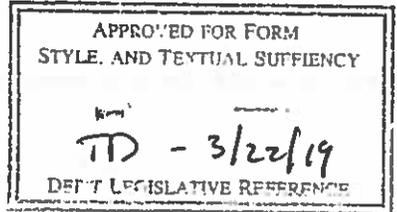


AMENDMENTS TO COUNCIL BILL 19-0324
(1" Reader Copy)



Proposed by: Land Use and Transportation Committee

ADOPTED

Amendment No. 1 {§ 20-1(b) (Defining "Bike Lane") and § 38-1 ("Definitions.")}

On page 2, in line 14, before "single", insert an opening bracket; on that same page, in line 15, strike the opening bracket; on that same page, in line 15, before "FLOW", insert "THE"; on that same page, in line 23, after "E-BIKE", strike "OR" and substitute ";"; on that same page, in line 23, after "E-SCOOTER", insert ", OR ANY OTHER VEHICLE TYPE APPROVED BY THE DIRECTOR AND NOT OTHERWISE DEFINED IN THIS SUBTITLE"; on page 3, in line 19, strike "A" and substitute "AN ELECTRIC"; on that same page, in line 29, strike "OR"; on page 4, in line 2, strike "OR"; on that same page, in line 4, strike the period and substitute "; OR"; on that same page, after line 4, insert

"(VI) AN ELECTRONIC PERSONAL ASSISTED DEVICE.";

and, on that same page, strike lines 7 and 8 in their entireties and substitute:

"(G) PERSON.

(1) IN GENERAL.

"PERSON" MEANS:

(I) AN INDIVIDUAL;

(II) A PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, OR OTHER ENTITY OF ANY KIND; OR

(III) A RECEIVER, TRUSTEE, GUARDIAN, PERSONAL REPRESENTATIVE, FIDUCIARY, OR REPRESENTATIVE OF ANY KIND.

(2) EXCLUSIONS.

"PERSON" DOES NOT INCLUDE, UNLESS OTHERWISE EXPRESSLY PROVIDED, A GOVERNMENTAL ENTITY OR AN INSTRUMENTALITY OR UNIT OF A GOVERNMENTAL ENTITY.

(H) PROVIDER.

(1) "PROVIDER" MEANS ANY PERSON THAT PROVIDES DOCKLESS VEHICLES FOR HIRE.

(2) "PROVIDER" INCLUDES THE INDIVIDUAL OFFICERS, EMPLOYEES, CONTRACTORS, AND AGENTS OF THE PERSON PROVIDING DOCKLESS VEHICLES FOR HIRE.;

on that same page, in lines 9 and 12, strike "(H)" and "(I)", respectively, and substitute "(I)" and "(J)"; on that same page, in line 13, strike "MEMBER OF THE PUBLIC" and substitute "INDIVIDUAL WHO OPERATES A DOCKLESS VEHICLE"; and, on page 14, in line 18, strike "38-1(F)" and substitute "38-1(H)".

Amendment No. 2 {§ 38-3 ("Rules and Regulations.")}

On page 4, in line 23, strike "REGULATIONS" and substitute "REGULATIONS"; on that same page, after line 25, insert:

"(B) OPPORTUNITY FOR PUBLIC COMMENT.

THE DIRECTOR MAY NOT ADOPT ANY PROPOSED RULES AND REGULATIONS UNDER THIS SUBTITLE UNLESS THE PROPOSED RULES AND REGULATIONS HAVE BEEN POSTED FOR PUBLIC REVIEW AND COMMENT ON THE DEPARTMENT WEBSITE FOR AT LEAST 30 DAYS.;

on that same page, in line 26, strike "(B)" and substitute "(C)"; and, on page 5, line 1, strike "(C)" and substitute "(D)".

Amendment No. 3 {§ 38-6 ("Dockless Vehicle Program established.")}

On page 5, in line 19, after "PRIOR", insert "WRITTEN".

Amendment No. 4 {§ 38-7 ("Scope of program.")}

On page 5, strike line 28 in its entirety; and, on page 6, strike lines 1 through 10 in their entireties, and substitute:

"(A) IN GENERAL.

THE PROGRAM ESTABLISHED BY THIS SUBTITLE MUST PROVIDE, IN A MANNER ESTABLISHED BY THE DIRECTOR, EQUITABLE ACCESS TO DOCKLESS VEHICLES FOR HIRE THROUGHOUT THE CITY AND IN UNDER-SERVED AREAS.

(B) DIRECTOR TO DETERMINE.

ON AN ANNUAL BASIS, THE DIRECTOR MUST DETERMINE:

(1) THE MAXIMUM AND MINIMUM NUMBER OF PROVIDERS TO BE PERMITTED UNDER THIS SUBTITLE; AND

(2) THE MAXIMUM AND MINIMUM NUMBER AND TYPES OF DOCKLESS VEHICLES PERMITTED TO OPERATE UNDER THIS SUBTITLE.”.

Amendment No. 5 {§ 38-12 (“Data sharing requirements.”)}

On page 7, at the beginning of line 24, insert the paragraph designator “(1)”; on that same page, after line 25, insert:

“(2) THE DATA AND REPORTS PROVIDED TO THE DEPARTMENT UNDER THIS SECTION MAY NOT INCLUDE INFORMATION THAT CAN REASONABLY BE USED TO CONTACT OR DISTINGUISH A PERSON, INCLUDING IP ADDRESSES OR DEVICE IDENTIFIERS.

(D) DEPARTMENTAL REPORTS.

(1) THE DEPARTMENT MUST REPORT THE DATA PROVIDED UNDER THIS SECTION ON THE DEPARTMENT’S WEBSITE.

(2) THE CONTENT AND TIMING OF THE DATA REPORTED UNDER THIS SUBSECTION MUST BE:

(A) DETERMINED BY THE DIRECTOR; AND

(B) COMPLIANT WITH ALL APPLICABLE LAWS.”.

Amendment No. 6 {§ 38-13 (“Permit revocation.”)}

On page 8, in line 3, after “REQUIRED”, insert “BY”; and, on that same page, in line 5, after “SUBTITLE”, insert “OR THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE”.

Amendment No. 7 {§ 38-18 (“Unlawful operation.”)}

On page 9, in line 3, strike “RIDDEN” and substitute “OPERATED”; on that same page, in line 5, after “HOUR”, insert “FOR E-SCOOTERS AND 20 MILES PER HOUR FOR E-BIKES WHEN PROPELLED SOLELY BY THE ELECTRIC MOTOR AND WITHOUT MANUAL POWER”; on that same page, in line 6, after “AGE”, insert “WITHOUT A HELMET”; on that same page, in line 7, after “PASSENGER”, insert “, UNLESS THE E-BIKE OR E-SCOOTER IS DESIGNED TO CARRY A PASSENGER”; on that same page, in line 11, strike beginning with “WITH” down through and including “HOUR” in line 12, and substitute “WHERE BICYCLES ARE ALSO PROHIBITED”; on

that same page, in line 14, strike “EXCEEDS 30 MILES PER HOUR” and substitute “IS 30 MILES PER HOUR OR GREATER”; and, in line 18, strike “E-BIKE OR E-SCOOTER” and substitute “DOCKLESS VEHICLE”.

Amendment No. 8 {§ 38-19 (“Unlawful parking.”)}

On page 9, in line 25, after “THAT”, insert “SPECIFICALLY”; on that same page, in line 28, strike “ONLY”; in that same line, strike “ON SIDEWALKS”; on page 10, in line 3, after “DRIVEWAY”, insert “WITHOUT THE PERMISSION OF THE OWNER OF THE DRIVEWAY”; and, on that same page, in line 6, after “AREAS”, insert “, EXCEPT AT DESIGNATED AREAS WITHIN A TRANSIT ZONE, AS DETERMINED BY THE DIRECTOR”; and, on that same page, in line 14, strike “DISCARDED” and substitute “PARKED”.

Amendment No. 9 {§ 38-20 (“User education.”)}

On page 10, in line 24, after “SUBTITLE”, insert “OR THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE”.

Amendment No. 10 {§ 38-22 (“Provider operational responsibilities.”)}

On page 11, in lines 4 and 5, strike “BETWEEN DAWN AND DUSK AS” and substitute “DURING THE HOURS”; on that same page, in line 5, strike “IN THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE”; on that same page, strike lines 10 through 13 in their entirety, and substitute “WITHIN A TIME DETERMINED BY THE DIRECTOR”; on that same page, in lines 17 and 18, strike “IN THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE”; and, on that same page, in lines 14, 16, and 19, strike “(6)”, “(7)”, and “(8)”, respectively, and substitute “(5)”, “(6)”, and “(7)”, respectively.

Amendment No. 11 {§ 38-24 (“Seizure.”)}

On page 12, after line 15, insert

“(3) ON THE SEIZURE OF A DOCKLESS VEHICLE FOR HIRE UNDER THIS SECTION, THE DEPARTMENT MUST PROMPTLY NOTIFY THE PROVIDER OF:

(I) THE REASON FOR SEIZURE;

(II) THE LOCATION OF THE SEIZED DOCKLESS VEHICLE FOR HIRE; AND

(III) THE AMOUNT OF THE FEES, IF ANY, ASSOCIATED WITH THE SEIZURE.”

Amendment No. 12 {§ 38-28 (“Criminal penalties.”)}

On page 1, in line 18, strike “38-28” and substitute “38-27”; on page 8, in line 7, after the semi-colon, insert “OR”; on that same page, in line 9, strike “; OR” and substitute “.”; on that same page, strike lines 10 and 11 in their entireties; on page 12, in line 24, strike “PENALTIES AND”; and, on page 13, strike lines 7 through 15 in their entireties.

Amendment No. 13 {Citation amounts}

On page 13, strike lines 21 through 24 in their entireties, on pages 13 and 14, respectively, strike line 30 and lines 1 through 3, respectively, in their entireties; and, in each instance, substitute:

“SUBTITLE 38. DOCKLESS VEHICLES

<u>§ 38-7(B)(2). EXCEEDING THE MAXIMUM NUMBER OR TYPE OF DOCKLESS VEHICLES PERMITTED TO OPERATE</u>	<u>\$1,000</u>
<u>§ 38-8(A). OPERATING A DOCKLESS-VEHICLE-FOR-HIRE BUSINESS WITHOUT A PERMIT</u>	<u>\$1,000</u>
<u>§ 38-12. FAILURE OF PROVIDER TO PROVIDE REQUIRED DATA OR REPORTS</u>	<u>\$1,000</u>
<u>§ 38-15. FAILURE OF PROVIDER TO NOTIFY OF DATA BREACH</u>	<u>\$1,000</u>
<u>§ 38-18. UNLAWFUL OPERATION OF E-BIKE OR E-SCOOTER</u>	<u>\$20</u>
<u>§ 38-19. UNLAWFUL PARKING OF DOCKLESS VEHICLE</u>	<u>\$20</u>
<u>§ 38-21. DISPLAY OF ADVERTISEMENTS ON DOCKLESS VEHICLES</u>	<u>\$1,000</u>
<u>§ 38-22. PROVIDER OPERATIONAL RESPONSIBILITIES:</u>	
<u>ITEM (1). FAILURE TO MAINTAIN 24-HOUR CUSTOMER SERVICE PHONE SUPPORT</u>	<u>\$1,000</u>
<u>ITEM (2). FAILURE TO REMOVE DOCKLESS VEHICLES FROM PUBLIC RIGHTS-OF-WAY BETWEEN DUSK AND DAWN, AS DETERMINED IN RULES AND REGULATIONS</u>	<u>\$500</u>
<u>ITEM (3). FAILURE TO ENSURE THAT DOCKLESS VEHICLES ARE PARKED AS REQUIRED BY LAW, RULE, OR REGULATION</u>	<u>\$500</u>

<u>ITEM (4). FAILURE TO REMOVE OR REPOSITION ILLEGALLY PARKED DOCKLESS VEHICLES WITHIN REQUIRED TIME</u>	<u>\$500</u>
<u>ITEM (5). FAILURE TO ENSURE THAT DOCKLESS VEHICLES ADHERE TO NATIONAL SAFETY STANDARDS</u>	<u>\$1,000</u>
<u>ITEM (6). FAILURE TO ENSURE THAT PROVIDER OPERATIONS ADHERE TO EQUITABLE ACCESS REQUIREMENTS</u>	<u>\$1,000</u>
<u>ITEM (7). FAILURE TO COMPLY WITH ANY OTHER REQUIREMENT ESTABLISHED BY THE DIRECTOR</u>	<u>\$1,000".</u>

Amendment No. 14 {Special effective dates}

On page 1, in line 10, strike "a special effective date" and substitute "special effective dates"; on page 15, strike lines 12 and 13 in their entireties and substitute:

"SECTION 3. AND BE IT FURTHER ORDAINED That City Code Article 31, Subtitle 38, § 38-3 {"Rules and regulations"}, as enacted by this Ordinance, takes effect on the date of enactment.

SECTION 4. AND BE IT FURTHER ORDAINED That, except as provided in Section 3 of this Ordinance, this Ordinance takes effect on the effective date of the rules and regulations adopted by the Department pursuant to City Code Article 31, Subtitle 38, § 38-3 {"Rules and regulations"}."