

Legislation Text

File #: 180429, Version: 0

Amending Chapter 9-200 of The Philadelphia Code, entitled “Commercial Activities on Streets,” to establish licensing and other requirements regarding the placement of bicycles and other small vehicles in the public right-of-way for the purpose of rental of such vehicles; authorizing the adoption of regulations in connection with such a licensing program; and amending Chapter 12-800 of the Code, entitled “Bicycle Regulations and Penalties,” to establish parking and related rules for bicycles and other small vehicles, including those used in connection with such licenses; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 9-209 is added to The Philadelphia Code as follows:

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS.

* * *

CHAPTER 9-200. COMMERCIAL ACTIVITIES ON STREETS.

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§ 9-209. *Small Vehicle Sharing Businesses.*

(1) *Definitions. In this section, the following definitions shall apply:*

(a) *Small Vehicle means a bicycle, scooter or skateboard, whether or not powered in any part by a motor; any electric vehicle intended for single-person use; or such other similar vehicles as may be defined by regulation. A Small Vehicle does not include a vehicle that must by law be registered with the Commonwealth of Pennsylvania Department of Transportation.*

(b) *Small Vehicle Sharing Business. The business of making Small Vehicles available for rental to the public at multiple locations, including the public right-of-way, in which the business does not require that the vehicle be returned after use: to the location from where the vehicle was taken; to a supervised location; to a location on private property; or to a docking station.*

(2) *No person or entity shall operate a Small Vehicle Sharing Business except pursuant to a license issued by the City. A license to operate such a business shall be issued upon:*

(a) *Completion of such application as required by the Department of Licenses and Inspections, setting forth such information as may be required to determine qualification under any standards and requirements as may be established pursuant to this Section;*

(b) *Determination by the Department, in consultation with the Department of Streets, that the*

applicant's proposal meets such standards and requirements; and

(c) Payment of such fee as may be established by regulation to recover the costs of administration of the program. Payment of such fee shall not be exclusive of any amount the City may charge for the use of City-owned property in connection with a licensed operation.

(3) The Department of Streets may, by regulation, establish standards and requirements for safe and responsible operation deemed necessary for reasonable management of the public-right-of-way, which regulations may include:

(a) standards for safety of equipment, responsible operation and aesthetics;

(b) requirements to remove or promptly repair any vehicle determined by the City to present an impermissible risk to health or safety;

(c) standards designed to promote compliance with the vehicle parking requirements of Title 12 of The Philadelphia Code ("Traffic Code"), including the establishment of particularized penalties in connection with vehicles used in the program;

(d) requirements regarding notification of customers regarding legal or other requirements applicable to use of vehicles under the program;

(e) standards regarding the size and scope of operation of a particular business;

(f) standards regarding the area of service of a particular business;

(g) requirements to label vehicles with identifying information;

(h) requirements regarding insurance, security and indemnification of the City;

(i) requirements regarding the regular provision of information to the City regarding vehicles used by the business, such as usage rates and vehicle condition;

(j) a requirement to enter into an agreement with the Department of Streets with respect to any aspect of the program;

(k) requirements regarding the total number of vehicles permitted in the City, or in any area of the City, under the program;

(l) requirements regarding the total number of businesses that may be licensed under this program at any one time;

(m) standards for the suspension and revocation of license; and

(n) such other standards or requirements as may be necessary for safe and reasonable management of the right-of-way.

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SECTION 2. Chapter 12-800 of The Philadelphia Code is hereby amended as follows:

CHAPTER 12-800. BICYCLE *AND OTHER SMALL*
VEHICLE REGULATIONS AND PENALTIES.

* * *

§ 12-807. Parking.

(1) No person shall park a bicycle *or other Small Vehicle, as defined in Section 9-209 of the Code (“Small Vehicle Sharing Businesses”)*, upon a street other than (a) against the curb, upon the sidewalk, or in an area on the street designated by the department for bicycle parking, in a rack to support the bicycle; or (b) against a building or at the curb, in such a manner as to afford the least obstruction to pedestrian traffic.

(2) Any person violating this Section shall be liable for payment of fines, costs and additional fees prescribed and assessed in accordance with the provisions of Chapter 12-2800 of this Title.

(3) *The owner of a Small Vehicle shall, in addition to the person who parked the vehicle in violation of this Section 12-807, be responsible for such fines or penalties imposed under this Section, except as may otherwise be provided in connection with regulations established under Section 9-209 of the Code.*

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SECTION 3. This Ordinance shall be effective immediately, provided that no license shall be issued under Section 9-209 of the Code until implementing regulations have been adopted.

Explanation:

Italics indicate new matter added.