

County of Santa Barbara Board of Supervisors Hearing

Road Encroachment Resolution and Conditions for Bicycles, Scooters, and Outdoor Dining

December 11, 2018

**Public Works Department
Transportation Division**



Overview

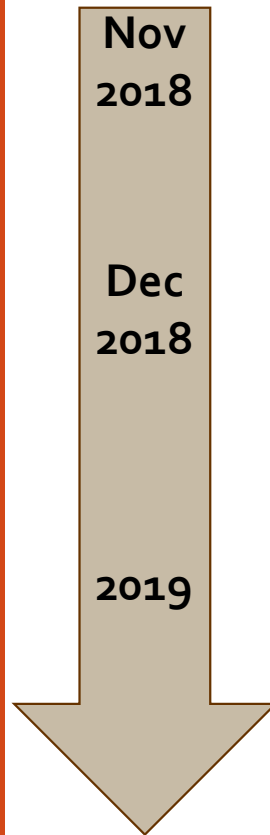
Road Encroachment
Resolution and Conditions
for Bicycles, Scooters, and
Outdoor Dining

- Background and Next Steps
- State Law
- Report on Implementing County Enforcement Options
- Stakeholder Roles
- Example Conditions
- Proposed Fees

Resolution and
Conditions for
Bicycles, Scooters,
and Outdoor Dining

Background and
Next Steps

Process



Adopt Ordinances: 11/13/18

Adopt fees to establish permit program

Ordinance go into effect: 12/13/18

Issue permits

**Permit enforcement, data gathering,
program adjustments**

**Meet with regional partners to explore
future options**

Methods for adapting the program to a rapidly evolving field:

- 1) Changes to annual permit conditions**
- 2) Changes to fee resolution**
- 3) Changes to ordinances**

What are riders allowed to do?

- Ride on the road _____ CVC 21221
- Ride on Class 1 and Class 2 bike paths _____ CVC 21230
_____ CVC 21229
- Park in the road right of way _____ CVC 21235
(including sidewalk and parkway*)

*CVC 21235 says users must leave a motorized scooter so that there is an adequate path for pedestrian traffic



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State Law



Scooters

What are riders not allowed to do?

- Ride under the influence of alcohol or drugs ——— CVC 21221.5
- Ride at night without lights and reflectors ——— CVC 21223
- Ride in the middle of the road (in most cases) ——— CVC 21228
- Ride on a highway with a speed limit >25MPH unless in a class II bicycle lane
- Ride without wearing a helmet (<18 years)
- Ride without a valid driver's license or instruction permit
- Ride with any passengers
- Ride carrying anything that prevents the operator from keeping at least one hand upon the handlebars
- Ride on a sidewalk, except as may be necessary to enter or leave adjacent property
- Leave a motorized scooter so that there is not an adequate path for pedestrian traffic

CVC 21235

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State Law



Scooters

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Report:
Implementing
Enforcement Options

Permits with Conditions are allowed by CA Streets and Highway Code (SHC) and CA Vehicle Code (CVC):

SHC 1450 Definitions

Highway: entire width of right of way

Encroachment: includes any object of any kind placed in under or over any portion of the highway

SHC 1460 Permit Provisions

The Road Commissioner may issue permits...any person who does any of the acts specified in this section, without the authority of such a permit, is guilty of a misdemeanor and is liable to the public agency for all expenses and damages caused thereby.

SHC 1461 Conditions

Any act done under the authority of a written permit, issued pursuant to the provisions of this chapter, shall be done in accordance with...the terms and conditions of such permit

CVC 21225 Regulation Allowed

Regulation of motorized scooters and the parking and operation of motorized scooters on pedestrian or bicycle facilities and local streets and highways, **if that regulation is not in conflict with CVC**



Scooters

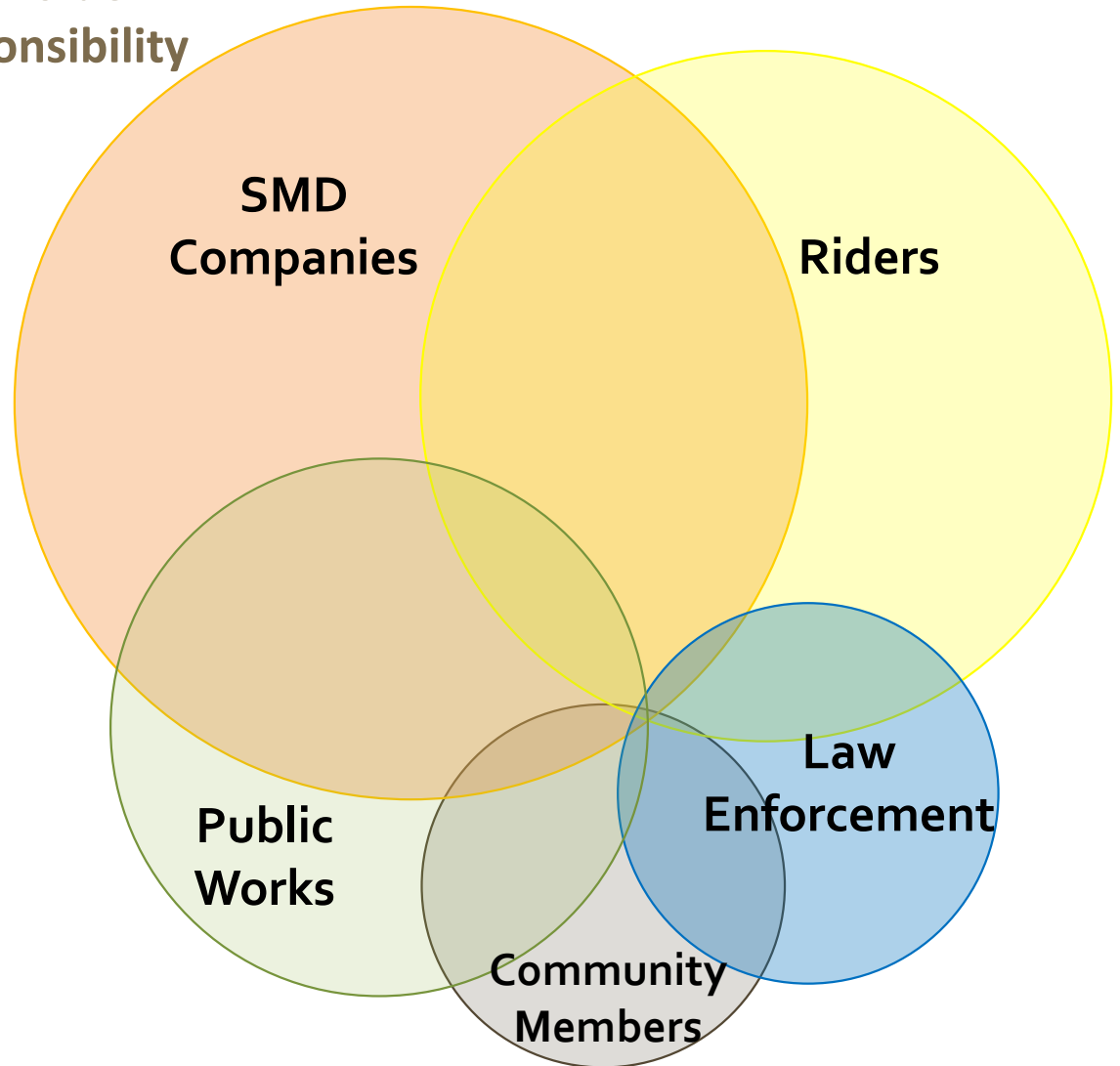
Goals:

MOBILITY

SAFETY

QUALITY
OF LIFE

Stakeholder
Responsibility



Resolution and
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SMDs



Shared Mobility Device
(SMD) Programs

Ensuring:

Equipment is proper and safely operated

Users follow laws and conditions

SMDs are placed in allowed locations

SMDs are parked properly

Response to complaints is adequate

Be good neighbors

Operate safely

Follow laws and conditions

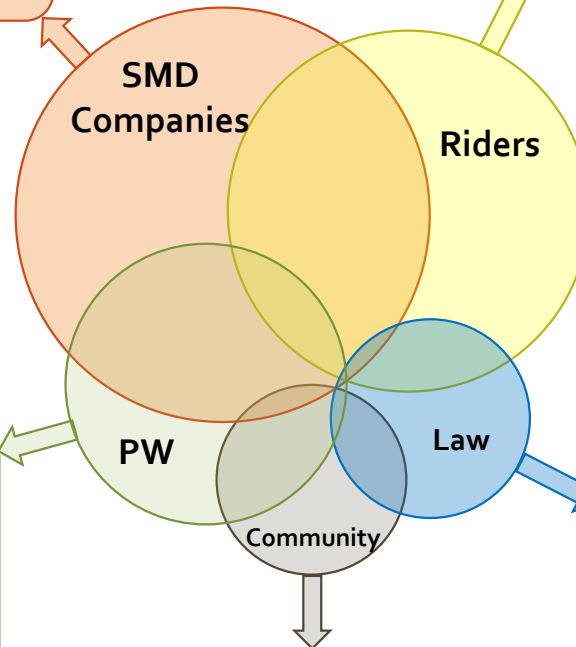
Park properly

Be good neighbors

Stakeholder Roles



SMDs



SMD
Companies

Riders

PW

Law

Community

Monitor operations

Enforce permit conditions

Collect feedback on operations

Implement process improvements as needed

Enforce laws for parking

Enforce laws for use

Monitor and report issues

Provide feedback on operations

Provide feedback on programs

Resolution and Conditions for Bicycles, Scooters, and Outdoor Dining

Example Conditions



Scooters

Goals:

MOBILITY

SAFETY

QUALITY OF LIFE

Balance mobility and avoid oversaturation

- Fleet size limits: by zone
- Deployment location limits: arterials and collectors
- Deploy in designated areas and park without impeding pedestrian or vehicle mobility

Safety

- Company equipment and rental agreements must conform to laws
- Company must educate their users on proper use and good neighbor practices
- Insurance and indemnification requirements
- Requirements to immediately respond and remedy improper use or parking

Enforcement

- Permits may be suspended or revoked if conditions not met
- Traffic tickets or impound

Resolution and Conditions for Bicycles, Scooters, and Outdoor Dining Fee Structure

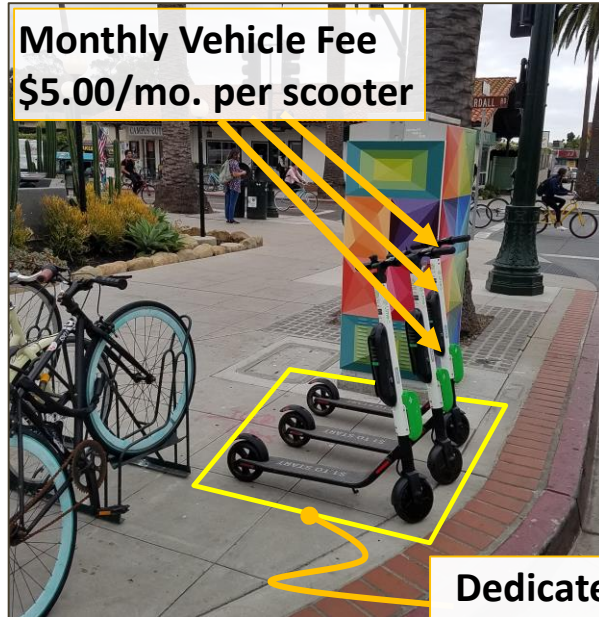
- Annual Permit fee
- Monthly per-vehicle fee
- Fees for dedicated parking areas
- Impound fees

**Designated parking
\$75/mo.**



**Outdoor dining
\$1.00/SF per mo.**

**Monthly Vehicle Fee
\$5.00/mo. per scooter**



**Monthly Vehicle Fee
\$1.00/mo. per bike**



**Dedicated Parking
\$5.00/SF per mo.**

What are options for revenue sharing?

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and Outdoor Dining

Franchises and
Revenue sharing

- County Codes would need to be modified-business licenses, etc.
- Discussions with regional stakeholders recommended (Cities and UCSB) to create a cohesive system



Thank you!

