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AN ORDINANCE BY COUNCILMEMBER CARLA SMITH AND COUNCILMEMBER DUSTIN HILLIS TO AMEND CHAPTER 150, (TRAFFIC AND VEHICLES), OF THE ATLANTA CITY CODE OF ORDINANCES TO REPEAL THE AUTHORIZATION GRANTED TO THE DEPARTMENT OF CITY PLANNING TO ISSUE SHARABLE DOCKLESS MOBILITY DEVICE PERMITS; TO ALLOW FOR CURRENT PERMIT HOLDERS TO CONTINUE OPERATIONS UNTIL THE EXPIRATION OF THEIR PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

19-0-1429

(Do Not Write Above This Line)

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Date Referred: 8/5/19  
 Referred To: Transportation  
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Committee: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Chair: \_\_\_\_\_  
 Referred To: \_\_\_\_\_

Committee: Transport  
 Date: 8/14/19  
 Chair: [Signature]  
 Action: [Signature]  
 Fav, Adv, Hold (See rev.side): [Signature]  
 Other: \_\_\_\_\_  
 Members: [Signature]  
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**ADOPTED BY**  
 AUG 19 2019  
**COUNCIL**

Committee: \_\_\_\_\_  
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 Chair: \_\_\_\_\_  
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 Fav, Adv, Hold (See rev.side): \_\_\_\_\_  
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FINAL COUNCIL ACTION  
 2ND  
 1ST & 2ND  
 3RD  
 Readings  
 Consent  
 V Vote  
 RC Vote

**CERTIFIED**  
 AUG 19 2019  
 ATLANTA CITY COUNCIL PRESIDENT  
**CERTIFIED**  
 AUG 19 2019  
 MUNICIPAL CLERK

**APPROVED**  
 AUG 19 2019  
**MAYOR**  
[Signature]

*John M. Sheppard*  
CITY COUNCIL  
ATLANTA, GEORGIA  
19 O 1429  
*Carla Smith* *Dustin Hillis*  
AN ORDINANCE BY  
COUNCILMEMBER CARLA SMITH AND COUNCILMEMBER DUSTIN HILLIS  
*MSU* *APL* *Cleta Johnson* *Hill* *Anna Chikobava*

AN ORDINANCE TO AMEND CHAPTER 150, (TRAFFIC AND VEHICLES), OF THE ATLANTA CITY CODE OF ORDINANCES TO REPEAL THE AUTHORIZATION GRANTED TO THE DEPARTMENT OF CITY PLANNING TO ISSUE SHARABLE DOCKLESS MOBILITY DEVICE PERMITS; TO ALLOW FOR CURRENT PERMIT HOLDERS TO CONTINUE OPERATIONS UNTIL THE EXPIRATION OF THEIR PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance Number 18-O-1322 was adopted by the Atlanta City Council on January 7<sup>th</sup>, 2019 which amended Chapter 150 of the City of Atlanta Code of Ordinances to create a new Article X, entitled Shareable Dockless Mobility Devices;

WHEREAS, 18-O-1332 established regulations related to shareable mobility devices, which included a requirement that Dockless Mobility Device System Operators secure a permit issued by the City for the operation of Dockless Mobility Device Systems in the City of Atlanta; and

WHEREAS, under the City's current dockless mobility device system regulations, operators may apply to operate up to 2,000 dockless mobility devices in the City of Atlanta; and

WHEREAS, since the effective date of 18-O-1332 on January 16, 2019, nine (9) companies have received a Permit for a total of 12,700 Shareable Dockless Mobility Devices; and

WHEREAS, additional Shareable Dockless Mobility Device companies have expressed interested in obtaining a Permit for up to 2,000 devices each; and

WHEREAS, it is the desire of the City to provide alternative transportation options while also keeping the public right of way safe for other transportation modes; and

WHEREAS, the City has limited street and sidewalk infrastructure to accommodate parking of Shareable Dockless Mobility Devices, and limited staff resources to devote to managing a safe right of way; and

WHEREAS, substantial concerns have arisen about unsafe right of way conditions created by crowding of the micro-mobility market generally as well as in specific destinations such as the Atlanta Beltline Eastside Trail; and

WHEREAS, the large number of companies creates significant challenges in managing a safe and obstruction free public right of way and permitting additional Operators would further challenge the ability of the City to provide that safe right of way; and

WHEREAS, the City desires to rethink its approach to the provision of these alternative transportation options and wishes to maintain the status quo regarding the number of companies and devices deployed during this time, and until the expiration of the permits which were issued prior to the passage of this ordinance.



NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

**SECTION I:** That Chapter 150 Article X of the City of Atlanta Code of Ordinances, entitled “Shareable Dockless Mobility Devices”, shall be amended so that it shall read as follows (with permanent deletions in strikethrough font and permanent additions in bold underlined font):

ARTICLE X. - SHAREABLE DOCKLESS MOBILITY DEVICES

Sec. 150-400. - Definitions.

As used in this article, unless specifically stated otherwise, the following terms shall mean and include:

*Dockless mobility device system operator* (“operator”) is a private entity that owns and operates a ~~city permitted~~ shareable dockless mobility device system.

*Dockless mobility device* means an electric/motorized device that permits an individual to move or be moved freely which shall include, but not be limited to, e-scooters and shall exclude bicycles, e-bicycles, and any motor vehicle required to be registered with the state in accordance with state law, or the operation of which is otherwise governed by state law.

*Shareable dockless mobility device* means an electric/motorized or human-powered device that permits an individual to move or be moved freely, is available for rent to the general public for short-term one-way trips without the installation of any infrastructure in the public right-of-way and shall include, but not be limited to, a bicycle/e-bicycle, scooter/e- scooter and shall exclude any motor vehicle required to be registered with the state, in accordance with state law.

*Shareable dockless mobility device permit* (“dockless permit”) means a permit required to operate a shareable dockless mobility device system within the city prior to August 19, 2019.

*Shareable dockless mobility device system* is a fleet of shareable dockless mobility devices operated by private entities that provides the general public with shareable dockless mobility devices.

Sec. 150-401. - Permit requirements.

- (a) No shareable dockless mobility device system operator may allow its dockless mobility devices to be parked on the city’s right of way, or on city property, including, but not limited to on any sidewalks, in any loading zone, driveway, vehicle travel lane, bike lane, shared-use paths, or within city parks.
- (b) Upon conviction of a violation of this section in the Atlanta Municipal Court, a shareable dockless mobility device system operator shall be subject to a \$1,000.00 civil monetary fine. Each device found parked in violation of this section shall constitute a separate offense.
- (c) Any shareable dockless mobility device system operator holding a shareable dockless mobility device permit issued prior to August 19, 2019 may continue to operate in accordance with the terms of its issuance and in accordance with Chapter 150, Article X, through the expiration date of the permit; and the prohibition set forth in this Section shall not apply to any such permit holders through the expiration date of the annual permit.



(d) Under no circumstance shall any operators be exempt from the prohibition set forth in subsection (a) of this Section in accordance with subsection (c) of this Section subsequent to August 19, 2020.

~~No shareable dockless mobility devices may be operated or deployed in the City of Atlanta without a permit. Violations of this subsection shall be punishable in accordance with section 1-8.~~

~~(b) Any operator applying for a dockless permit shall submit a permit application to the department of city planning office of zoning and development. The application shall be sworn to by the applicant or agent thereof and must include the following:~~

~~(1) Completed dockless permit application form;~~

~~(2) City business license, (occupational tax certificate);~~

~~(3) Insurance documentation and acknowledgement that the city is indemnified and held harmless for all liability related to the operation of the shareable dockless mobility device system;~~

~~(4) Images and description of the applicant's shareable dockless mobility device, including technical specifications, any signage or instructions permanently affixed to the device, mobile application, and documentation that the devices meet safety standards as set forth in this article;~~

~~(5) Address and contact information of the general manager for the shareable dockless mobility device system;~~

~~(6) Plan for educating users on proper parking, operations, and other applicable laws;~~

~~(7) Plan for encouraging helmet usage;~~

~~(8) Plan for sustainability measures when disposing of a broken shareable dockless mobility device;~~

~~(9) Application fee of \$100.00.~~

~~(c) The annual dockless permit fee shall be \$12,000.00 annually for 500 devices and an additional \$50.00 per shareable dockless mobility device in the operator's fleet in excess of 500 devices. Additional devices may be permitted, in compliance with any fleet maximums set forth in the administrative regulations, at a prorated rate in accordance with the administrative regulations.~~

~~(d) The dockless permit shall be valid for 12 months as of the date of the original issuance of the permit and shall thereafter expire. All permit holders shall be required to renew their permits annually on forms prescribed by the department of city planning office of zoning and development.~~

~~(e) Any expansion of a shareable dockless mobility device fleet not permitted in the most current dockless permit on file may be authorized through the filing of an application to amend the permit to add devices along with the applicable fees.~~

~~(f) Upon administrative declaration by the commissioner of city planning, a permit holder may apply for a temporary expansion of their fleet in accordance with a temporary fleet maximum~~

Sec. 150-402. - Enforcement.

(a) The primary authority and responsibility for the enforcement of the provisions of this chapter in the city's right of way shall be vested in the commissioner of the department of public works.

Upon a determination that ~~an~~ a permitted operator is in violation of this chapter or any administrative regulations promulgated by the department of city planning the City of Atlanta shall issue notice or issue a citation. Notices of violation or citations may result in:



- (1) The revocation or suspension of a dockless permit after written notice and reasonable opportunity to cure; and/or
  - (2) An administrative fine not exceeding \$1,000.00 per day for each violation of a provision of this chapter or any administrative regulations promulgated by the department of city planning by the department of city planning office of zoning and development.
- (b) Appeals. The appeal of a notice or citation issued under this section shall be filed in the City of Atlanta Municipal Court within 14 days of the issuance of the notice or citation.
  - (c) If an operator's permit is revoked, the operator may not reapply for a new permit for 12 months after all of the operator's shareable dockless mobility devices are removed from the city. Operator must continue to provide access to real time data regarding device locations until all of operator's shareable dockless mobility devices are removed.

Sec. 150-403. - Safety.

- (a) The motor of the permitted shareable dockless mobility devices must not alone be capable of propelling the device in excess of 15 miles per hour.
- (b) All permitted shareable dockless mobility devices must adhere to minimum safety standards as established by law.
- (c) All permitted operators shall maintain liability insurance with the city as the certificate holder in the amounts determined by the office of risk management.
- (d) All permitted operators will educate users regarding laws applicable to riding and operating in the city.
- (e) Permitted operators will encourage users to wear a helmet while operating a shareable dockless mobility device.
- (f) Shareable dockless mobility devices shall not be operated by more than one person at a time.
- (g) While operating a shareable dockless mobility device or dockless mobility device, no individual shall physically hold a wireless telecommunications device, including cell phones.

Sec. 150-404. - Parking.

- (a) The city reserves the right to identify parking areas and no-parking areas through administrative regulations issued by the department of city planning office of zoning and development. All parking areas and no-parking areas will be communicated directly to permitted operators and posted online.
- (b) Permitted operators must communicate proper shareable dockless mobility devices parking requirements to all users.
- (c) Permitted shareable dockless mobility devices shall be parked upright at all times.
- (d) No person shall park a permitted shareable dockless mobility device or a dockless mobility device other than upon the sidewalk in a bike rack or against a building or at a curb, in such manner as to afford the least obstruction of pedestrian traffic and provides a minimum of five feet clear for pedestrians.
- (e) Permitted shareable dockless mobility devices and dockless mobility devices shall not be parked:
  - (1) On vegetation;



- (2) On any grate, manhole cover, or access lid;
  - (3) In any loading zone, driveway, vehicle travel lane, bike lane, or shared-use path;
  - (4) Where they obstruct vehicle parking;
  - (5) Where they obstruct pedestrian or wheelchair access to:
    - i. Private or public buildings and establishments;
    - ii. Street features that require pedestrian access including, but not limited to, benches, parklets, parking pay stations, and crosswalk buttons;
    - iii. Accessibility and safety features including curb ramps, wheelchair ramps, ramp landings, handrails, areas of refuge, and detectable warning strips.
  - (6) In bus stop clear zones defined as:
    - i. The on street clear zone defined under the "Identification of bus stops" in chapter 150, article IV;
    - ii. A bus stop clear zone of 40 feet long by eight feet wide for transit stops served by only one route. When signage indicates the presence of two or more bus routes at a transit stop, an additional 40 feet of curb length per route should remain clear.
  - (7) At or within five feet of a bikeshare station;
  - (8) Where it obscures any fixed, regulatory, or informational signs or traffic control devices;
  - (9) Where it obstructs emergency service infrastructure including, but not limited to, fire hydrants, stand pipes, or automated external defibrillators.
- (f) All permitted shareable dockless mobility devices shall have permanently affixed contact information and unique company specific device identifiers on all devices for relocation requests. Operators must monitor and document relocation requests and responses 24/7.
- (g) Permitted operators will remove improperly parked shareable dockless mobility devices in accordance with local laws and without prior notice from the city.
- (h) Upon evidence that an permitted operator's shareable mobility devices are found to be consistently parked improperly, the city reserves the right to reduce the number of shared devices allowed under their permit or revoke it all together.
- (i) The city reserves the right to cite, impound, store, and dispose of improperly parked permitted devices at the operators' expense.

Sec. 150-405. - Operations.

- (a) Shareable dockless mobility devices and dockless mobility devices may be operated within city parks, including along the Atlanta BeltLine and shall not be considered motorized vehicles as set forth in chapter 110, article III, (park rules).
- (b) Shareable dockless mobility devices and dockless mobility devices shall not be operated on sidewalks or any space exclusively for pedestrian use.
- (c) Shareable dockless mobility devices and dockless mobility devices may operate in vehicle travel lanes, in bike lanes, and along shared use paths throughout the city.
- (d) Permitted operators shall adhere to the fleet size minimums and maximums as determined by the commissioner of city planning through administrative regulations, communicated directly to



operators, and published on the city's website. Fleet maximums may be set based on the discretion of the department of city planning.

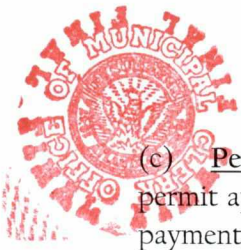
- (e) Shareable dockless mobility devices and dockless mobility devices shall be operated in a manner consistent with all applicable state and local laws.
- (f) Permitted operators must educate users on proper shareable dockless mobility devices operations.
- (g) Shareable dockless mobility device and dockless mobility device riders must yield to pedestrians in all cases including along shared use paths.
- (h) Permitted operators shall provide sufficient local operations and maintenance staff to address issues and remove improperly parked bikes or scooters.
- (i) Third party advertising or sponsorship shall not be affixed or placed in any other manner on permitted shareable dockless mobility devices.
- (j) Permitted operators shall work with the Department of city planning, the department of public works, and the Atlanta Police Department to enforce this ordinance with the most advanced and appropriate available technology.
- (k) Permitted operators shall work with the department of city planning and the department of public works to enforce temporary or semi-permanent no-ride zones authorized by the department of city planning with the most appropriate available technology.
- (l) In addition to the penalties operators are subject to in accordance with sections 150-401 and 150-402, users convicted of violating this section shall be punished as prescribed in section 1-8.

Sec. 150-406. - Data sharing.

- (a) Permitted operators shall provide a documented application programming interface ("API") that furnishes real-time anonymized data for the entire fleet. The format and field requirements of the API will be defined through administrative regulations, communicated directly to operators, and published on the city website. Operator may not change the API URL without notifying the city with at least 30 days' notice. Operators are required to make the API endpoint available for public consumption.
- (b) Permitted operators must provide a monthly data report. Reporting requirements will be defined through administrative regulations, communicated directly to operators, and published on the city's website.

Sec. 150-407. - Equity.

- (a) Permitted operators shall have payment options which do not require the rider to have access to credit cards to use of a shareable dockless mobility device.
- (b) Permitted operators shall adhere to equitable distribution requirements as determined by the commissioner of city planning through the administrative regulations, published on the city's website, and provided directly to all operators.



(c) Permitted operators shall provide an equity plan to the department of city planning as part of the permit application. The equity plan may include such elements as discounted price options, cash-based payment systems, and non-smartphone reservation systems.

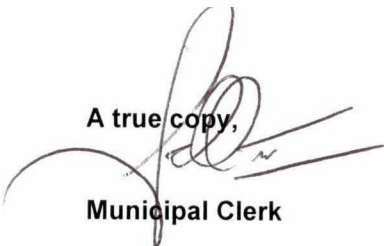
SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict only.

SECTION 3: That the Municipal Clerk is instructed deliver this ordinance to the Mayor for approval posthaste immediately upon adoption by the Atlanta City Council.

SECTION 4: That the amendments in this ordinance shall become effective immediately upon approval.

SECTION 5: That the Municipal Clerk is instructed to retain all legislative history references in the codified version of Chapter 150, including Editor's notes, and shall not delete any such references, but shall amend them to include reference to this ordinance.

\_\_\_\_\_  
AAR

  
A true copy,  
Municipal Clerk

**ADOPTED by the Atlanta City Council**  
**APPROVED by Mayor Keisha Lance Bottoms**

**AUG 19, 2019**  
**AUG 19, 2019**



AN ORDINANCE BY COUNCILMEMBERS CARLA SMITH, DUSTIN HILLIS, ANDRE DICKENS, AMIR R. FAROKI, ANTONIO BROWN, CLETA WINSLOW, HOWARD SHOOK, ANDREA L. BOONE, MARCI COLLIER OVERSTREET MICHAEL JULIAN BOND, MATT WESTMORLAND AND JOYCE SHEPERD TO AMEND CHAPTER 150, (TRAFFIC AND VEHICLES), OF THE ATLANTA CITY CODE OF ORDINANCES TO REPEAL THE AUTHORIZATION GRANTED TO THE DEPARTMENT OF CITY PLANNING TO ISSUE SHARABLE DOCKLESS MOBILITY DEVICE PERMITS; TO ALLOW FOR CURRENT PERMIT HOLDERS TO CONTINUE OPERATIONS UNTIL THE EXPIRATION OF THEIR PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

VOTE RECORD - ORDINANCE 19-O-1429							
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	CLETA WINSLOW	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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	JENNIFER N IDE	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	HOWARD SHOOK	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	JP MATZIGKEIT	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	DUSTIN HILLIS	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	ANDREA L BOONE	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
MARCI COLLIER OVERSTREET	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
JOYCE M SHEPERD	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

MAYOR'S ACTION AUTHENTICATION PAGE



**19-O-1429**

**Adopted by the Atlanta City Council  
August 19, 2019**

**APPROVED**  
AUG 19 2019  
MAYOR

*Keisha Bottoms*

**MAYOR'S ACTION**