Moab City Council Agenda Item
Meeting Date: May 11, 2021

Title: Continued Discussion Regarding Bird Scooter’s Proposal to Enter into a Temporary Operating Agreement with the City for a Pilot Program

Date Submitted: May 4, 2021

Staff Presenter: Carly Castle, Deputy City Manager

Attachment(s):
- Moab + Bird Presentation
- Bird Intro
- SB 139—Motor Assisted Transportation Amendments (2019 General Session)

Options: Discussion and possible action

Recommended Motion: N/A

Background/Summary:
This is a continued discussion Bird Scooter Company’s proposal to operate a e-scooter pilot program in Moab.

Shared mobility device companies, such as Bird Scooters, have been operating in Utah since at least 2018. Early operators did not necessarily obtain licenses or work with municipal administrations before deploying their rentable mobility devices, but these companies have more recently worked to develop temporary operating agreements with the jurisdictions in which they wish to provide their services. In 2019, the Utah Legislature passed SB 139, which addresses a municipality’s ability to regulate motor assisted vehicles, including motor-assisted scooters. The bill prohibits cities from “impos[ing] any unduly restrictive requirement” on scooter companies or users of scooter rentals. The bill also prohibits cities from regulating rental scooter riders more restrictively than bicycle riders. Insurance requirements for these companies are also outlined in SB 139.

Bird Scooters has approached the City of Moab about entering into a temporary operating agreement, which will permit the company to launch a pilot program consisting of approximately 75 scooters in the City. If staff receives affirmative direction from the Council to pursue this pilot project, the Administration will begin negotiating the agreement with Bird Scooters.

The devices that would be deployed in Moab will be “dockless,” meaning they can be made available without the need for built infrastructure to secure or collect them in one place. Bird Scooters would contract with a local “Fleet Manager” who is responsible for the Moab fleet, including being responsible for charging, repairs, and various performance tasks.

Policy Questions:
The goal of this briefing is to obtain Council feedback on important terms that may be included in a temporary operating agreement. Bird Scooters has given a presentation to the Council on April 27, with the intent of fleshing out the policy questions below:

1. What benefits would the City want to see realized as part of a pilot project? Examples may include:
   a. Reducing traffic congestion/car use?
   b. Life cycle of the scooters vs. GHG emissions benefits?
   c. Transportation equity?
2. What enforcement and education options would be appropriate for the City to explore? Specifically, how will enforcement occur against riders using scooters in ways that do not comport with the City’s regulations or the Company’s current operating agreements?
3. What safety features should be featured on these devices?
4. What speed limits should be imposed?
5. Is the City interested in limiting Bird Scooter’s geographic scope?
6. What factors would the Council like to see included in the City’s assessment of fees to shared mobility device companies operating in the city? Note that SB 139 provides that “the total amount of the fees collected can’t exceed the reasonable and necessary cost to the local authority of administering scooter-share programs, including a reasonable fee for the use of the right-of-way, commensurate and proportional to fees charged for similar uses.”
7. What measures can be taken to protect pedestrian environments like sidewalks, parkways, and Main Street?
8. What are some common annoyances the city is concerned about, and can they be mitigated or eliminated?
   a. Parking scooters where they are in the way.
   b. Riding on the Parkway and sidewalks. Is it always bad to have them on sidewalks, or are there opportunities for that in the City?
   c. Leaving vehicles, especially on the parkway. What incentive/cost can Bird offer to riders minimize this?
   d. If signage is a component of managing e-scooters, can it be a cooperative effort between Bird and the City, and perhaps other commercial beneficiaries, focused on micro mobility more generally?
9. Is cash payment a potential option?
10. Will they operate in the winter months?
11. How will complaints be handled?