITUTE
ORDINANCE
AS
AMENDED

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

ARTICLE I.

SECTION 1. The below recitals ("Recitals") are adopted and incorporated as part of this ordinance.

WHEREAS, The City of Chicago wishes to make available to its residents a broad range of transportation options; and

WHEREAS, Reducing the number of vehicles on the road reduces congestion, consumption of natural resources, greenhouse gas emissions, and wasted productivity; and

WHEREAS, Companies offering a membership program that enables customers to access vehicles at curbsides, a system referred to as free-floating vehicles, operate in many cities in the United States and have been operating in the rest of the world since 2008; and

WHEREAS, Studies have indicated that using free-floating vehicles is cheaper than owning a car; and

WHEREAS, A University of California--Berkeley study of free-floating vehicle provider Car2Go revealed that the service allowed many customers to sell their personal vehicle or allowed them to avoid purchasing a vehicle, resulting in a decrease of between 7 and 11 private vehicles for every free-floating vehicle introduced; and

WHEREAS, The Seattle Department of Transportation found that 14% of Car2Go members gave up a private vehicle in 2015; and

WHEREAS, In a study of five North American cities, free-floating vehicles resulted in 146 million fewer vehicle miles travelled, saving 39,000 metric tons of greenhouse gas emissions; and

WHEREAS, A pilot program is a good way to test the potential success of free-floating vehicles in reducing traffic congestion, consumption of natural resources, greenhouse gas emissions, car ownership, and parking shortages; now, therefore, a free-floating vehicle provider pilot program is created.

SECTION 2. The Commissioner of Transportation, taking into account the Recitals, is authorized to authorize by contract execution, permit, or otherwise, one free-floating vehicle provider to implement the Free-Floating Vehicle Provider Pilot Program as established in Chapter 9-103 of the Municipal Code of Chicago, and to enter into and execute all such other instruments and to perform any and all acts, including the allocation and expenditure of duly

appropriated funds, as shall be necessary or advisable in connection with the implementation of such contract, including any renewals thereto, or other form of authorization. The term of the pilot program shall be from May 1, 2018, through December 31, 2018, provided, however, that if the City Council does not vote to terminate the pilot program by December 31, 2018, then the pilot program shall extend of its own accord in one-month increments until June 30, 2019.

SECTION 3. Section 8 of an ordinance regarding parking meters passed by the City Council on June 5, 2013, found at pages 54082-54414 of the City Council Journal of Proceedings of that date (Section 8 appearing on page 54097), is amended by inserting the language underscored, as follows:

SECTION 8. The implementation of a mobile pay system for the payment of parking meter fees is hereby authorized when the mobile pay system is established and implemented pursuant to, and in accordance with, a concession agreement approved by the City Council governing the operation, maintenance, improvement, installation and removal of and the collection of fees from, certain designated parking meters. The mobile pay system may include the ability to require the establishment of a customer's account, including a minimum credit and deposit balance amount, for use of the mobile pay system. In addition, a convenience fee of thirty-five cents shall be charged on any single mobile pay transaction when a person purchases less than 120 minutes at a parking meter. The Chief Financial Officer is authorized to negotiate and execute an amendment relating solely to the amount of the convenience fee payable by the free-floating vehicle provider for duly registered free-floating vehicles covering the period of the Free-Floating Vehicle Provider Pilot Program, codified by Chapter 9-103 of the Code.

(Omitted text is unaffected by this ordinance)

SECTION 4. Title 9 of the Municipal Code of Chicago is hereby amended by adding a new Chapter 9-103, as follows:

CHAPTER 9-103

FREE-FLOATING VEHICLE PROVIDER PILOT PROGRAM

9-103-010 Definitions.

For purposes of this chapter, the following definitions shall apply:

"Free-floating parking zone" means the geographic area in which a free-floating vehicle may be parked to begin or end a trip, subject to all generally applicable parking rules and restrictions.

"Free-floating vehicle" means any vehicle provided by a free-floating vehicle provider. Free-floating vehicles shall be vehicles of the first division and shall not be commercial vehicles,

nor shall the exterior of the vehicles bear commercial advertising or messaging for companies other than identifying the free-floating vehicle provider or the automobile manufacturer.

“Free-floating vehicle member” means any person who rents a free-floating vehicle in the City of Chicago.

“Free-floating vehicle parking permit” means a permit issued by the City Clerk that entitles free-floating vehicles to park in all residential permit parking zones within the free-floating parking zone.

“Free-floating vehicle provider” means any person that has members who are provided access to free-floating vehicles within the free-floating parking zone in the City, pursuant to authorization conferred by the Commissioner of Transportation.

A “free-floating vehicle trip” describes the period that commences when a free-floating vehicle member begins using a free-floating vehicle and ends when he finishes using the vehicle and makes it available for other members to use.

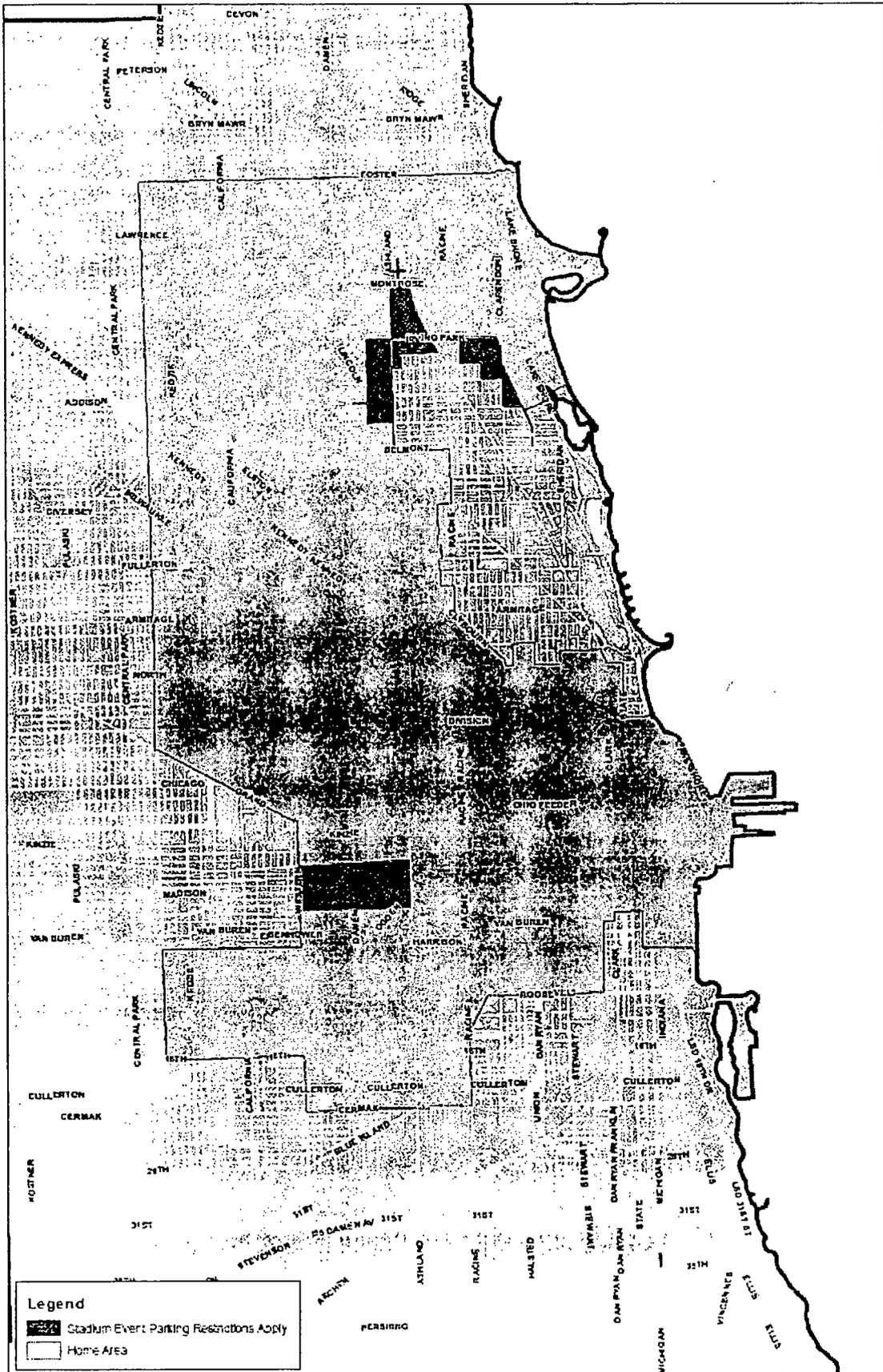
9-103-015 Free-floating parking zone.

(a) For this pilot program, the initial free-floating parking zone shall be all that portion of the City bounded as follows, and as shown on the following map, but subject to the limitations of other Code provisions listed in this section: beginning at the intersection of West Foster Avenue and North Kimball Avenue; thence south on North Kimball Avenue to North Homan Avenue; thence south on North Homan Avenue to West Grand Avenue; thence southeast on West Grand Avenue to Western Avenue; thence south on Western Avenue to West Harrison Street; thence west on West Harrison Street to South Homan Avenue; thence south on South Homan Avenue to West 16th Street; thence east on West 16th Street, extending across Douglas Park, to South Western Avenue; thence south on South Western Avenue to West Cermak Road; thence east on West Cermak Road to South Racine Avenue; thence north on South Racine Avenue to South Blue Island Avenue; thence northeast on South Blue Island Avenue to West Roosevelt Avenue; thence east on West Roosevelt Avenue to (extended) South Wells Street; thence north on South Wells Street to West Van Buren Street; thence east on West Van Buren Street to South Clark Street; thence north on South Clark Street to Jackson Boulevard; thence east on Jackson Boulevard to South Wabash Avenue; thence south on South Wabash Avenue to East Balbo Street; thence east on East Balbo Street extended to the shoreline of Lake Michigan; thence north along the shoreline of Lake Michigan to (extended) East Division Street; thence west on East Division Street to North State Parkway; thence north on North State Parkway to West North Avenue; thence west on West North Avenue to North Clark Street; thence northwest on North Clark Street to North LaSalle Drive; thence southwest on North LaSalle Drive to West Eugenie Street; thence west on West Eugenie Street to North Hudson Avenue; thence south on North Hudson Avenue to West North Avenue; thence west on West North Avenue to North Vine Street; thence north on North Vine Street to West Willow Street; thence west on West Willow Street to North Halsted Street; thence south on North Halsted Street to West North Avenue; thence west on West North Avenue to North Dayton Street (extended) thence north on North Dayton Street (extended) to Conrail RR; thence northwest on Conrail RR to West Willow Street; thence west on West Willow Street to North Clybourn Avenue; thence northwest on North Clybourn Avenue to North Racine Avenue; thence north on North Racine Avenue to North Webster Avenue; thence west on North Webster Avenue to North

Lakewood Avenue; thence north on North Lakewood Avenue to West Fullerton Avenue; thence east on West Fullerton Avenue to North Surrey Ct.; thence north on North Surrey Court to West Altgeld Street; thence west on West Altgeld Street to Soo Line Railroad; thence northeast on Soo Line Railroad to North Lakewood Avenue; thence north on North Lakewood Avenue to West Diversey Avenue; thence east on West Diversey Avenue to North Racine Avenue; thence north on North Racine Avenue to West Belmont Avenue; thence west on West Belmont Avenue to North Ashland Avenue; thence north on North Ashland Avenue to West Grace Street; thence east on West Grace Street to North Greenview Avenue; thence north on North Greenview Avenue to West Byron Street; thence east on West Byron Street to North Clark Street; thence northwest on North Clark Street to West Irving Park Road; thence east on West Irving Park Road to North Seminary Avenue; thence south on North Seminary Avenue to West Grace Street; thence east on West Grace Street to North Wilton Avenue; thence south on North Wilton Avenue to West Waveland Avenue; thence east on West Waveland Avenue to North Halsted Street; thence south on North Halsted Street to West Cornelia Avenue; thence east on West Cornelia Avenue to North Broadway; thence on North Broadway to West Stratford Place; thence east on West Stratford Place and West Stratford Place extended to the centerline of North Lake Shore Drive; thence northwest on Outer North Lake Shore Drive to West Cornelia Avenue extended; thence northeast and east on West Cornelia Avenue extended to the shoreline of Lake Michigan; thence north along the shoreline of Lake Michigan to (extended) West Foster Avenue; thence west on West Foster Avenue to the place of beginning. Free-floating vehicles parked on either side of any of the above-listed streets shall be within the free-floating parking zone.

(b) The free-floating parking zone shall be limited in the areas defined by Sections 9-68-022(b), 9-68-023(b), and 9-68-024(a) at the times when it would be a violation to park there without further permits as defined by Sections 9-68-022(c), 9-68-023(c), and 9-68-024(c).

(c) The Commissioner may reduce the area of the free-floating parking zone if, based on a review of relevant factors, he concludes that such a reduction would alleviate congestion in a residential parking permit zone caused by with free-floating vehicles. Factors which the Commissioner may consider with regard to an application for removal of an area from the free-floating parking zone include, by way of example and not limitation: (i) complaints; (ii) whether free-floating vehicles remain in a residential parking permit zone without moving for more than 24 hours; (iii) the number of free-floating vehicle members who live within the residential parking permit zone; and (iv) whether free-floating vehicles take up a disproportionate share of the street parking spaces within a residential parking permit zone. In making his decision, the Commissioner may seek relevant information from the free-floating vehicle provider, the affected alderman, and the community.



9-103-020 Free-floating vehicle providers.

(a) A free-floating vehicle provider shall make available to its members free-floating vehicles bearing the permit described in Section 9-68-020(d).

(1) Initially, the free-floating vehicle provider shall make available up to 400 free-floating vehicles to its members.

(2) The free-floating vehicle provider may petition the Commissioner of Transportation to allow availability of up to 500 total free-floating vehicles. Upon receiving such a request, the Commissioner shall solicit input from the affected aldermen. The Commissioner may grant the petition if he concludes that the pilot program is achieving its goals of reducing traffic congestion, consumption of natural resources, greenhouse gas emissions, car ownership, and parking shortages, has not resulted in significant parking violations, community complaints, or other problems, and that augmenting the number of vehicles would help the program increase the successes in achieving the stated goals.

(b) A free-floating vehicle provider shall:

(1) Pay all fines and fees related to parking tickets and towing and storage charges that any of its vehicles receive.

(2) Move its vehicles as needed so that they are not in violation of parking restrictions, including street cleaning, rush hour parking, and snow route parking.

(3) Establish a goal of moving each of its free-floating vehicles within 24 hours after such vehicle is parked in any on-street parking space within the free-floating parking zone.

(4) Move each of its free-floating vehicles within 48 hours after such vehicle is parked in any on-street parking space within the free-floating parking zone.

(5) Comply with all insurance requirements mandated by federal, state, and City laws.

(6) Obtain a City wheel tax license for every free-floating vehicle in its fleet.

(7) Comply with all tax requirements, including collecting and remitting the Chicago Personal Property Lease Transaction Tax and, where applicable, paying the Chicago Use Tax for Titled Personal Property and the Motor Vehicle Lessor Tax.

(8) Allow free-floating vehicle members to end their trips at parking meters without incurring a separate fee.

(9) Certify that all free-floating vehicles in its fleet do not exceed the emissions of ultra-low emission vehicles, as defined in 40 CFR § 88.102-94.

(10) Establish a goal of awarding not less than the M.B.E. percentage of 16.9 percent and the W.B.E. percentage of 4.5 percent of the annual dollar value of all contracts for any third-party vendor with minority-owned businesses and women-owned businesses, as defined in Section 2-92-420. Any request for proposal for third-party vendor contracts shall be transmitted to the Department of Procurement Services and the City Council to aid in a wide distribution of the request for proposals.

(11) Provide free-floating vehicle members with messages through the website, application program, and in its vehicles, encouraging safe driving behavior consistent with the City of Chicago's Vision Zero Action Plan, including techniques to prevent vehicle door – bicycle collisions.

(12) Maintain an average minimum density of ten vehicles per square mile, subject to vehicle availability.

(13) Provide a telephone number for use by the public to report complaints to the provider, including, but not limited to, locations where free-floating vehicles have sat for too long or where too many free-floating vehicles are clustered together.

(14) Provide a point of contact for use by the Commissioner of Transportation and aldermen.

9-103-030 Rules.

The Commissioner of Transportation shall have the authority to promulgate rules necessary to implement, administer, and enforce this Chapter. This authority includes, but is not limited to, setting requirements related to data sharing, membership, and the accessibility of information through an application program interface.

9-103-040 Data Reporting.

(a) On a quarterly basis, the free-floating vehicle provider shall provide a report to the Commissioner of Transportation and the City Council, containing information regarding membership, vehicles, usage, utilization, operations, and sustainability as set out below and in rules.

- (1) Membership
 - (A) The number of members
 - (B) Increase or reduction of members since the last report
 - (C) The geographic distribution of members
- (2) Vehicles
 - (A) The number of vehicles available to free-floating vehicle members
 - (B) The models of vehicles available to free-floating vehicle members
- (3) Usage
 - (A) The number of free-floating vehicle trips taken
 - (B) The number of free-floating vehicle trips taken per free-floating vehicle member
 - (C) The number of free-floating vehicle trips taken per free-floating vehicle
- (4) Utilization
 - (A) The number of vehicles idle for more than 24 hours
 - (B) The average time the vehicles are idle
 - (C) The average and total idle time of vehicles parked within 1,320 feet of a CTA or METRA rail station entrance
 - (D) Within Residential Permit Parking Zones
 - (i) The same information as in subsection (a)(4)(A)-(C), but specifically for the time the vehicles are parked within residential permit parking zones

(ii) The percentage of free-floating vehicle members who live in residential permit parking zones where free-floating vehicles are parked

(E) The number of collisions involving a free-floating vehicle based in Chicago with motor vehicles, bicycles, pedestrians, or fixed objects

(b) By the conclusion of the pilot period, the free-floating vehicle provider shall assist the Commissioner of Transportation in preparing the following to be reported to the City Council:

(1) a member-wide survey regarding the number of free-floating vehicle members who owned personal motor vehicles prior to membership and after becoming members, the frequency of usage of modes of transportation, and other metrics as set out in rules; and

(2) a net carbon emissions impact of the free-floating vehicle provider's Chicago fleet including the carbon emissions abatement from any change in car ownership among the free-floating vehicle members, the carbon emissions of the free-floating vehicle fleet, and any other relevant factors set out in rules.

9-103-060 Enforcement - Violations.

(a) Any person who violates this chapter or any rule promulgated hereunder shall be subject to a fine of not less than \$50.00 and not more than \$1,000.00 for each such violation. Each day that any violation shall continue shall be deemed a separate and distinct offense.

(b) The Commissioner of Transportation may terminate this Free-Floating Vehicle Pilot Program if there are ongoing violations of any provision of this chapter, including, but not limited to, a failure by the free-floating vehicle provider to: pay the parking meter fees for more than one month, operate as required by Section 9-103-020, or report to the Commissioner and the City Council as required by Section 9-103-040.

9-103-070 Sunset provision.

The term of the pilot program shall be from May 1, 2018, through December 31, 2018, provided, however, that if the City Council does not vote to terminate the program by December 31, 2018, then the program shall extend of its own accord in one-month increments until June 30, 2019.

SECTION 5. Section 9-68-020 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

9-68-020 Residential parking permits.

(Omitted text is not affected by this ordinance)

(d) ~~[Reserved.]~~ (1) Free-floating vehicle parking permits – General. Upon application and payment of the required fee, and up to a limit of 500, the City Clerk or the Clerk's designee shall issue free-floating vehicle parking permits, as defined under Section 9-103-010, to free-floating vehicles displaying a current City wheel tax license emblem. Such free-

floating vehicle parking permits shall be affixed in a location and manner that the City Clerk shall specify by rule. This permit shall not guarantee or reserve any parking space, nor shall it exempt the holder from the observance of any traffic or parking regulation.

(2) Free-floating vehicles – Term. The City Clerk shall issue a free-floating vehicle parking permit for the duration of the Free-Floating Vehicle Provider Pilot Program.

(3) Free-floating vehicles – Vehicle type. A free-floating vehicle parking permit shall only be issued for use on a vehicle classified as a “free-floating vehicle”, as defined in Section 9-103-010.

(4) Free-floating vehicles – Fee. The fee for a free-floating vehicle parking permit for the pilot program shall be \$75 for each parking permit.

(5) Free-floating vehicles – Fine – Revocation. If the Free-Floating Vehicle Provider Pilot Program terminates, the free-floating vehicle parking permits issued under this subsection (d) shall be revoked and any free-floating vehicle parking permits shall cease to be valid and shall be removed by the permittee from the vehicle to which it is assigned. Any person who fails to remove a free-floating vehicle parking permit as required by this subsection shall be fined not less than \$200.00 nor more than \$500.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

(6) Sunset. Subsections (d)(1)-(4) shall be repealed of their own accord, and shall have no force and effect, upon the termination of the Free-Floating Vehicle Provider Pilot Program.

SECTION 6. Section 2-29-080 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

2-102-030 Commissioner – Powers and duties.

The commissioner of transportation shall have the following powers and duties:

(Omitted text is unaffected by this ordinance)

(u) To administer Chapters 9-101, 9-102, 9-103, and 10-21 and serve *ex officio* as the director of the One-Call Adjudicatory Process established in Chapter 10-21.

ARTICLE II.

SECTION 1. The below recitals (“Recitals”) are adopted and incorporated as part of this ordinance.

WHEREAS, On December 21, 1994, the City Council passed an ordinance regulating the parking around the United Center; and

WHEREAS, As this ordinance affects people’s daily affairs, it is important to be able to access the ordinance, and it should therefore be codified.

SECTION 2. The ordinance granting authority for a United Center permit parking program passed December 21, 1994, and published on pages 64060 through 64063 of the Journal of Proceedings of the City Council for that date, is hereby repealed. Such repeal shall not affect any enforcement or other action taken pursuant to that ordinance.

SECTION 3. In light of the special nature of the parking problems caused by the significant number of people who drive to games and events at the United Center, Chapter 9-68 of the Municipal Code of Chicago is hereby amended by adding a new Section 9-68-024:

9-68-024 United Center area parking permits.

(a) The United Center area permit parking program is hereby continued within the area surrounding the United Center, and bounded by the west side of Western Avenue, the north side of Lake Street, the east side of Ashland Avenue, and the south side of Adams Street.

(b) The operation of the United Center permit parking program shall be limited to streets located within the program area and designated by the alderman of the ward wherein the streets are located, the Commissioner of Transportation, and the Comptroller. The operation of the program shall be further limited to the time period or periods indicated by the signs required under Subsection (e) of this ordinance. Each day of an event such as a convention, trade show, or exhibition shall be considered a separate event for purposes of the program. During the designated hours and on designated streets, parking shall be restricted to vehicles bearing the appropriate permit issued in accordance with Subsection (c) of this ordinance.

(c) The following persons shall be eligible to receive the following permits to allow parking within the United Center permit parking area during the hours designated pursuant to this section:

(1) *Resident parking permits.* Any resident who lives on a designated street may obtain a resident's parking permit for the resident's vehicle if the vehicle bears a current City vehicle sticker and is not eligible for immobilization under Section 9-100-120 of the Municipal Code of Chicago. The permit shall be valid only if affixed to the vehicle to which the permit is assigned. A resident shall not be eligible to use a residential guest or institutional guest parking permit.

(2) *Residential guest permits.* A resident of a designated street may obtain one all-events residential guest permit, as well as one-day residential guest permits to accommodate the needs of the resident's guests. A one-day residential guest permit must be dated and shall be valid only for the date indicated on its face and only if properly displayed.

(3) *Institutional guest permits.* A school, business, charitable organization, or house of worship located on a designated street may obtain institutional guest permits for its staff and patrons. An institutional guest permit must be dated and shall be valid only for the date indicated on its face and only if properly displayed.

(d) Permits under this section shall be issued free of charge through the offices of the alderman of the ward, or his designee, in which a designated street is located.

(e) The Department of Transportation shall cause appropriate signs to be placed, erected and maintained on designated streets indicating United Center permit parking only and the times during which such restriction is effective, and identifying the area as a tow zone during those times.

(f) It shall be unlawful to park any vehicle in violation of signs erected and maintained pursuant to Subsection (e) of this section. A violation of this section shall be deemed a violation of Section 9-64-090(e) of the Municipal Code of Chicago and shall subject the respondent to the fine for a violation of that section; in addition, violation of this section shall

be cause for immediate removal of the vehicle pursuant to Section 9-92-030(f) of the Municipal Code of Chicago.

ARTICLE III.

SECTION 1. This ordinance shall take effect ten days after its passage and publication.

Proco "Joe" Moreno
Alderman, 1st Ward

Brian Hopkins
Alderman, 2nd Ward

Daniel Solis
Alderman, 25th Ward

Walter Burnett, Jr.
Alderman, 27th Ward