

PUBLIC HEALTH AND SAFETY STANDING COMMITTEE

MONDAY, FEBRUARY 20, 2023

10:15 A.M. – PUBLIC HEARING

(MS/AW-C/mgw)

LAW DEPARTMENT

RE: An Proposed Ordinance to amend Chapter 47 of the 2019 Detroit City Code, *Transportation for Hire*, by adding Article X, *Electric Personal Mobility Devices*, Division 1, *Generally*, Section 47-10-1, *Definitions*, Section 47-10-2, *Administration and enforcement*, Section 47-10-3, *Responsibility for violations*, Section 47-10-4, *Violations; administrative remedies permitted*, Section 47-10-5, *Registry and reporting of alleged violations*, and Section 47-10-6, *Abandonment, obstruction, removal, storage, and disposition*, Division 2, *Shared Mobility Permits*, Section 47-10-11, *Permit required*, Section 47-10-12, *Permit fee*, Section 47-10-13, *Permit term, effective date, and expiration*, Section 47-10-14, *Issuance of permits*, Section 47-10-15, *Promulgation of parameters and minimum requirements for evaluation of shared mobility permit applications*, and Section 47-10-16, *Application for permit*, Division 3, *Responsibilities of Owners of Shared Fleets and Operators of Electric Personal Mobility Devices*, Section 47-10-31, *Digital platform*, Section 47-10-32, *Customer support services*, Section 47-10-33, *Identification, maintenance, and repair*, Section 47-10-34, *Deployment*, Section 47-10-35, *Geofencing*, Section 47-10-36, *Interference with other shared mobility permittees*, Section 47-10-37, *Operator education; community engagement; participation in mobility initiatives*, Section 47-10-38, *Data sharing*, Section 47-10-39, *Insurance requirements*, and Section 47-10-40, *Indemnity*, and Division 4, *Technical, Operational, and Parking Standards for Shared Electric Personal Mobility Devices*, Section 47-10-51, *Applicability*, Section 47-10-52, *Construction and maintenance standards*, Section 47-10-53, *Displays of information*, Section 47-10-54, *Geolocation*, Section 47-10-55, *Mobility as a service accessibility*, Section 47-10-56, *Remote or automatic incapacitation*, Section 47-10-57, *Approved areas of operation; restrictions*, Section 47-10-58, *Temporary suspension of operations by Director*, Section 47-10-59, *Operation in compliance with traffic laws and other safety requirements*, and Section 47-10-60, *Shared electric personal mobility device parking standards*, to require permitting for making shared electric personal mobility devices available for hire and to establish technical, operational, and parking standards for such shared electric personal mobility devices.

Attending:

(Law Department and Detroit-Department of Transportation)

FRIDAY, JANUARY 20, 2023

THE DETROIT LEGAL NEWS – PAGE 6

NOTICE OF PUBLIC HEARING

ON PROPOSED ORDINANCE TO AMEND CHAPTER 47 OF THE 2019 DETROIT CITY CODE, *TRANSPORTATION FOR HIRE*, BY ADDING ARTICLE X, *ELECTRIC PERSONAL MOBILITY DEVICES*, DIVISION 1, *GENERALLY*, ETC.

SUMMARY

An Proposed Ordinance to amend Chapter 47 of the 2019 Detroit City Code, *Transportation for Hire*, by adding Article X, *Electric Personal Mobility Devices*, Division 1, *Generally*, Section 47-10-1, *Definitions*, Section 47-10-2, *Administration and enforcement*, Section 47-10-3, *Responsibility for violations*, Section 47-10-4, *Violations; administrative remedies permitted*, Section 47-10-5, *Registry and reporting of alleged violations*, and Section 47-10-6, *Abandonment, obstruction, removal, storage, and disposition*, Division 2, *Shared Mobility Permits*, Section 47-10-11, *Permit required*, Section 47-10-12, *Permit fee*, Section 47-10-13, *Permit term, effective date, and expiration*, Section 47-10-14, *Issuance of permits*, Section 47-10-15, *Promulgation of parameters and minimum requirements for evaluation of shared mobility permit applications*, and Section 47-10-16, *Application for permit*, Division 3, *Responsibilities of Owners of Shared Fleets and Operators of Electric Personal Mobility Devices*, Section 47-10-31, *Digital platform*, Section 47-10-32, *Customer support services*, Section 47-10-33, *Identification, maintenance, and repair*, Section 47-10-34, *Deployment*, Section 47-10-35, *Geofencing*, Section 47-10-36, *Interference with other shared mobility permittees*, Section 47-10-37, *Operator education; community engagement; participation in mobility initiatives*, Section 47-10-38, *Data sharing*, Section 47-10-39, *Insurance requirements*, and Section 47-10-40, *Indemnity*, and Division 4, *Technical, Operational, and Parking Standards for Shared Electric Personal Mobility Devices*, Section 47-10-51, *Applicability*, Section 47-10-52, *Construction and maintenance standards*, Section 47-10-53, *Displays of information*, Section 47-10-54, *Geolocation*, Section 47-10-55, *Mobility as a service accessibility*, Section 47-10-56, *Remote or automatic incapacitation*, Section 47-10-57, *Approved areas of operation; restrictions*, Section 47-10-58, *Temporary suspension of operations by Director*, Section 47-10-59, *Operation in compliance with traffic laws and other safety requirements*, and Section 47-10-60, *Shared electric personal mobility device parking standards*, to require permitting for making shared electric personal mobility devices available for hire and to establish technical, operational, and parking standards for such shared electric personal mobility devices.

Pursuant to the Michigan Open Meetings Act as amended, which authorizes the continued use of hybrid electronic meetings to provide participation in accordance with the requirements of MCL 15.263a (2), and in consideration of the ongoing and continuing pandemic, the Detroit City Council will be meeting in person in the **City Council Committee of the Whole Room, 13th Floor, Coleman A. Young Municipal Center on Monday, February 20, 2023 at 10:15 a.m.** in the Public Health and Safety Standing Committee. **Virtual public attendance is strongly**

encouraged as, pursuant to public health guidelines, the meeting room will be subject to space limitations, and there are limited additional opportunities for public viewing within the building. For the safety of the attendees and participants, it is recommended that the public participate by means of one of the methods listed below:

The Public Hearing may be viewed in the following manner.

1. Watch via television
 - Comcast: Channel 10
 - ATT: From Channel 99, click Detroit, then Channel 10
2. Watch online by using <https://detroitmi.gov/government/city-council> and clicking on Channel 10.
3. To attend by phone only, call one of these numbers:
+1-929-436-2866, +1-312-626-6799, +1-669-900-6833, +1-253-215-8782,
+1-301-715-8592, or +1-346-246-7799 **Enter Meeting ID: 85846903626**
4. To attend online: <https://Detroitmi.gov/Online-CC-Meeting>

Public Comment:

To participate at the time of Public Comment, please raise your hand within the zoom application.

1. Telephone participants: Raise your hand by pressing *9
2. Web participants: Raise your hand by clicking **raise hand** in the application or pressing
 - a. Windows computer = [ALT] + [Y]
 - b. Apple computers = [OPTION] + [Y]

To be consistent with how Public Comment has been handled for in-person meetings:

- You will be called on in the order in which your hand is raised
- All time limits set by the meeting Chair will still be enforced
- Any hands raised after the Chair ends submission of public comments, will not be able to speak at the meeting

All interested persons are invited to be present and be heard as to their views. Persons making oral presentations are encouraged to submit written copies to the City Clerk's Office CityClerkHelpDesk@detroitmi.gov via e-mail, for the record.

JANICE M. WINFREY
City Clerk

NOTICE TO THE HEARING IMPAIRED:

With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including American Sign Language, language translation and reasonable ADA accommodations. Please contact the **Civil Rights, Inclusion and Opportunity Department** at (313) 224-4950, through the TTY number 711, or email crio@detroitmi.gov to schedule these services.

City Clerk - 6



LAW DEPARTMENT

Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 500
Detroit, Michigan 48226-3437

Phone 313•224•4550
Fax 313•224•5505
www.detroitmi.gov

November 4, 2022

Detroit City Council
1340 Coleman A. Young Municipal Center
Detroit, Michigan 48226

Re: Ordinance to amend Chapter 47 of the 2019 Detroit City Code, *Transportation for Hire*, to add Article X, *Electric Personal Mobility Devices*.

Honorable City Council:

Council President Sheffield and Member Calloway have requested that the Law Department prepare an ordinance to amend Chapter 47 of the 2019 Detroit City Code, *Transportation for Hire*, by adding Article X, *Electric Personal Mobility Devices*, to include Sections 47-10-1 through 47-10-60, to require permitting for making shared electric personal mobility devices available for hire and to establish technical, operational, and parking standards for such shared electric personal mobility devices. This ordinance was originally submitted on October 21, 2022. A revised copy of the ordinance, which has been approved as to form, is attached for your review and consideration.

The Law Department is available to answer any questions that you may have regarding this proposed ordinance.

Respectfully submitted,

Daniel Arking

Daniel Arking
Senior Assistant Corporation Counsel

Enclosure

cc: Gail Fulton, City Council Liaison

Introduced

11/22/2022
(mgw)

President
9
BY COUNCIL MEMBER

Sheffield and Council Member Whitfield-Calloway :

AN ORDINANCE to amend Chapter 47 of the 2019 Detroit City Code, *Transportation for Hire*, by adding Article X, *Electric Personal Mobility Devices*, Division 1, *Generally*, Section 47-10-1, *Definitions*, Section 47-10-2, *Administration and enforcement*, Section 47-10-3, *Responsibility for violations*, Section 47-10-4, *Violations; administrative remedies permitted*, Section 47-10-5, *Registry and reporting of alleged violations*, and Section 47-10-6, *Abandonment, obstruction, removal, storage, and disposition*, Division 2, *Shared Mobility Permits*, Section 47-10-11, *Permit required*, Section 47-10-12, *Permit fee*, Section 47-10-13, *Permit term, effective date, and expiration*, Section 47-10-14, *Issuance of permits*, Section 47-10-15, *Promulgation of parameters and minimum requirements for evaluation of shared mobility permit applications*, and Section 47-10-16, *Application for permit*, Division 3, *Responsibilities of Owners of Shared Fleets and Operators of Electric Personal Mobility Devices*, Section 47-10-31, *Digital platform*, Section 47-10-32, *Customer support services*, Section 47-10-33, *Identification, maintenance, and repair*, Section 47-10-34, *Deployment*, Section 47-10-35, *Geofencing*, Section 47-10-36, *Interference with other shared mobility permittees*, Section 47-10-37, *Operator education; community engagement; participation in mobility initiatives*, Section 47-10-38, *Data sharing*, Section 47-10-39, *Insurance requirements*, and Section 47-10-40, *Indemnity*, and Division 4, *Technical, Operational, and Parking Standards for Shared Electric Personal Mobility Devices*, Section 47-10-51, *Applicability*, Section 47-10-52, *Construction and maintenance standards*, Section 47-10-53, *Displays of information*, Section 47-10-54, *Geolocation*, Section 47-10-55, *Mobility as a service accessibility*, Section 47-10-56, *Remote or automatic incapacitation*, Section 47-10-57, *Approved areas of operation; restrictions*, Section 47-10-58, *Temporary suspension of operations by Director*, Section 47-10-59, *Operation in compliance with traffic laws and other safety*

1 *requirements*, and Section 47-10-60, *Shared electric personal mobility device parking standards*,
2 to require permitting for making shared electric personal mobility devices available for hire and to
3 establish technical, operational, and parking standards for such shared electric personal mobility
4 devices.

5 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**
6 **THAT:**

7 **Section 1.** Chapter 47 of the 2019 Detroit City Code, *Transportation for Hire*, be amended
8 by adding Article 10, *Electric Personal Mobility Devices*, Sections 47-10-1 through 47-10-60 to
9 read as follows:

10 **CHAPTER 47. TRANSPORTATION FOR HIRE**

11 **ARTICLE X. ELECTRIC PERSONAL MOBILITY DEVICES**

12 **DIVISION 1. GENERALLY**

13 **Sec. 47-10-1. Definitions.**

14 For purposes of this article, the following words and phrases shall have the meanings
15 respectively ascribed to them by this section:

16 *Abandoned* refers to an electric personal mobility device, whether located on private
17 property, public property, or within the public right-of-way, for which its owner has demonstrated
18 its intent to relinquish ownership or control based on the criteria specified in this article.

19 *Adaptive Electric Personal Mobility Device* means an electric personal mobility device that
20 is accessible to people with varying abilities, including but not limited to a power-assisted
21 recumbent bicycle, tricycle, or hand cycle, but does not include a power-driven mobility device.

22 *Central Deployment District* means the area bounded by the Detroit River, as well as East
23 Grand Boulevard and West Grand Boulevard, each extended to the Detroit River.

1 Department means the City of Detroit Department of Public Works, unless expressly stated
2 otherwise.

3 Director means the Director of the Department of Public Works or their designee.

4 Docked/Dockless electric personal mobility device means an electric personal mobility
5 device that is intended to be parked either within a docking station or without use of a docking
6 station, respectively.

7 Docking station means a physical structure, located in or accessible from a public place,
8 that is intended to provide for parking of designated electric personal mobility devices. A docking
9 station may also include electric charging infrastructure, a point-of-sale terminal by which
10 operators may pay for use of shared electric personal mobility devices, and certain wayfinding and
11 other informational signage.

12 Electric bicycle has the meaning set forth in Section 13e of the Michigan Vehicle Code,
13 being MCL 257.13e.

14 Electric personal assistive mobility device has the meaning set forth in Section 13c of the
15 Michigan Vehicle Code, being MCL 257.13c. An example of an electric personal assistive
16 mobility device is a Segway self-balancing device.

17 Electric personal mobility device means any electric power-assisted transportation device
18 designed to be operated by only one person at a time, including but not limited to an electric
19 bicycle, electric personal assistive mobility device, or electric skateboard, but not including a
20 power-driven mobility device.

21 Electric skateboard has the meaning set forth in Section 13f of the Michigan Vehicle Code,
22 being MCL 257.13f.

1 For hire means making a privately-owned electric personal mobility device available for
2 use by an individual for purposes of personal transportation in exchange for remuneration of any
3 kind, either directly or indirectly, paid or promised, but does not mean such use of an electric
4 personal mobility device that is owned or operated, wholly or partially, by the City of Detroit or
5 by an entity in partnership with the City of Detroit.

6 Geofence means a virtual geographic boundary, defined by use of cellular, global
7 positioning system, or radio frequency identification technology, that enables software to trigger
8 an alert or other response when crossed by a mobile device or other sensor technology. An area
9 may be described as geofenced if it is enclosed within a geofence continuously located around its
10 perimeter.

11 Inoperable means the condition of an electric personal mobility device that renders such
12 device incapable of normal operations in compliance with the provisions of this article and that is
13 not remediable through remote access by its owner. An electric personal mobility device may be
14 inoperable if, for example, it is uncharged, damaged, defective, altered, or missing parts.

15 Michigan Vehicle Code means the Michigan Vehicle Code, Public Act 300 of 1949 as
16 amended, being MCL 257.1 et seq., as adopted and incorporated by reference by Section 46-3-1
17 of this Code.

18 Operator means an individual who is in physical control or is responsible for the physical
19 control, of any vehicle or other device regulated by this article, whether or not actively using such
20 vehicle for transportation purposes.

21 Owner means an individual or private entity that owns one or more electric personal
22 mobility devices regulated by this article.

1 Parked means the condition of an operable electric personal mobility device when it is left
2 unattended for any period of time, whether or not its most recent operator intends to return to it for
3 further operation, but for which no presumption of abandonment exists.

4 Power-driven mobility device has the meaning set forth in Section 43c of the Michigan
5 Vehicle Code, being MCL 257.43c.

6 Public place means any outdoor area, location, or other place within the City that is
7 publicly owned or operated and is accessible for public use. A public right-of-way is a type of
8 public place.

9 Public right-of-way means a public street, road, alley, parkway, boulevard, bike lane, or
10 sidewalk that is located within the City, whether under the jurisdiction of the City or by any other
11 public entity. A public right-of-way is a type of public place.

12 Shared electric personal mobility device means an electric personal mobility device that is
13 available for hire for operation in any public place.

14 Shared fleet means a set of one or more shared electric personal mobility devices, all of the
15 same type, that are collectively owned by a single person or entity.

16 Shared mobility permit means a permit issued by the Department authorizing the permittee
17 to make the shared electric mobility devices comprising its shared fleet available for hire in any
18 public place, subject to the terms and conditions set forth therein.

19 **Sec. 47-10-2. Administration and enforcement.**

20 (a) The Department is authorized to enforce the provisions of this article.

21 (b) The Director is authorized to work jointly with the Chief of Police and the Office
22 of Mobility Innovation to carry out administration of the provisions of this article.

1 **Sec. 47-10-3. Responsibility for violations.**

2 (a) Except as otherwise expressly stated in this article, any violation of any provision
3 of this article arising from or related to a particular shared electric personal mobility device,
4 including but not limited to its technical features, operation, parking, or abandonment, shall be the
5 responsibility of the owner of such shared electric personal mobility device.

6 (b) Nothing in this article shall assign to any particular individual or entity the
7 responsibility for the violation of any law not set forth in this article, including but not limited to
8 violations of Chapter 46 of this Code or of the Michigan Vehicle Code, Public Act 300 of 1949 as
9 amended, being MCL 257.1 et seq.

10 **Sec. 47-10-4. Violations; administrative remedies permitted.**

11 (a) The Director is authorized to revoke, suspend, restrict, or reduce the authorized
12 fleet size or otherwise modify a shared mobility permit issued to any owner based upon a finding
13 that such owner's violation of any provision of this article constitutes a detriment to the public
14 peace, health, safety, and welfare in the City or any portion thereof. The Director is further
15 authorized to prohibit, suspend, or restrict the operation of an electric personal mobility device
16 based upon a finding that the involvement of such electric personal mobility device in the violation
17 of any provision of this article constitutes a detriment to the public peace, health, safety, and
18 welfare.

19 (b) In accordance with Chapter 3 of this Code, *Administrative Hearings and*
20 *Enforcement, and Administrative Appeals*, Article IV, *Administrative Appeals*, as well as the rules
21 of procedure promulgated thereunder, any appeal of an administrative decision made pursuant to
22 Subsection (b) of this section shall be made to the Department of Appeals and Hearings.

1 **Sec. 47-10-5. Registry and reporting of alleged violations.**

2 (a) The Director shall accept and investigate complaints and other allegations of
3 violations of any provision of this article, whether identified by the Department, referred by
4 another agency of the City, or received from a member of the public, regarding electric personal
5 mobility devices or their owners or operators. The Director shall maintain a registry of all such
6 alleged violations, which must include for each entry, to the extent that such information is
7 available:

8 (1) Date, time, and location of the alleged violation;

9 (2) Owner of the electric personal mobility device involved in the alleged violation;

10 (3) Brief description of the nature of the alleged violation;

11 (4) Citation to the provision of this article subject to violation

12 (5) Source of the alleged violation; and

13 (6) Findings by the Department, if any, upon investigation into the alleged violation.

14 (b) No later than December 1 of each year, the Director shall prepare reports of all
15 alleged violations having occurred in the previous 12 months associated with each Owner. The
16 Director shall transmit each report to the Owner associated therewith and provide not less than 30
17 days for each Owner to provide responses to the alleged violations included in such report. The
18 Director shall include all such responses in its registry.

19 **Sec. 47-10-6. Abandonment, obstruction, removal, storage, and disposition.**

20 (a) An electric personal mobility device must not be abandoned or subject to any
21 circumstances providing for the presumption of its abandonment.

22 (b) An electric personal mobility device may be presumed by the Department to be
23 abandoned if it has been left unattended in any of the following circumstances:

1 (1) The electric personal mobility device is located for a period of at least 48 hours in
2 a public place in inoperable condition;

3 (2) The electric personal mobility device is located for any period of time on private
4 property without the consent of the owner of such property;

5 (3) The electric personal mobility device is placed and allowed to remain for any period
6 of time in a public river, stream, fountain, or other body of water, whether natural
7 or artificial;

8 (4) The electric personal mobility device is suspended for any period of time from a
9 scaffold, pole, wire, tree, or other structure that is located in a public place or public
10 right-of-way;

11 (5) The electric personal mobility device is located for any period of time in a public
12 place in such a manner as to create an imminent danger to public health or safety;
13 or

14 (6) The electric personal mobility device is located for any period of time in a grassy
15 or otherwise vegetated portion of a public place.

16 (c) An electric personal mobility device may constitute an obstruction for purposes of

17 Section 43-8-2 of this Code in any of the following circumstances:

18 (1) The electric personal mobility device is parked in a public place in violation of
19 Section 47-10-60 of this Code;

20 (2) The electric personal mobility device is a shared electric personal mobility device
21 for which the owner does not hold a valid shared mobility permit, except if
22 expressly authorized in this article to be operated without such permit; or

1 (3) The electric personal mobility device satisfies any one or more of the circumstances
2 set forth in Subsection (b) of this section that it may be presumed to be abandoned.

3 (d) An electric personal mobility device that obstructs a public place or public right-
4 of-way in violation of Section 43-8-2 of this Code may be subject to removal in accordance with
5 Sections 43-8-7 of this Code, except that:

6 (1) Notwithstanding Section 43-8-7(a), the Department may issue notice of removal of
7 an abandoned electric personal mobility device up to but not more than to 24 hours
8 after such removal; and

9 (2) For purposes of Section 43-8-7(b), the Department's service of its notice of removal
10 of a shared electric personal mobility device may be made by means of the contact
11 information printed or otherwise affixed to the device.

12 (e) An electric personal mobility device that has been removed by the Department is
13 subject to storage and disposition in accordance with Section 43-8-8 of this Code and the owner
14 of such device is subject to all fees authorized therein.

15 **Secs. 47-10-7 – 47-14-10. Reserved.**

16 **DIVISION 2. SHARED MOBILITY PERMITS**

17 **Sec. 47-10-11. Permit required.**

18 It shall be unlawful to make available for hire a shared electric personal mobility device
19 for operation in any public place unless its owner has been issued and currently holds a valid shared
20 mobility permit from the City and is in compliance with the terms and conditions of such permit.

21 **Sec. 47-10-12. Permit fee.**

22 (a) The Department shall require payment of a fee from each applicant for a shared
23 mobility permit to defray the Department's costs to administer and enforce the provisions of this

1 division. Such fee shall be due upon submission of each shared mobility permit application and
2 shall be nonrefundable, except when a refund is expressly authorized by this division.

3 (b) The Department is authorized to establish fees, subject to approval by resolution of
4 the Detroit City Council, based on its anticipated costs to administer the review of shared mobility
5 permit applications and enforce compliance with the provisions of this division. The Department
6 may establish distinct fees based on the size of the shared fleet for which the permit is applied.

7 (c) After adoption of a resolution by the City Council and approval of the resolution
8 by the Mayor, the schedule of fees must be:

9 (1) Published in a daily newspaper of general circulation and in the Journal of the City
10 Council;

11 (2) Made available at the Office of the City Clerk; and

12 (3) Reviewed by the City Council at least once every two years.

13 **Sec. 47-10-13. Permit term, effective date, and expiration.**

14 (a) A shared mobility permit issued under this division may be valid for a period not
15 to exceed two years, commencing on the date of its issuance by the Department.

16 (b) Each shared mobility permit must include specific effective and expiration dates.
17 Notwithstanding its issuance, the shared mobility permit will remain invalid and will have no effect
18 until its effective date. Upon its expiration date, the shared mobility permit will automatically
19 expire and become immediately invalid.

20 **Sec. 47-10-14. Issuance of permits.**

21 (a) The Department shall issue shared mobility permits in accordance with the
22 provisions of this section.

1 **(b) Not later than the first December 1 following the effective date of the ordinance**
2 **establishing this article, and again not later than December 1 of each even-numbered year**
3 **thereafter, the Department shall promulgate parameters, including associated minimum**
4 **requirements, for the evaluation of shared mobility applications in accordance with Section 47-10-**
5 **15 of this Code and set the dates when it will commence and conclude acceptance of shared**
6 **mobility permit applications. The Department shall accept of shared mobility permit applications**
7 **for a continuous period of not less than 60 days and not more than 90 days.**

8 **(c) The Department shall notice the opportunity to submit applications for shared**
9 **mobility permits, such notice including all applicable parameters and associated minimum**
10 **requirements, and accept shared mobility permit applications for the period specified pursuant to**
11 **Subsection (b) of this section.**

12 **(d) Not more than 30 days following conclusion of the application acceptance period,**
13 **the Department shall complete all of the following activities:**

14 **(1) Review and rank all complete and timely applications based on the parameters**
15 **promulgated under Subsection (b) of this section. The Department may separately**
16 **rank applications related to different types of electric personal mobility devices.**

17 **(2) Upon approval by resolution of the Detroit City Council of its ranking of**
18 **applications, issue permits to the top-ranked applicants, in order of their relative**
19 **ranking, subject to applicable terms and conditions.**

20 **(3) Assign the same effective date and expiration date to each permit issued under this**
21 **subsection.**

22 **(e) If any owner to which a shared mobility permit has been issued pursuant to**
23 **Subsection (d)(2) is terminated prior to the stated expiration date of such permit, the Department**

1 may reassign such permit to another owner in accordance with the following:

2 (1) The Department shall notice the opportunity to submit applications for
3 reassignment of the terminated permit, including the terms and conditions of such
4 permit, and accept shared mobility permit applications for a period of not more than
5 90 days.

6 (2) Review and rank all complete and timely applications based on the parameters
7 promulgated under Subsection (b) of this section, as such parameters are applicable.

8 (3) Upon approval by resolution of the Detroit City Council of its ranking of
9 applications, reassign the permit to the top-ranked applicant.

10 (4) The terms and conditions of any permit being reassigned pursuant to this
11 Subsection (e), including but not limited to its expiration date, must not be revised
12 in the course of its reassignment.

13 **Sec. 47-10-15. Promulgation of parameters and minimum requirements for evaluation of**
14 **shared mobility permit applications.**

15 (a) The Department is authorized to periodically promulgate parameters for purposes
16 of evaluating shared mobility permit applications, including minimum requirements for each such
17 parameter.

18 (b) The Department's promulgation of parameters and associated minimum
19 requirements must be based on the recommendations of the Office of Mobility Innovation and
20 may, in its sole discretion, be based on consultation with other City departments and private
21 stakeholders.

22 (c) Parameters must relate to specific issues that are reasonably related to the effective,
23 efficient, and equitable deployment and operation of shared fleets in the City. Parameters and

associated minimum requirements may include, but need not be limited to, the following:

- (1) Shared fleet size for small and large shared fleets;
- (2) Technological capabilities of shared electric personal mobility devices;
- (3) Inclusion of adaptive electric personal mobility devices within the shared fleet
- (4) Plans for deployment of shared electric personal mobility devices outside the
central deployment district, at specified transit hubs, or other locations;
- (5) Data sharing capabilities;
- (6) Record of historic operations in the City;
- (7) Employment of Detroit residents;
- (8) Community engagement on mobility-related issues, such as safe operation and
parking of electric personal mobility devices in compliance with the provisions of
this article; and
- (9) Pricing schedule for the use of shared electric personal mobility devices, including
reduced rates to increase accessibility to selected categories of operators;

Sec. 47-10-16. Application for permit.

(a) An application for a shared mobility permit must be made on a form to be provided
by the Department.

(b) The Department may accept an application only if it is complete, except is
otherwise allowed in this division. To be considered complete, an application for a shared mobility
permit must at a minimum include payment of the required fee and submission of all of the
following information and documentation:

- (1) The applicant's full and accurate corporate name;
- (2) The applicant's state and date of incorporation;

- 1 (3) The applicant's current contact information, including mailing address, phone
2 number, and email address;
- 3 (4) The full name and address of one or more officer, director, manager, or other person
4 who has authority to bind the corporation;
- 5 (5) The full name and address of the statutory agent or other agent who is authorized
6 to receive service of process on behalf of the applicant;
- 7 (6) The type of shared electric personal mobility device and size of the shared fleet for
8 which the shared mobility permit is desired;
- 9 (7) Detailed plans for the management of a shared fleet, which may include the
10 following:
- 11 (i) Technical specifications for the shared electric personal mobility devices;
12 (ii) Plan for maintenance and repairs of shared electric personal mobility
13 devices;
- 14 (iii) Plan for periodic distribution of shared electric personal mobility devices;
15 (iv) Plan for community outreach and engagement;
16 (v) Plan for data sharing;
- 17 (vi) Pricing schedule for use of shared electric personal mobility devices; and
18 (vii) Additional information responsive to the parameters for evaluation of
19 shared mobility permit applications.
- 20 (8) Certificate of insurance demonstrating the applicant's compliance with the
21 standards set forth in Section 47-10-39 of this Code; and
- 22 (9) Indemnification of the City of Detroit, in accordance with the provisions of Section
23 47-10-40 of this Code.

1 Secs. 47-10-17 – 47-10-30. Reserved.

2 **DIVISION 3. RESPONSIBILITIES OF OWNERS OF SHARED FLEETS AND**
3 **OPERATORS OF ELECTRIC PERSONAL MOBILITY DEVICES**

4 **Sec. 47-10-31. Digital platform.**

5 Each owner of a shared fleet must maintain, and must make available to current and
6 prospective operators of its shared electric personal mobility devices, a digital platform through
7 which operators can locate and access shared electric personal mobility devices, submit payments
8 for their use, and provide feedback and other communications with the owner, among other
9 functions necessary for their effective operation of a shared electric personal mobility device.
10 Digital platforms for dockless shared electric personal mobility devices must be available via a
11 mobile application. Digital platforms for docked shared electric personal mobility devices may be
12 available solely via kiosks collocated with the docking stations.

13 **Sec. 47-10-32. Customer support services.**

14 (a) Each owner of a shared fleet shall establish a public customer support service,
15 through which it can accept and respond to questions, comments, complaints, and other inquiries
16 from current or prospective operators of its shared electric personal mobility devices. At a
17 minimum, the owner's customer support service must be able to accept reports that one of its
18 shared electric personal mobility devices is defective, damaged, inoperable, being improperly
19 operated or parked, or has been involved in an accident, whether or not resulting in injury or any
20 person or damage to any property.

21 (b) The owner's customer support service must be accessible through the owner's
22 website, mobile application, and the telephone number provided on its shared electric personal
23 mobility devices in accordance with Section 47-10-53(3) of this Code.

1 (c) The owner's customer support service must be available at all times, 24 hours per
2 day and 7 days per week, for the entire duration of its shared mobility permit.

3 **Sec. 47-10-33. Identification, maintenance, and repair.**

4 (a) Each owner of a shared fleet shall assign a unique identification number for each
5 shared electric personal mobility device within its shared fleet.

6 (b) Each owner of a shared fleet shall perform regular preventive maintenance of all
7 shared electric personal mobility devices within its shared fleet to keep them in good working
8 order and free of defect. Upon completion of such maintenance, a shared electric personal mobility
9 device must at a minimum be in compliance with all technical standards set forth in Division 4 of
10 this article.

11 (c) No shared electric personal mobility device may be made available for hire if it is
12 inoperable or otherwise in need of repair. Each owner shall maintain standard procedures to
13 promptly identify shared electric personal mobility devices within its shared fleet that are in need
14 of repair, remove such devices from public places, and perform all necessary repairs.

15 **Sec. 47-10-34. Deployment.**

16 Each owner of a shared fleet shall be responsible for the periodic deployment of its shared
17 electric personal mobility devices in public places. Such deployment shall occur on a daily basis,
18 unless another period is stated in the terms of the owner's shared mobility permit. Each owner
19 shall undertake such deployment in accordance with all applicable terms of its shared mobility
20 permit and parking standards set forth in this article.

21 **Sec. 47-10-35. Geofencing.**

22 (a) Each owner shall establish geofences around certain public places, public rights-
23 of-way, or portions thereof, in which operation of a shared electric personal mobility device would

1 be unsafe or otherwise should be restricted.

2 (1) The Department may, in the terms of a shared mobility permit, identify certain areas
3 to be geofenced on a permanent basis. The Department must identify the same areas
4 in the terms of all shared mobility permits that it has issued at any particular time.
5 Each owner must geofence all areas identified in its permit and maintain such
6 geofencing at all times during the term of its shared mobility permit.

7 (2) The Department may at any time identify certain areas to be geofenced on a
8 temporary basis. Reasons for temporary geofencing may include repaving or other
9 construction activities, street fairs or other pedestrian-oriented special events, and
10 other circumstances that render operation of a shared electric personal mobility
11 device unsafe, whether for the operator or for pedestrians and vehicles in the area.
12 The Department shall provide to all shared mobility permit holders not less than 24
13 hours advance notice of any temporary geofencing, including the area subject to
14 geofencing, the duration of the geofencing, and the reason for the geofencing. Each
15 owner shall implement such geofencing within 24 hours and maintain such
16 geofencing for the area and duration specified in the Department's notice.

17 (b) Each owner of a shared fleet shall immediately remotely incapacitate a shared
18 electric personal mobility device within its shared fleet upon demand by the Department in
19 response to an emergency situation or other circumstances in which continued operation of the
20 shared electric personal mobility devices could present an unacceptable risk to the safety of its
21 operators or to the general public safety.

22 (c) Each owner of a shared fleet shall ensure that any remote or automatic
23 incapacitation of a shared electric personal mobility device is undertaken in a manner to mitigate

1 the creation of any risk to the safety of the operator or to public safety at the time of its
2 incapacitation.

3 **Sec. 47-10-36. Interference with other shared mobility permittees.**

4 Each owner of a shared fleet shall refrain from taking any action, and shall refrain from
5 authorizing, enabling, encouraging, or facilitating operators of its shared electric personal mobility
6 devices, to interfere with the normal operations of any other owner of a shared fleet or its shared
7 electric personal mobility devices. Examples of such prohibited interference include but are not
8 limited to:

9 (1) damaging, disabling, tampering with, or rendering inoperable a shared electric
10 personal mobility device,

11 (2) concealing, hiding, or otherwise rendering inaccessible a shared electric personal
12 mobility device, and

13 (3) placing a shared electric personal mobility device in noncompliance with applicable
14 parking standards or otherwise rendering the shared electric personal mobility
15 device in violation of this article.

16 **Sec. 47-10-37. Operator education; community engagement; participation in mobility**
17 **initiatives.**

18 (a) Each owner of a shared fleet shall, through its digital platform, mobile applications,
19 docking stations, and other comparable means, provide educational communications to operators
20 of its shared electric personal mobility devices to facilitate their compliance with applicable
21 provisions of this article. Specific topics may include technical specifications of electric personal
22 mobility devices, best practices for safe operations, applicable traffic safety requirements, and
23 applicable parking requirements.

1 (b) The Department may, from time to time, host community outreach and engagement
2 activities for various mobility-related purposes, such as promoting the use of electric personal
3 mobility devices, increasing accessibility of electric personal mobility device and other mobility
4 alternatives, or providing operator and traffic safety education. Such activities may include town
5 hall meetings, meetings with neighborhood organizations, attendance at neighborhood special
6 events, and direct communications to residents. Each owner shall, upon request by the Department,
7 participate in such activities. The Department shall provide the owner reasonable advanced notice
8 of any such activities and other information necessary to enable the owner's meaningful
9 participation.

10 (c) The Department may, from time to time, conduct surveys for various mobility-
11 related purposes, such as better understanding residents' transportation preferences. Such surveys
12 will be in digital format and may be distributed through various means, include the City's website,
13 email, and social media, among others. Each owner of a shared fleet shall, upon request by the
14 Department, promote such surveys, for example by providing access to such surveys via its digital
15 platform, website, or other means. The Department shall provide the owner reasonable advanced
16 notice of any such survey, including links to access the survey and other information necessary to
17 enable the owner's compliance with this subsection.

18 (d) The Department may, from time to time, develop pilot programs and other special
19 initiatives to demonstrate various mobility-related technologies or policies involving electric
20 personal mobility devices. Each owner of a shared fleet shall, upon request by the Department,
21 participate in such initiatives. The Department shall provide the owner reasonable advanced notice
22 and other information necessary to enable the owner's meaningful participation. The owner's
23 deployment of shared electric personal mobility devices as part of such an initiative are not subject

1 to, and may not be counted against, any fleet size limits set forth in its shared mobility permit and
2 will not impact the number of electric personal mobility devices for which it is authorized to deploy
3 as part of its normal operations.

4 (c) The City and the owners of shared fleets shall each be responsible for its own costs
5 and expenses of participation in any community outreach and engagement activities, pilot
6 programs, or other initiatives authorized by this section.

7 (d) The owner of a shared fleet will have no obligation to participate in any community
8 outreach and engagement activities, pilot programs, or other initiatives authorized by this section
9 if, based on the information provided by the Department, it can reasonably demonstrate that its
10 participation would be infeasible for reasons other than the incurrence of reasonable costs arising
11 from such participation.

12 **Sec 47-10-38. Data sharing.**

13 (a) Each owner of a shared fleet shall share with the Department complete data
14 regarding usage of its shared electric personal mobility devices and other data pertinent to its
15 operations. The Department shall enumerate in the owner's shared mobility permit the specific
16 metrics for which the owner must provide data, as well as the frequency by which such data must
17 be shared. Examples of specific metrics for which the Department may require data sharing
18 include, but need not be limited to:

19 (1) Utilization volumes;

20 (2) Membership volumes;

21 (3) Trip volumes;

22 (4) Trip origins, destinations, distances, and routes;

23 (5) Geographic distributions of periodic redeployments;

1 (6) Real-time Scooter locations and availability, based on the General Bike Share Feed

2 Specification (GBFS);

3 (7) Parking violation reports;

4 (8) Theft and vandalism reports;

5 (9) Maintenance reports;

6 (10) Operator complaint reports; and

7 (11) Accident/injury reports.

8 (b) All data must be anonymized so as to exclude any data that that reveal the identity
9 of an individual operator or other person or that otherwise contain personally identifiable
10 information.

11 (c) Unless otherwise directed by the Department, the owner shall share all data through
12 an application programming interface that is compatible with the current version of the mobility
13 data specification.

14 (d) In exchange for acceptance of a permit issued pursuant to Section 47-10-14 of this
15 Code, each owner of a shared fleet shall grant to the "City of Detroit" a perpetual, irrevocable,
16 worldwide, royalty-free, and non-exclusive license to possess and utilize all data that it provides
17 to the Department pursuant to Subsection (a) of this section for purposes of the administration or
18 enforcement of this article, as well as for purposes of general mobility planning and policymaking
19 activities. Each such license must further authorize the City to sub-license all subject data to its
20 vendors, partners, and collaborators, as well as to other governmental agencies, as may be
21 reasonably necessary in furtherance of the purposes stated herein, except that no such license must
22 authorize the City to sub-license data provided by one owner of a shared fleet to any other owner
23 of a shared fleet.

Sec. 47-10-39. Insurance requirements.

(a) Each owner of a shared fleet shall, prior to the issuance of a shared mobility permit, file certificates of insurance, signed by a duly authorized officer of a company authorized to write insurance in Michigan, to the effect that one or more policies of insurance have been issued to the owner, that all such policies are in full force and effect, and that the premiums have been paid as required thereon.

(b) Such policies of insurance shall be of the following types, each in amount not less than the corresponding minimum coverage requirements:

<u>Insurance Type:</u>	<u>Minimum Coverage Requirement</u>
<u>Workers' Compensation</u>	<u>Michigan Statutory minimum</u>
<u>Employer's Liability</u>	<u>\$500,000.00 minimum each disease</u> <u>\$500,000.00 minimum each person</u> <u>\$500,000.00 minimum each accident</u>
<u>Errors and Omissions</u>	<u>\$1,000,000.00 each occurrence</u> <u>\$1,000,000.00 in aggregate</u>
<u>Commercial General Liability (broad form comprehensive)</u>	<u>\$5,000,000.00 each occurrence</u> <u>\$5,000,000.00 in aggregate</u>
<u>Automobile Liability (covering all owned, hired and non-owned vehicles with personal and property protection insurance, including residual liability insurance under Michigan no fault insurance law).</u>	<u>\$1,000,000.00 combined single limit for bodily injury and property damage</u>

1 (c) The owner's commercial general liability, automobile liability, and errors and
2 omissions policies of insurance must name the "City of Detroit" as an additional insured party.

3 (d) The policies of insurance must contain a provision for a continuing liability
4 thereunder to the full amount thereof, notwithstanding any recovery thereon, and that until the
5 policy is revoked, as provided in Subsection (e) of this section, the insurance company shall not
6 be relieved from liability on account of nonpayment of premium, failure of the owner to renew the
7 City business license at the end of the term, or any act or omission of the named insured.

8 (e) Any insurance company whose policy has been so filed pursuant to this section
9 shall file a notice with the Department of its intention to terminate and cancel such policy and give
10 notice thereof to the named policy holder, whereupon after ten days from filing, the owner shall
11 cease to deploy its shared fleet within the City, and its shared mobility permit will be automatically
12 suspended and liability on such policy shall cease and terminate, provided, that the liability of the
13 insurance company therefor for any act or omission of the licensee or owners occurring prior to
14 the effective date of cancellation shall not be discharged or impaired.

15 **Sec. 47-10-40. Indemnity.**

16 (a) Each owner of a shared fleet shall indemnify, defend, and hold harmless, and shall
17 include in its terms of service applicable to all operators of any electric personal mobility device
18 within its shared fleet the requirement that such operators shall indemnify and hold harmless, the
19 City against and from any and all liabilities, obligations, damages, penalties, claims, costs, charges,
20 losses and expenses, including, without limitation, fees and expenses for attorneys, expert
21 witnesses and other consultants, that may be imposed upon, incurred by, or asserted against the
22 City or its departments, officers, employees, or agents by reason of any of the following occurring
23 during the term of its shared mobility permit with respect to the owner or its associates:

1 (1) Any negligent or tortious act, error, or omission attributable in whole or in part to
2 the owner or its associates or the operator of an electric personal mobility device
3 owned by the owner or its associates; and

4 (2) Any failure by the owner or its associates to comply with the provisions of this
5 article; and

6 (3) Any injury to the person or property of an employee of the City where such injury
7 arises out of the activities of the owner or its associates, or by the activities of an
8 operator of an electric personal mobility device owned by the owner or its
9 associates.

10 (b) For purposes of this section, the term “associates” includes the owner’s parent
11 corporation and subsidiaries, as well as any of officers, employees, agents, contractors, or affiliates
12 of the owner, its parent corporation, or its subsidiaries.

13 **Secs. 47-10-41 – 47-10-50. Reserved.**

14 **DIVISION 4. TECHNICAL, OPERATIONAL, AND PARKING STANDARDS FOR**
15 **SHARED ELECTRIC PERSONAL MOBILITY DEVICES**

16 **Sec. 47-10-51. Applicability.**

17 The standards set forth in this division apply to all shared electric personal mobility devices
18 at all times while they are available for hire.

19 **Sec. 47-10-52. Construction and maintenance standards.**

20 A shared electric personal mobility device must be constructed and maintained in
21 accordance with the following standards.

22 (1) The shared electric personal mobility device is constructed of durable and impact-
23 resistant materials that are safe for outdoor use and are in compliance with all

1 federal, state, and city safety standards, including any such standards promulgated
2 by the U.S. Consumer Product Safety Commission, the State of Michigan, or the
3 City of Detroit.

4 (2) The shared electric personal mobility device's exterior surfaces are clean and free
5 of damage or excessive wear.

6 (3) The shared electric personal mobility device's battery should be rated IP68 or
7 higher. All such equipment must be free of damage or excessive wear.

8 (4) The shared electric personal mobility device's wheels, including their axles, hubs,
9 and spokes, are securely attached, in alignment, and free of damage or excessive
10 wear.

11 (5) The shared electric personal mobility device's wheels are equipped with rubberized
12 tires, either solid or pneumatic, that are suitable for use on paved surfaces and that
13 are in compliance with Section 662(5) of the Michigan Vehicle Code, being MCL
14 257.662(5). All pneumatic tires are inflated to recommended pressures.

15 (6) The shared electric personal mobility device is equipped with fenders that are free
16 of damage or excessive wear.

17 (7) The shared electric personal mobility device is equipped with a white front light
18 that is visible from a distance of at least 500 feet in front of the device under normal
19 atmospheric conditions at night and that stays illuminated for at least 90 seconds
20 after the device comes to a complete stop. The shared electric personal mobility
21 device is equipped with a red reflector on the rear that is visible from all distances
22 from 500 feet to the rear when directly in front of lawful lower beams of head lamps
23 on a motor vehicle. The shared electric personal mobility device is in compliance

1 with applicable provisions of Section 662 of the Michigan Vehicle Code, being
2 MCL 257.662.

3 (8) The shared electric personal mobility device is equipped with brakes on each set of
4 front and rear wheels that are capable of bringing the device to a complete stop
5 within a reasonable distance.

6 (9) The shared electric personal mobility device is equipped with speed control
7 technology that limits its power-assisted maximum speed to not more than 20 miles
8 per hour for electric bicycles and not more than 15 miles per hour for electric
9 skateboards and all other device types.

10 (10) The shared electric personal mobility device is equipped with either a seat or
11 standing platform that is stable, structurally sound, and of sufficient size and shape
12 to provide for safe and comfortable use by an operator.

13 (11) The shared electric personal mobility device is equipped with a kickstand or other
14 device that enables it to be parked freestanding in an upright position and to remain
15 in such position under ordinary weather conditions and other applicable
16 circumstances.

17 (12) All attachments, including but not limited to handlebars, pedals, seats, standing
18 platforms, cargo baskets and straps, hand brake levers, gear shift mechanisms, bells,
19 and whistles, must be securely fastened to the shared electric personal mobility
20 device and free of damage or excessive wear.

21 **Sec. 47-10-53. Displays of information.**

22 Each shared electric personal mobility device must prominently display the following
23 information:

1 (1) The name, logo, or other branding of its owner;

2 (2) Its unique identification number;

3 (3) The contact information, including the phone number, email address, and website,
4 for its owner's customer support services; and

5 (4) Additional information as specified in Section 662a(2) of the Michigan Vehicle
6 Code, being MCL 257.662a(2).

7 **Sec. 47-10-54. Geolocation.**

8 Each shared electric personal mobility device must be equipped with a global positioning
9 system (GPS) receiver that enables its accurate geolocation no less frequently than every 90
10 seconds. The geolocation of each shared electric personal mobility device must be accessible
11 through its owner's mobile platform at all times while it is available for hire.

12 **Sec. 47-10-55. Mobility as a service accessibility.**

13 Each shared electric personal mobility device must be operable through compatible third
14 party "mobility as a service" digital platforms without need for direct connection, by way of
15 Bluetooth or other technology, to the owner's digital mobile application as available on an
16 operator's mobile device.

17 **Sec. 47-10-56. Remote or automatic incapacitation.**

18 Each shared electric personal mobility device must be capable of being rendered
19 temporarily incapable of normal operations in the following circumstances:

20 (1) By remote control of its owner; and

21 (2) Automatically based on the shared electric personal mobility device's entry into a
22 geofenced or other prohibited area, noncompliance with the operational standards

1 set forth in this article, noncompliance with the owner's terms of use, or other type
2 of impermissible operation.

3 **Sec. 47-10-57. Approved areas of operation; restrictions.**

4 (a) Except as otherwise expressly provided in this Code, shared electric personal
5 mobility devices are authorized to be operated in public places, including streets, alleys, bicycle
6 lanes, and sidewalks, subject to the following restrictions:

7 (1) The operation of a shared electric personal mobility device is prohibited on any
8 stairway or in any area covered by dirt, grass, or other natural vegetation.

9 (2) In a public right-of-way that contains a designated bicycle lane, the operation of a
10 shared electric personal mobility devices is authorized only in such bicycle lane.

11 (3) In an automobile lane of a public right-of-way, the operation of a shared electric
12 personal mobility device is authorized only in the curb lane or rightmost lane
13 adjacent to the parking lane, as applicable.

14 (4) The operation of a shared electric personal mobility device is subject to all
15 applicable terms of the permit issued to its owner by the Department pursuant to
16 Section 47-10-14 of this Code.

17 (5) On a sidewalk, pedestrian walkway, or other pedestrian-oriented portion of a public
18 place or public right-of way, the operator of an electric personal mobility device
19 shall in all circumstances yield the right of way to pedestrians and shall undertake
20 all measures necessary to avoid impact with or injury to pedestrians, interference
21 with the flows of pedestrian traffic, or the creation of a nuisance or other threat to
22 public health and safety. Examples of such measures include but are not limited to
23 reducing the electric personal mobility device's speed, directing the electric

1 personal mobility device to maintain safe distance from pedestrians, and
2 temporarily ceasing operation of, and dismounting from, the electric personal
3 mobility device. The operator shall be solely responsible for any impact with or
4 injury to pedestrians, interference with the flows of pedestrian traffic, or the
5 creation of a nuisance or other threat to public health and safety involving the
6 electric personal mobility device.

7 (b) The Director may designate restrictions, in addition to those set forth in this article,
8 to the hours and areas in which electric personal mobility devices may be operated in public places
9 or the public right-of way.

10 **Sec. 47-10-58. Temporary suspension of operations by Director.**

11 The Director is authorized to temporarily suspend the operation of shared electric personal
12 mobility devices in public places or public rights-of-way upon determination that such operation
13 is unsafe, whether for operators or other individuals, or otherwise unsuitable under applicable
14 conditions.

15 **Sec. 47-10-59. Operation in compliance with traffic laws and other safety requirements.**

16 (a) Operation of a shared electric personal mobility device shall at all times comply
17 with all applicable traffic laws governing the operation of vehicles and bicycles as set forth in
18 Chapter 46 of this Code, including Sections 658, 660, and 661 of the Michigan Vehicle Code,
19 being MCL 257.660, 257.660, and 257.661 respectively, as they are incorporated therein. If any
20 provision of Chapter 46 of this Code conflicts with a provision of this article, the provision of this
21 article controls.

22 (b) In accordance with Section 658(3) of the Michigan Vehicle Code, being MCL
23 257.658(3), an electric personal assistive mobility device or an electric skateboard shall not be

1 operated to carry more than one person at a time. Any other type of shared electric personal
2 mobility device, such as electric bicycles, shall not be operated to carry more than the number of
3 persons specified in the shared mobility permit authorizing its operation, or one person if no
4 number is specified in such permit, at a time.

5 (c) In accordance with Section 658(4) of the Michigan Vehicle Code, being MCL
6 257.658(4), an electric skateboard shall not be operated by an individual less than 19 years who is
7 not wearing a crash helmet on his or her head at all times during such operation.

8 (d) In accordance with Section 658(9) of the Michigan Vehicle Code, being MCL
9 257.658(9), an electric skateboard shall not be operated on a public highway or street by an
10 individual less than 12 years of age.

11 (e) In accordance with Section 661 of the Michigan Vehicle Code, being MCL
12 257.661, an electric personal mobility device shall not be operated by an operator carrying any
13 package, bundle, or article that prevents him or her from keeping both hands upon the handlebars
14 or otherwise maintaining control of the electric personal mobility device at all times.

15 (f) Operation of a shared electric personal mobility device shall at all times adhere to
16 all appliable traffic control lights, signals, and signage governing the operation of vehicles and
17 bicycles.

18 (g) A shared electric personal mobility device shall be operated only for its intended
19 purpose. A shared electric personal mobility device shall not be operated in any manner
20 constituting disorderly conduct in violation of Section 31-5-1 of this Code.

21 (h) A shared electric personal mobility device shall not be operated while under the
22 influence of an alcoholic liquor, illegal drug, or controlled substance, including marijuana.

1 (i) The Director is authorized to designate reduced speed limits for shared electric
2 personal mobility devices in any public place or public right-of-way in which the Director
3 determines:

4 (1) Congested pedestrian traffic is present or is likely to be present;

5 (2) Without a speed limit, a significant speed differential would exist between
6 pedestrians or non-motorized traffic and electric personal mobility devices; or

7 (3) Without a speed limit, the presence of electric personal mobility devices traffic
8 could endanger public health and safety.

9 **Sec. 47-10-60. Shared electric personal mobility device parking standards.**

10 (a) When a shared electric personal mobility device is parked in a public place, it must
11 be parked in accordance with Section 660d of the Michigan Vehicle Code, being MCL 257.660d,
12 as well as the additional standards set forth in this section. The operator of the electric personal
13 mobility device is responsible for adherence to all such standards.

14 (b) A shared electric personal mobility device must not be parked in a manner that
15 could foreseeably impose a threat to public health and safety, including the health and safety of
16 proximate pedestrians, vehicles, and property.

17 (c) A docked shared electric personal mobility device must be parked in a designated
18 docking station if any such station is within a reasonable vicinity and has available capacity.

19 (d) The Director may designate zones in which electric personal mobility device
20 parking is expressly authorized and may take all necessary steps to identify and enforce such zones
21 through geofencing, signage, fencing, striping, or other means. In all circumstances in which
22 Subsection (c) of this section does not apply, an electric personal mobility device must be parked

1 in a designated parking zone if any such zone is within a reasonable vicinity and has available
2 capacity.

3 (e) In all circumstances in which Subsections (c) and (d) of this section do not apply,
4 the shared electric personal mobility device must be parked in accordance with the following
5 standards, as applicable:

6 (1) The shared electric personal mobility device is parked on the sidewalk, fully
7 contained within the “furniture zone” of the sidewalk corridor.

8 (2) The shared electric personal mobility device is parked freestanding in an upright
9 position and is not leaning against or fastened to a stationary structure or object not
10 designated for such purpose, including bus shelters, street furniture, light poles,
11 traffic signals, signposts, fences, fire hydrants, mailboxes, and street trees, but not
12 including bicycle racks or docking stations.

13 (3) The shared electric personal mobility device is parked parallel to any proximately
14 located stationary structures or objects, as well as to other electric personal mobility
15 devices already parked at the same location. If parked in a group of electric personal
16 mobility devices, such group contains not more than 10 such devices belonging to
17 any single owner.

18 (4) The shared electric personal mobility device is parked so as to provide not less than
19 six feet of clearance across with width of the sidewalk to allow for unobstructed
20 flows of pedestrian traffic.

21 (5) The shared electric personal mobility device is not parked within any prohibited
22 area, which includes each of the following:

- (i) A vehicular travel lane, bicycle lane, alley, traffic island or median, or crosswalk;
- (ii) The pedestrian zone of a sidewalk that is less than six feet wide;
- (iii) An area that is covered by vegetation, including grass, or is otherwise unpaved;
- (iv) An area designated as a no-parking, no-standing, loading, taxi, or valet zone;
- (v) An area designated as a bus stop, being the portion of the curb lane extending 30 feet from a bus stop sign in the direction counter to traffic flow, a bus passenger waiting area, or bus layover and staging zone;
- (vi) An area designated as a construction zone, construction staging zone, or any other area subject to repaving or other construction activities;
- (vii) An area in which the parked electric personal mobility device would obstruct access to lawfully parked vehicles;
- (viii) An area in which the parked electric personal mobility device would obstruct a traffic control or other regulatory sign, light, signal, or device;
- (ix) An area designated as a sidewalk café or other outdoor dining area;
- (x) The area within 6 feet of any doorway or other point of ingress to or egress from a building or structure. For buildings or structures that are set back from the lot line, this spacing requirement applies to points of ingress to or egress from the property containing the building or structure;
- (xi) The area within the corner curb sight radius area of any sidewalk;

1 (xii) The area within the intersection of two or more sidewalk corridors, as
2 determined by the adjacent property lines extended;

3 (xiii) The area in which the parked electric personal mobility device would
4 obstruct access to a fire hydrant, grating, manhole cover, or vault access lid;

5 (xiv) The area in which the parked electric personal mobility device would
6 obstruct access to a driveway or curb cut, ADA accessible ramp or parking
7 space; and

8 (xv) The area in which the parked electric personal mobility device would
9 obstruct access to street furniture, including benches, bus shelters, transit
10 information signs, municipal parking pay stations, news racks, and public
11 drinking fountains.

12 (f) The shared electric personal mobility device must not be parked on any private
13 property without consent of the owner of such property.

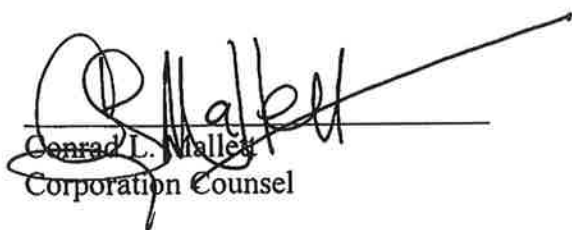
14 **Section 2.** This ordinance is hereby declared necessary to preserve the public peace, health,
15 safety, and welfare of the People of the City of Detroit.

16 **Section 3.** All ordinances or parts of ordinances that conflict with this ordinance are
17 repealed.

18 **Section 4.** In the event this ordinance is passed by two-thirds (2/3) majority of City Council
19 Members serving, it shall be given immediate effect and become effective upon publication in
20 accordance with Section 4-118 of the 2012 Detroit City Charter. Where this ordinance is passed

- 1 by less than a two-thirds (2/3) majority of City Council Members serving, it shall become effective
- 2 on the thirtieth (30) day after enactment, or on the first business day thereafter, in accordance with
- 3 Section 4-118 of the 2012 Detroit City Charter.

Approved as to form:


Conrad L. Mallett
Corporation Counsel

READ TWICE BY TITLE, ORDERED PRINTED
AND LAID ON TABLE.