

**AN ORDINANCE  
BY COUNCILMEMBER MICHAEL JULIAN BOND, JENNIFER N. IDE, DUSTIN  
HILLIS, MATT WESTMORELAND, AND ANDRE DICKENS  
AS SUBSTITUTED BY PUBLIC SAFETY AND LEGAL ADMINISTRATIVE  
COMMITTEE**

**AN ORDINANCE TO AMEND CHAPTER 150, (TRAFFIC AND  
VEHICLES), OF THE ATLANTA CITY CODE OF ORDINANCES TO  
CREATE A NEW ARTICLE X TO BE ENTITLED “SHAREABLE  
DOCKLESS MOBILITY DEVICES” TO ESTABLISH REGULATIONS  
RELATED TO SHAREABLE MOBILITY DEVICES; AND FOR OTHER  
PURPOSES.**

**WHEREAS**, pursuant to Ordinance Number 14-O-1325 adopted by the Atlanta City Council on July 21, 2014 and approved by operation of law on July 30, 2014 and Ordinance Number 14-O-1345, adopted by the Atlanta City Council on March 2, 2015 and approved by operation of law on March 11, 2015, the City adopted citywide bike share ordinances which anticipate a docked bikeshare business model (City of Atlanta Code of Ordinances Sec. 16-28.09 and Sec. 138-62); and

**WHEREAS**, companies have created new business offering bicycles and scooters, (Dockless Mobility Devices) for public use via the placement of shareable mobility devices throughout the City of Atlanta (“City”) without being locked to a bike rack or other infrastructure; and

**WHEREAS**, the citywide bike share ordinances do not regulate Shareable Dockless Mobility Devices; and

**WHEREAS**, the City has evaluated other Shareable Dockless Mobility Device ordinances from Seattle, San Francisco, Chicago and other cities to understand the regulatory schemes they have implemented to regulate these new devices; and

**WHEREAS**, the City has a substantial interest in regulating how private operators of Shareable Dockless Mobility Devices operate on the public rights-of-way to promote public safety, and to ensure the public right of way remains obstruction free; and

**WHEREAS**, accordingly, the City of Atlanta desires to amend Chapter 150, Traffic and Vehicles, of the City of Atlanta Code of Ordinances to create a new Article X, to be entitled Shareable Dockless Mobility Devices, to establish regulations related to shareable mobility devices, which shall include 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**, it is the desire of the City to establish an annual permit fee to be paid by Dockless Mobility Device System Operators which shall permit the operation of up to 500 Dockless Mobility Devices, along with an additional per device fee for each device operated under a Dockless Mobility Device permit over the initial 500 devices to offset any costs to the City related

to the implementation and enforcement of the regulations contained in Chapter 150, Article X of the City of Atlanta Code of Ordinances; and

**WHEREAS**, the purpose of all fees established in this Ordinance, is not to raise revenue, but to cover the cost of the regulatory activity associated therewith; *Hadley v. City of Atlanta*, 232 Ga. App. 871, 874, 502 S.E. 2d 784 (1998); and

**WHEREAS**, the City anticipates that the annual cost to the City of the regulatory activity required by this Ordinance exceeds the amount to be collected by any fees set forth herein as set forth in the fee study attached hereto as Exhibit A.

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

**SECTION 1:** That Chapter 150 of the City of Atlanta Code of Ordinances, be amended to add a new Article X, entitled “Shareable Dockless Mobility Devices” which shall read as follows:

**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.

*Shareable Dockless Mobility Device*: 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.

*Shareable Dockless Mobility Device Permit* (“Dockless Permit”): a permit required to operate a Shareable Dockless Mobility Device System within the City.

*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 Devices may be operated or deployed in the City of Atlanta without a permit. Violations of this sub-section 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.
- (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.

**Sec. 150-402 Enforcement.**

- (a) The primary authority and responsibility for the enforcement of the provisions of this Chapter shall be vested in the Commissioner of the Department of Public Works. Upon a determination that an Operator is in violation of this Chapter, the Commissioner of the

Department of Public Works, or his designee, shall give 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; or
- 2) An administrative fine not exceeding \$1,000.00 per day for a violation of a provision of this chapter.

by the Department of City Planning Office of Zoning and Development.

- (b) Appeals. The appeal of a citation issued under this Section shall be filed in the City of Atlanta Municipal Court within 14 days of the issuance of the 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) Shareable Dockless Mobility Devices must not be capable of exceeding a motor driven speed of 15 miles per hour.
- (b) All Shareable Dockless Mobility Devices must adhere to minimum safety standards as established by law.
- (c) All Operators shall maintain liability insurance with the City as the certificate holder in the amounts determined by the Office of Risk Management.
- (d) All Operators will educate users regarding laws applicable to riding and operating in the City.
- (e) Operators will encourage users to wear a helmet while operating a Shareable Dockless Mobility Device.

**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 operators and posted online.
- (b) Operators must communicate proper Shareable Dockless Mobility Devices parking requirements to all users.
- (c) Shareable Dockless Mobility Devices shall be parked upright at all times.

- (d) No person shall park a Shareable 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 5 feet clear for pedestrians.
- (e) Shareable Dockless Mobility Devices cannot 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 8 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 5 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 Shareable Dockless Mobility Devices shall have permanently affixed contact information and unique company specific device identifiers on all devices for relocation requests.

- (g) 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 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 impound and store improperly parked devices at the operators' expense.

**Sec. 150-405 Operations.**

- (a) Shareable 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 may not be operated on sidewalks.
- (c) Shareable Dockless Mobility Devices may operate in vehicle travel lanes, in bike lanes, and along shared use paths throughout the City.
- (d) 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.
- (e) Shareable Dockless Mobility Devices shall be operated in a manner consistent with all applicable state and local laws.
- (f) Operators must educate users on proper Shareable Dockless Mobility Devices operations.
- (g) Shareable Dockless Mobility Device riders must yield to pedestrians in all cases including along shared use paths.
- (h) Operators shall provide sufficient local operations and maintenance staff to address issues and remove improperly parked bikes or scooters.

**Sec. 150-406 Data Sharing**

- (a) 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) Operators must provide a data report by no later than the first day of every month. Reporting requirements will be defined through administrative regulations, communicated directly to Operators, and published on the City's website.

**Sec. 150-407- Equity**

- (a) Operators shall have payment and access options which do not require the rider to have access to credit cards or smartphones to access use of a Shareable Dockless Mobility Device.
- (b) 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.

**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 Department of City Planning shall be tasked with monitoring the results of implementing this ordinance, and shall provide a presentation regarding these results to the Public Safety and Legal Administration Committee of the Atlanta City Council by no later than January 2020.

**SECTION 4:** The amendments in this ordinance shall become effective on January 1, 2019.

**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 this ordinance.

**SECTION 6:** That all ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

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