

ORDINANCE #1244

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 872 OF THE LANSING CODIFIED ORDINANCES BY AMENDING SECTIONS 872.01 THROUGH 872.07 TO CREATE LICENSING AND REGULATION FOR DOCKLESS ELECTRIC SCOOTER COMPANIES TO PARK ON AND UTILIZE THE PUBLIC RIGHTS-OF-WAY; TO SET LICENSING FEES FOR SUCH COMPANIES THAT WISH TO USE THE PUBLIC RIGHTS-OF-WAY; TO PROVIDE FOR REGULATION OF HOW SUCH ELECTRIC SCOOTERS MAY BE PARKED AND OPERATED CONSISTENT WITH PUBLIC HEALTH, SAFETY, AND WELFARE, INCLUDING SPEED, MANNER, AND LOCATION.

THE CITY OF LANSING ORDAINS:

Section 1. That Section 872.01 of the Lansing Code of Ordinances of the City of Lansing is hereby amended as follows:

872.01 – Definitions

As used in this chapter:

DOCKLESS ELECTRIC SCOOTER COMPANY MEANS A PERSON, AS DEFINED IN SECTION 202.03(18) OF THIS CODE, THAT OWNS, OPERATES, PROVIDES, OR OTHERWISE MAKES ELECTRIC SCOOTERS AVAILABLE TO THE PUBLIC TO USE ON A TEMPORARY BASIS FOR PAYMENT, WHERE SUCH ELECTRIC SCOOTERS ARE NOT REQUIRED TO BE PARKED OR DOCKED IN PHYSICALLY FIXED LOCATIONS OR DOCKS .

ELECTRIC SCOOTER MEANS A TWO-WHEELED TRANSPORTATION DEVICE, WITH THE WHEELS IN TANDEM, THAT HAS A STEM, HANDLEBARS AND A FLOORBOARD THAT IS DESIGNED TO BE STOOD UPON WHILE RIDING, AND IS POWERED BY AN ELECTRIC MOTOR OF LESS THAN 750 WATTS; AND ANY DEVICE THAT OTHERWISE FITS THE DEFINITION PROVIDED FOR ELECTRIC SKATEBOARDS IN SECTION 13F OF THE MICHIGAN MOTOR VEHICLE CODE, MCL 257.13F.

Greater Lansing Taxi Authority means the authority created by the cities of Lansing and East Lansing and incorporated pursuant to the Michigan Public Transportation Act, being MCL 124.451 et seq., for the purpose of regulating and licensing private taxicab companies, drivers for hire, and all persons, firms, and business entities acting as taxicab companies or drivers by carrying persons for hire, to and from such places as they may designate, within the municipalities provided in its rules and regulations.

Horse-drawn carriage means a horse-drawn vehicle operating for hire.

Limousine means a chauffeured motor vehicle not equipped with a taximeter, which transports individuals for hire at an hourly and/or daily rate.

Nonconsent tow means a tow of a motor vehicle without the knowledge or consent of the owner or person in possession of such motor vehicle, including the following:

- (a) A tow from public property without consent of the owner thereof;
- (b) A tow from private property at the request of the property owner or a person lawfully in possession or control of such property; or
- (c) A tow at the request of the Manager of the Code Compliance Division of the Department of Planning and Neighborhood Development, or his or her designee, when the owner of the vehicle has no knowledge of or has not consented to the tow.

Nonpreference police calls means requests by the Police Department to tow vehicles immobilized or incapacitated on public streets and vehicles illegally parked, whether on public or private property.

Owner's agent means a natural person who possesses a signed and notarized statement, or some other reliable written evidence or documentation, from a vehicle owner that authorizes said person to take possession of the owner's vehicle.

Shuttle bus means any motor vehicle which transports individuals between pre-established fixed points for established fixed fees, not including taxicabs, limousines, publicly owned or church or school buses, buses utilized for living or camping purposes or motor vehicles utilized exclusively for funeral purposes.

Taxicab means any vehicle, including but not limited to those powered by human or animals, engaged in the business of picking up persons, or operating in such a manner to solicit such persons, within the jurisdictional borders of the City of Lansing and carrying them for hire, to and from such places as they may designate. "Taxicab" does not include:

- ~~(a) Vehicles used exclusively as hearses or funeral cars;~~
- ~~(b) Ambulances;~~
- ~~(c) Hotel buses or shuttles;~~
- ~~(d) Sightseeing buses;~~
- ~~(e) Motor coaches or motor buses.~~

Taxicab company means a person or entity that owns or operates a taxicab or otherwise engages in the taxicab business. "Taxicab company" includes persons and entities that use digital platforms to connect passengers to drivers.

Wrecker means a motor vehicle designed for or engaged in the business of towing, transporting, conveying and/or removing all kinds of vehicles.

Section 2. That Section 872.02 of the Lansing Code of Ordinances of the City of Lansing is hereby repealed in its entirety and replaced as follows:

872.02. – ELECTRIC SCOOTERS; LICENSE REQUIRED; CONDITIONS; FEES.

NO PERSON SHALL ENGAGE IN THE BUSINESS OF A DOCKLESS ELECTRIC SCOOTER COMPANY THAT USES THE RIGHTS-OF-WAY OF THE CITY OF LANSING, INCLUDING ROADWAYS AND SIDEWALKS, TO PARK AND/OR

ADVERTISE THE ELECTRIC SCOOTERS WITHOUT FIRST OBTAINING AN OPERATING LICENSE FROM THE CITY.

A. IN ORDER TO OBTAIN A LICENSE, A PERSON SHALL AGREE TO:

1. LIMIT THE MAXIMUM SPEED OF ALL ELECTRIC SCOOTERS TO 15 MILES PER HOUR WITHIN THE CITY OF LANSING;
2. PROVIDE EASILY VISIBLE CONTACT INFORMATION ON EACH ELECTRIC SCOOTER, INCLUDING: A LOGO OR OTHER BRANDING; A UNIQUE IDENTIFICATION NUMBER IN FONT THAT IS VISIBLE FROM 30 FEET AWAY WHILE THE ELECTRIC SCOOTER IS PARKED UPRIGHT; AND CONTACT INFORMATION FOR THE DOCKLESS ELECTRIC SCOOTER COMPANY THAT IS VISIBLE WHILE THE ELECTRIC SCOOTER IS PARKED UPRIGHT, INCLUDING TELEPHONE NUMBER, EMAIL ADDRESS, AND WEBSITE;
3. MAINTAIN A 24-HOUR CUSTOMER SERVICE PHONE NUMBER FOR CUSTOMERS AND MEMBERS OF THE PUBLIC TO REPORT SAFETY CONCERNS, COMPLAINTS, OR TO ASK QUESTIONS;
4. RESPOND TO REQUESTS FROM ANY PERSON FOR REBALANCING, REPORTS OF INCORRECTLY PARKED ELECTRIC SCOOTERS, OR REPORTS OF UNSAFE/INOPERABLE ELECTRIC SCOOTERS BY RELOCATING, REPARKING, OR REMOVING THE ELECTRIC SCOOTERS, AS APPROPRIATE, WITHIN 2 HOURS OF RECEIVING NOTICE;
5. RESPOND TO REPORTS FROM ANY PERSON OF SAFETY OR MAINTENANCE ISSUES WITH A SPECIFIC DEVICE, BY REMOTELY MAKING THAT ELECTRIC SCOOTER UNAVAILABLE TO USERS IN ADDITION TO REMOVING THE ELECTRIC SCOOTER AS REQUIRED IN THIS SECTION;
6. ENSURE THAT ANY INOPERABLE OR UNSAFE DEVICE SHALL BE REPAIRED BEFORE IT IS PUT BACK INTO SERVICE;

7. ENSURE THAT THE USE POLICY INCLUDES CLEAR PROHIBITION ON MORE THAN ONE INDIVIDUAL RIDING ON AN ELECTRIC SCOOTER AT A TIME;
8. IMPLEMENT A MARKETING AND TARGETED COMMUNITY OUTREACH PLAN, AT THE PERSON'S OWN COST, TO PROVIDE ACCESS TO ELECTRIC SCOOTER SERVICES AND PROMOTE THE USE OF ELECTRIC SCOOTERS CITYWIDE, PARTICULARLY AMONG LOW-INCOME COMMUNITIES;
9. COORDINATE WITH THE CITY TO IMPLEMENT AN EDUCATIONAL CAMPAIGN, AT THE PERSON'S OWN COST, TO INFORM THE PUBLIC REGARDING PERMISSIBLE PARKING LOCATIONS, SPEED LIMITS, SAFETY EQUIPMENT REQUIREMENTS AND RECOMMENDATIONS, AND GENERAL COURTESY;
10. INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY AGAINST ALL LIABILITY, ACTIONS, OR CLAIMS RESULTING FROM THE CONDUCT OR OPERATIONS RELATED TO ELECTRIC SCOOTERS BY ANY PERSON;
11. MAINTAIN INSURANCE PROVIDING LIABILITY COVERAGE IN AN AMOUNT NOT LESS THAN \$500,000 PER INCIDENT AND \$1,000,000 AGGREGATE;
12. SHARE DE-IDENTIFIED USAGE DATA, AS MORE FULLY DESCRIBED IN SECTION 872.04, WITH THE CITY OF LANSING; AND
13. COMPLY WITH ANY LIMIT ON THE NUMBER OF ELECTRIC SCOOTERS THAT MAY BE WITHIN THE CITY AT THE START OF EACH DAY, BUT ONLY IF SUCH LIMIT HAS BEEN RECOMMENDED TO CITY COUNCIL BY THE PUBLIC SERVICE DIRECTOR, AFTER A STUDY BASED ON USAGE DATA SHARED PURSUANT TO SECTION 872.04 TO DETERMINE GENERAL USE PATTERNS AND OVER-CONGESTION OF ELECTRIC SCOOTERS WITHIN THE CITY, AND ONLY IF SUCH RECOMMENDED LIMIT HAS BEEN AFFIRMED AND ADOPTED BY RESOLUTION OF CITY COUNCIL; FOR PURPOSES OF

THIS SUBSECTION, THE START OF EACH DAY SHALL BE 6 O'CLOCK A.M..

- B. THE CITY CLERK IS HEREBY AUTHORIZED TO GRANT LICENSES DESCRIBED IN THIS SUBSECTION. ALL LICENSES ARE ANNUAL UNLESS REVOKED EARLIER AS PROVIDED IN SECTION 872.06. A NONREFUNDABLE FEE MUST BE PAID FOR A LICENSE; THE ANNUAL FEE FOR EACH CALENDAR YEAR, OR PORTION THEREOF, THAT THIS ORDINANCE IS IN EFFECT IS \$2,500 UNLESS ADJUSTED AND SET BY RESOLUTION OF CITY COUNCIL. AN ADDITIONAL ORINATION FEE FOR EACH ELECTRIC SCOOTER RIDE THAT ORIGINATES IN THE CITY OF LANSING SHALL BE PAID TO THE CITY ON A MONTHLY BASIS; THE ORINATION FEE DURING THE EACH CALENDAR YEAR, OR PORTION THEREOF, THAT THIS ORDINANCE IS IN EFFECT IS \$.10 UNLESS ADJUSTED AND SET BY RESOLUTION OF CITY COUNCIL. AFTER OFFSETTING COSTS RELATED TO THE PERMIT PROCESS AND ENFORCEMENT OF OPERATIONAL AND PARKING RESTRICTIONS, ALL FEES COLLECTED UNDER THIS SECTION SHALL BE ALLOCATED TO FUND PROGRAMS CONSISTENT WITH THE CITY'S "COMPLETE STREETS" INITIATIVE, AS SET FORTH IN SECTION 1020.13, SO AS TO MAINTAIN AND EXPAND THE CITY'S INFRASTRUCTURE AND RIGHTS OF WAY UTILIZED BY ELECTRIC SCOOTERS.
- C. A LICENSE MAY NOT BE TRANSFERRED FROM ANY PERSON TO ANOTHER PERSON.

Section 3. That Section 872.03 of the Lansing Code of Ordinances of the City of Lansing is hereby repealed in its entirety and replaced as follows:

872.03. – LICENSE APPLICATION; CITY CLERK APPROVAL REQUIRED.

- A. AN APPLICATION FOR A DOCKLESS ELECTRIC SCOOTER COMPANY REQUIRED UNDER SECTION 872.02 SHALL BE MADE BY THE PERSON OPERATING THE COMPANY ON FORMS TO BE FURNISHED BY THE CITY CLERK.

- B. SUCH APPLICATION SHALL REQUIRE ACKNOWLEDGEMENT OF THE REQUIREMENTS IN SECTION 872.02.
- C. SUCH APPLICATION SHALL INCLUDE
1. THE FULL NAMES AND ADDRESSES OF THE OWNER OR OPERATOR OF THE APPLICANT;
 2. THE ADDRESS OF THE APPLICANT'S LOCAL BUSINESS OFFICE;
 3. THE LOGO OR OTHER BRANDING UNIQUE TO THE APPLICANT THAT WILL BE VISIBLE ON EVERY ELECTRIC SCOOTER IT OPERATES OR MAKES AVAILABLE;
 4. THE TELEPHONE NUMBER, EMAIL ADDRESS, AND WEBSITE THAT THE PUBLIC MAY CONTACT TO LODGE COMPLAINTS OR MAKE REPORTS; AND
 5. ANY OTHER INFORMATION THE CITY CLERK DEEMS NECESSARY AND PROPER.
- D. THE APPLICATION SHALL BE SUBSCRIBED AND SWORN TO BEFORE A NOTARY PUBLIC AND FILED WITH THE CITY CLERK.
- E. PRIOR TO ISSUANCE OR RENEWAL OF ANY DOCKLESS ELECTRIC SCOOTER COMPANY LICENSE UNDER THIS CHAPTER, THE CITY CLERK SHALL APPROVE THE APPLICATION THEREFOR.

Section 4. That Section 872.04 of the Lansing Code of Ordinances of the City of Lansing is hereby repealed in its entirety and replaced as follows:

872.04. – DATA SHARING

EVERY MONTH, A LICENSED DOCKLESS ELECTRIC SCOOTER COMPANY SHALL SHARE THE FOLLOWING DATA WITH THE CITY IN ORDER TO IMPROVE FUTURE OPERATIONS FOR ELECTRIC SCOOTERS WITHIN THE CITY:

- A. ELECTRIC SCOOTER UTILIZATION RATES;
- B. TRIP VOLUMES;
- C. TRIP O/D, DISTANCES, ROUTES, ETC.;
- D. STARTING AND STOPPING POINTS FOR EACH TRIP;
- E. NUMBER OF ELECTRIC SCOOTERS IN THE CITY AT 6 A.M. EVERY DAY;

- F. MAXIMUM AND MINIMUM NUMBER OF ELECTRIC SCOOTERS IN THE CITY EVERY 24 HOUR PERIOD;
- G. PARKING COMPLIANCE RATES;
- H. THEFT AND VANDALISM INFORMATION;
- I. MAINTENANCE AND OTHER COMPLAINTS; AND
- J. CRASH INFORMATION.

Section 5. That Section 872.05 of the Lansing Code of Ordinances of the City of Lansing is hereby repealed in its entirety and replaced as follows:

872.05. – PARKING IN THE CITY RIGHTS-OF-WAY; PERMISSIONS; RESTRICTIONS.

IN ADDITION TO THE RESTRICTIONS OR PARKING AND OPERATION OF ELECTRIC SCOOTERS FOUND IN CHAPTER 404 AND SECTION 812.04 OF THIS CODE OF ORDINANCES AS WELL AS THE MICHIGAN MOTOR VEHICLE CODE, DULY LICENSED ELECTRIC SCOOTERS ARE SUBJECT TO THE FOLLOWING CONDITIONS ON PARKING:

- A. ELECTRIC SCOOTERS SHALL BE PARKED UPRIGHT ON HARD SURFACES ON THE SIDEWALK, BUT ONLY IF AT LEAST 5 LINEAR FEET OF UNOBSTRUCTED SIDEWALK, MEASURED FROM THE PROPERTY LINE OR NEAREST FIXED STRUCTURE TOWARDS THE PARKWAY AS THOSE TERMS ARE DEFINED IN CHAPTER 1020, IS PRESERVED FOR SAFE PEDESTRIAN TRAVEL.
- B. ELECTRIC SCOOTERS MAY NOT PARK IN SUCH A MANNER THAT IMPEDES OR INTERFERES WITH ACCESS TO OR USE OF:
 - 1. SIDEWALKS, CROSSWALKS, OR SIDEWALK RAMPS
 - 2. BUS STOPS, SHELTERS, OR WAITING AREAS
 - 3. LOADING ZONES OR HANDICAPPED PARKING SPACES
 - 4. FIRE HYDRANTS
 - 5. BENCHES
 - 6. PARKING METERS OR PAY STATIONS
 - 7. ANY COMMERCIAL WINDOW DISPLAY

8. ACCESS TO OR FROM ANY BUILDING
 9. ANY BICYCLE RACK
 10. DRIVEWAYS OR ALLEYS
- C. ELECTRIC SCOOTERS MAY BE PARKED IN ON-STREET PARKING SPACES ONLY WHEN THE SPACES ARE OFFICIALLY DESIGNATED FOR SCOOTERS OR MOTORCYCLES.
 - D. ELECTRIC SCOOTERS MAY BE PARKED ON BLOCKS WITHOUT SIDEWALKS ONLY IF THE ROADWAY TRAVEL LANES AND 5-FOOT PEDESTRIAN CLEAR ZONE ARE NOT IMPEDED.
 - E. PARKING OF ELECTRIC SCOOTERS IN PUBLIC RIGHTS-OF-WAY MAY BE TEMPORARILY SUSPENDED ON THE DETERMINATION OF THE DIRECTOR OF PUBLIC SERVICES FOR SAFETY CONCERNS INCLUDING BUT NOT LIMITED TO INCLEMENT WEATHER, OTHERWISE PERMITTED SPECIAL EVENTS OR PUBLIC GATHERINGS, OTHERWISE PERMITTED CONSTRUCTION, AND OTHERWISE PERMITTED USE OF THE PUBLIC RIGHTS-OF-WAY.

Section 6. That Section 872.06 of the Lansing Code of Ordinances of the City of Lansing is hereby repealed in its entirety and replaced as follows:

872.06. – LICENSE REVOCATION.

A LICENSE REQUIRED UNDER SECTION 872.02 MAY BE REVOKED BY CITY COUNCIL IF THE LICENSEE OPERATES IN SUCH A WAY AS TO VIOLATE THE TERMS OF ITS LICENSE, THE LAWS OF THE STATE, OR THE ORDINANCES OR REGULATIONS OF THE CITY. UPON RECEIVING NOTICE OF SUCH A VIOLATION, THE CHIEF OF POLICE OR THE CHIEF'S REPRESENTATIVE SHALL FILE A PETITION WITH THE CITY CLERK SPECIFYING THE VIOLATION WITH WHICH THE LICENSEE IS CHARGED AND REQUESTING THAT THE DOCKLESS ELECTRIC SCOOTER COMPANY LICENSE BE REVOKED. UPON RECEIPT OF SUCH PETITION, COUNCIL SHALL SET A DATE FOR A HEARING ON SUCH ALLEGED VIOLATIONS, AND THE LICENSEE SHALL BE GIVEN NOT LESS THAN FIVE DAYS WRITTEN NOTICE OF THE HEARING. AT SUCH HEARING THE

LICENSEE MAY APPEAR IN PERSON OR BY AGENT OR ATTORNEY AND MAY SUBMIT EVIDENCE IN ITS DEFENSE. IF COUNCIL DETERMINES THAT THE VIOLATION HAS BEEN PROVEN BY A PREPONDERANCE OF THE EVIDENCE, THE DOCKLESS ELECTRIC SCOOTER COMPANY LICENSE MAY BE REVOKED.

Section 7. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed in their entirety and shall be null and void and of no effect.

Section 8. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 9. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council, and shall expire on December 31, 2028.