

## **Ordinance 19-09**

To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” – Re: Amending Chapter 15.04 (Definitions), 15.56 (Bicycles, Skateboards, and Other Foot-Propelled Vehicles), 15.60 (Miscellaneous Traffic Rules), 15.64 (Traffic Violations Schedule) and Adding a New Chapter 15.58 (Motorized Scooters and Shared Use Motorized Scooters) to Provide for Regulation Governing Motorized Scooter, Shared- Use Motorized Scooters, and Shared-Use Motorized Scooter Operations.

### **Previously Adopted Amendments**

### **Amendments to be Introduced**

## **Previously Adopted Amendments**

- Am 06a -- Piedmont-Smith (including Map)
- Am 07a -- Piedmont-Smith
- Am 08a -- Piedmont-Smith
- Am 09 -- Sandberg on behalf of the City  
Administration
- Am 10 -- Piedmont-Smith on behalf of the City  
Administration
- Am 11 -- Piedmont-Smith
- Am 12 -- Sandberg, Granger, and Ruff

**\*\*\* Amendment Form \*\*\***

**Ordinance #:** 19-09  
**Amendment #:** 06a (revised subsequent to discussion)  
**Submitted By:** Councilmember Piedmont-Smith  
**Date:** 17 April 2019 (discussed); 01 May 2019 (introduced in revised form)

**Proposed Amendment:**

1. Ordinance 19-09, shall be amended by revising SECTION 1, §15.04.055 “Dismount Zone” to expand the boundaries of the zone such that the entire provision shall now read as follows:

**15.04.055 Dismount zone.**

“Dismount zone” means those sidewalks and crosswalks where motorized scooters, shared-use motorized scooters, coasters, or bicycles may not be ridden and where users must (i) dismount and walk their devices, (ii) operate their devices in a bicycle lane, or (iii) operate their devices in the roadway. Dismount zones are located within the crosswalks and on the sidewalks on either side of the street along the following streets:

Fourth Street from Indiana Avenue to the B-Line Trail

Kirkwood Avenue from Indiana Avenue to the B-Line Trail.

Sixth Street from Indiana Avenue to the B-Line Trail.

Indiana Avenue from Fourth Street to Seventh Street.

Dunn Street from Fourth Street to Seventh Street.

Grant Street from Fourth Street to Seventh Street.

Lincoln Street from Fourth Street to Seventh Street.

Washington Street from Fourth Street to Seventh Street.

Walnut Street from Fourth Street to Seventh Street.

College Avenue from Fourth Street to Seventh Street

2. Ordinance 19-09 shall be amended by adding a new SECTION 9 and by re-numbering subsequent sections. The new section shall read as follows:

SECTION 9. Subsection 15.56.020(a)(7) shall be revised to expand the dismount zone such that the entire provision shall read as follows:

(7) Operating a bicycle on the sidewalks and within the crosswalks along the following streets is hereby declared a public nuisance and is therefore prohibited. Bicyclists in these areas shall dismount their bicycles. Signage shall be in place prior to enforcement of this requirement and shall, when practicable, be in the form of markings on the sidewalk.

STREETS:

Fourth Street from Indiana Avenue to the B-Line Trail

Kirkwood Avenue from Indiana Avenue to the B-Line Trail.

Sixth Street from Indiana Avenue to the B-Line Trail.

Indiana Avenue from Fourth Street to Seventh Street.

Dunn Street from Fourth Street to Seventh Street.

Grant Street from Fourth Street to Seventh Street.

Lincoln Street from Fourth Street to Seventh Street.

Washington Street from Fourth Street to Seventh Street.

Walnut Street from Fourth Street to Seventh Street.

College Avenue from Fourth Street to Seventh Street

3. Ordinance 19-09 shall be amended by adding a new SECTION 10 and by re-numbering subsequent sections. The new section shall read as follows:

SECTION 10. Subsection 15.56.025(a)(7) shall be revised to expand the dismount zone such that the entire provision shall read as follows:

(7) Operating a coaster on the sidewalks and within the crosswalks along the following streets is hereby declared a public nuisance and is therefore prohibited. A person operating a coaster in these areas shall dismount their coaster. Signage shall be in place prior to enforcement of this requirement and shall, when practicable, be in the form of markings on the sidewalk.

## STREETS:

Fourth Street from Indiana Avenue to the B-Line Trail

Kirkwood Avenue from Indiana Avenue to the B-Line Trail.

Sixth Street from Indiana Avenue to the B-Line Trail.

Indiana Avenue from Fourth Street to Seventh Street.

Dunn Street from Fourth Street to Seventh Street.

Grant Street from Fourth Street to Seventh Street.

Lincoln Street from Fourth Street to Seventh Street.

Washington Street from Fourth Street to Seventh Street.

Walnut Street from Fourth Street to Seventh Street.

College Avenue from Fourth Street to Seventh Street

## PARKS:

Waldron, Hill and Buskirk Park Fountain Circle

## Synopsis

This amendment is sponsored by Councilmember Piedmont-Smith and extends the boundaries of the dismount zone for scooters, bicycles, and coasters. *See* attached map.

Note that this amendment and associated map were revised subsequent to discussion on 17 April 2019 to add north-south streets (Indiana Ave., Dunn St., Grant St., Lincoln St., and Washington St.) to the dismount zone.

**04/10/19 Committee Action:** None

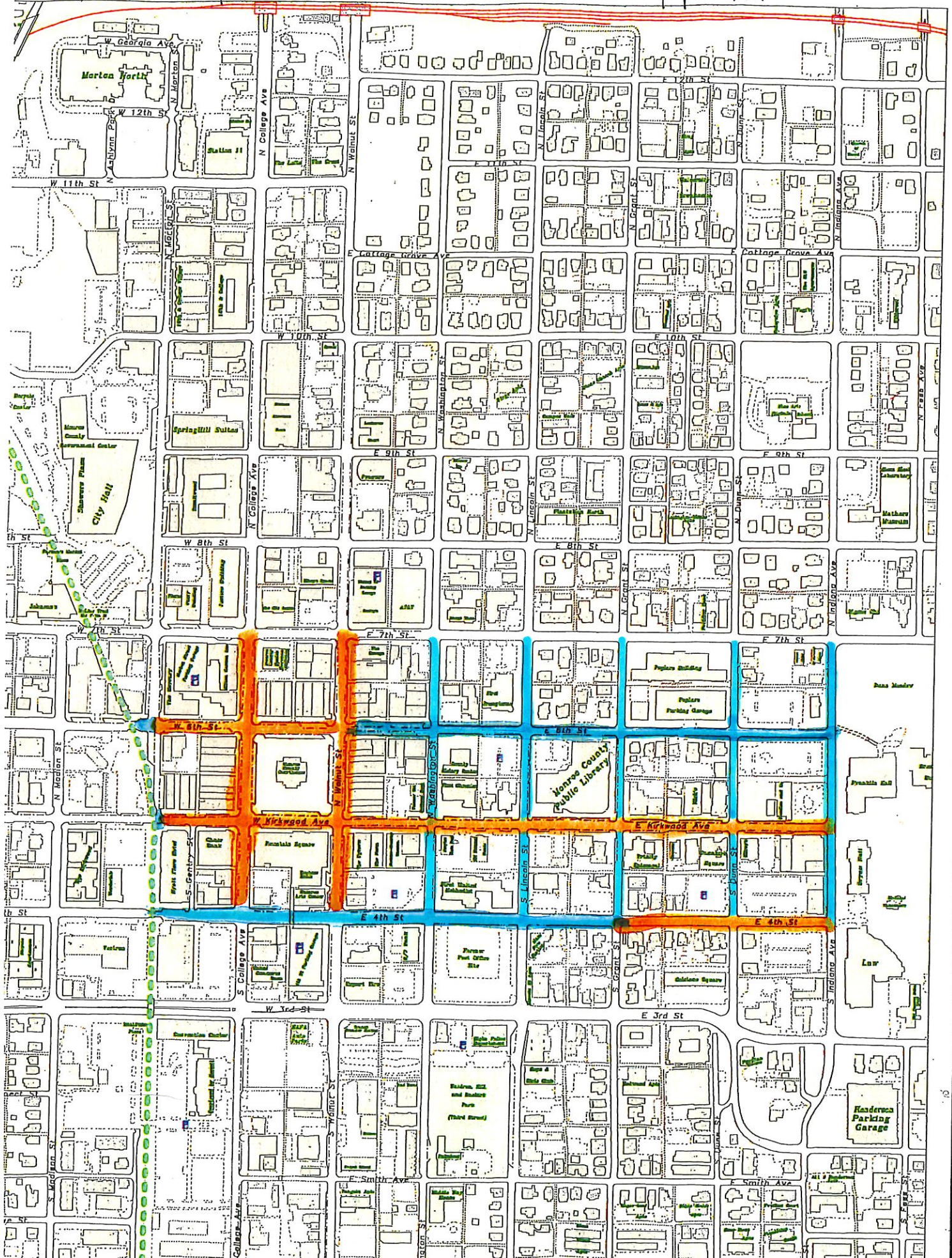
**04/17/19 Regular Session Action:** *Discussed, but no vote taken.*

**05/01/19 Regular Session Action:** ADOPTED, 6-2 (Ruff, Chopra)-1 (Volan)

(May 1, 2019)



proposed extinction





**\*\*\* Amendment Form \*\*\***

**Ordinance #:** 19-09  
**Amendment #:** 07a (revised subsequent to discussion)  
**Submitted By:** Councilmember Piedmont-Smith  
**Date:** 17 April 2019 (discussed); 01 May 2019 (introduced in revised form)

**Proposed Amendment:**

1. Ordinance 19-09 shall be amended by modifying SECTION 3 to delete subsection §15.58.050(d) in its entirety and to replace it with the following:

(d) Motorized scooters shall not be permitted to be parked on any public sidewalk.

2. Ordinance 19-09 shall be amended by revising the next-to-last sentence of the synopsis to eliminate the reference to permissible parking at bike racks within dismount zones, such that the sentence shall read as follows:

However, motorized scooter parking is prohibited on any public sidewalk; instead, proximate parking is provided at painted boxes.

**Synopsis**

This amendment is sponsored by Councilmember Piedmont-Smith and prohibits motorized scooter parking on any public sidewalk. This amendment is made in the interest of maximizing sidewalk accessibility. Notably, motorized scooters may be parked proximate to sidewalks at designated painted boxes on the street.

Note that this amendment was revised subsequent to discussion on 17 April 2019 to extend the prohibition on scooter parking to all public sidewalks, not just those sidewalks in the dismount zone.

**04/10/19 Committee Action:** None  
**04/17/19 Regular Session Action:** *Discussed, but no vote taken.*  
**05/01/19 Regular Session Action:** ADOPTED, 8-0-1 (Sims)

(May 1, 2019)

**\*\*\* Amendment Form \*\*\***

**Ordinance #:** 19-09  
**Amendment #:** 08a (revised subsequent to discussion)  
**Submitted By:** Councilmember Piedmont-Smith  
**Date:** 17 April 2019 (discussed); 01 May 2019 (introduced in revised form)

**Proposed Amendment:**

1. Ordinance 19-09 shall be amended by modifying SECTION 3, §15.58.050 (c) to replace the words “painted boxes” with “corrals” and to make clear that such corrals shall be designed to prevent scooters and bicycles from falling outside of the corral borders. The entire subsection shall read as follows:

(c) Motorized scooters may be parked on the street within corrals that are specifically designated for scooters and bicycles. Corrals shall be designed to prevent scooters and bicycles from falling outside of the boundaries of the corral.

2. Ordinance 19-09 shall be amended by modifying SECTION 3, §15.58.050 (g) to replace the words “painted boxes” with “corrals.”

3. Ordinance 19-09 shall be amended by revising the next-to-last sentence of the synopsis to delete the words “painted boxes” and replace those words with “corrals.”

**Synopsis**

This amendment is sponsored by Councilmember Piedmont-Smith and replaces the words “painted boxes” with “corrals” to describe the on-street parking areas designated for scooter and bicycle parking. The amendment also provides that corrals shall be designed to prevent scooters and bicycles from falling outside of the boundaries of the corral.

Note that this amendment was revised subsequent to discussion on 17 April 2019 to switch the term “scooter corral” with the more general term “corral” as these designated parking spaces are intended for use by both scooters and bicycles. The amendment also clarifies that the corrals shall be designed to prevent both scooters and bicycles from falling outside of its designated boundaries.

**04/10/19 Committee Action:** None  
**04/17/19 Regular Session Action:** *Discussed, but no vote taken.*  
**05/01/19 Regular Session Action:** ADOPTED, 5-4

(May 1, 2019)



**\*\*\* Amendment Form \*\*\***

**Ordinance #:** 19-09  
**Amendment #:** 09  
**Submitted By:** Councilmember Sandberg on behalf of the City Administration  
**Date:** 17 April 2019

**Proposed Amendment:**

1. Ordinance 19-09 shall be amended by modifying SECTION 3 to delete subsection (b) of 15.58.110 “Data sharing” in its entirety and to re-letter the remaining subsections of 15.58.110 accordingly.
2. Ordinance 19-09 shall be amended by modifying SECTION 3 to add the following sentence to the end of subsection (a)(3) of 15.58.110 “Data sharing”:

However, the City shall not publish or make available to the public at large any information that qualifies as a trade secret under Indiana Code § 24-2-3, et. seq. (the Uniform Trade Secrets Act) or any information that qualifies as personally identifiable information as that term is defined at 2 CFR § 200.79.

**Synopsis**

This amendment is sponsored by Councilmember Sandberg and removes a requirement for shared-use motorized scooter operators to provide periodic monthly reports in addition to real-time reporting in MDS format. In addition, this amendment clarifies that while the City may publish real-time information received from shared-use motorized scooter operators, it may not publish or make available to the public at large any information that qualifies as a trade secret or as personally identifiable information.

**04/10/19 Committee Action:** None  
**04/17/19 Regular Session Action:** Passed 8-0-0

(April 17, 2019)

**\*\*\* Amendment Form \*\*\***

**Ordinance #:** 19-09  
**Amendment #:** 10  
**Submitted By:** Councilmember Piedmont-Smith on behalf of the City Administration  
**Date:** 17 April 2019

**Proposed Amendment:**

1. Ordinance 19-09 shall be amended by modifying SECTION 3 to add the following sentence to the end of subsection (a) of 15.58.130 “Affordability and accessibility”:

However, a shared-use motorized scooter operator may utilize a different method for computing a price discount provided that, in every instance, the overall cost of the ride to the eligible user is fifty percent (50%) or less than the cost of the ride that would have been charged to a user who was not eligible for the discount.

**Synopsis**

This amendment is sponsored by Councilmember Piedmont-Smith and allows shared-use motorized scooter operators to provide discounts other than a straight 50% price discount as long as the consequence of the discount is at least equivalent to a 50% straight price discount.

**04/10/19 Committee Action:** None  
**04/17/19 Regular Session Action:** PASSED, 8-0-0

(April 17, 2019)

**\*\*\* Amendment Form \*\*\***

**Ordinance #:** 19-09  
**Amendment #:** 11  
**Submitted By:** Councilmember Piedmont-Smith  
**Date:** 17 April 2019

**Proposed Amendment:**

1. Ordinance 19-09, first “Whereas” clause shall be amended to correct the date of the arrival of e- scooters in Bloomington such that the first “Whereas” clause shall read as follows:

WHEREAS, during September 2018, with little or no notice, shared-use motorized scooters (or e-scooters) arrived in Bloomington; and

**Synopsis**

This amendment is sponsored by Councilmember Piedmont-Smith and corrects the date of the arrival of scooters in Bloomington in the first “Whereas” clause of the ordinance.

**04/10/19 Committee Action:** None  
**04/17/19 Regular Session Action:** PASSED, 8-0-0

(April 17, 2019)

**\*\*\* Amendment Form \*\*\***

**Ordinance #:** 19-09  
**Amendment #:** 12  
**Submitted By:** Councilmembers Sandberg, Granger, and Ruff  
**Date:** 01 May 2019

**Proposed Amendment:**

1. Ordinance 19-09 shall be amended by modifying SECTION 3 to delete subsection (i) of 15.58.090, regarding the permissible hours of deployment. Subsection 15.58.090(i) shall be deleted in its entirety and the subsequent subsections shall be re-lettered.

**Synopsis**

This amendment is sponsored by Councilmembers Sandberg, Granger, and Ruff and deletes a subsection of the ordinance providing that shared-use motorized scooters shall not be made available to the public between the hours of 10:01 PM and 5:59 AM. Sponsors are eliminating this provision in the interest of making shared-use motorized scooters available to low-income residents working service-industry jobs, second- or third-shift jobs, or other jobs with non-traditional hours.

*Note: Synopsis was corrected to clarify the period of the prohibition on July 26, 2019.*

**04/10/19 Committee Action:** None  
**04/17/19 Regular Session Action:** None  
**05/01/19 Regular Session Action:** ADOPTED, 6-1(Rollo)-1 (Sturbaum)

(July 26, 2019)

## **Amendments to be Introduced**

- Am 13 -- Piedmont-Smith
- Am 14 -- Piedmont-Smith
- Am 15 -- Piedmont-Smith
- Am 16 -- Piedmont-Smith
- Am 17 -- Piedmont-Smith



**\*\*\* Amendment Form \*\*\***

**Ordinance #:** 19-09  
**Amendment #:** 13  
**Submitted By:** Councilmember Piedmont-Smith  
**Date:** 05 July 2019

**Proposed Amendment:**

**1.** Ordinance 19-09 shall be amended by modifying SECTION 3, 15.58.060(b)(2) and 15.58.060(b)(3) such that those provisions shall read as follows:

(b) (2) A person who is operating a motorized scooter on a sidewalk and who is passing a pedestrian traveling on the same facility shall stop, dismount and pass on foot, or exit the facility.

(b)(3) A person operating a motorized scooter upon a multiuse path, multiuse trail, or within a crosswalk, before overtaking a person with a visual impairment who is carrying a white cane or who is guided by a service animal, shall dismount and pass on foot, if necessary to avoid startling, inconveniencing or colliding with the person.

**Synopsis**

This amendment is sponsored by Councilmember Piedmont-Smith and would require all persons operating a scooter on a sidewalk to dismount when passing a pedestrian and would require persons operating a scooter on a multiuse path, multiuse trail, or within a crosswalk to dismount before overtaking a person with a visual impairment.

**04/10/19 Committee Action:** None  
**04/17/19 Regular Session Action:** None  
**05/01/19 Regular Session Action:** None  
**05/15/19 Regular Session Action:** None  
**07/31/19 Regular Session Action:** *Pending*

(July 26, 2019)

**\*\*\* Amendment Form \*\*\***

**Ordinance #:** 19-09  
**Amendment #:** 14  
**Submitted By:** Councilmember Piedmont-Smith  
**Date:** 05 July 2019

**Proposed Amendment:**

1. Ordinance 19-09 shall be amended by modifying SECTION 3, 15.58.120(e) such that the provision shall read as follows:

(e) Shared-use motorized scooter operators shall make helmets available to shared-use motorized scooter users. Such helmets shall be available year-round, at no charge, and shall be made available at convenient locations throughout the community, with such locations determined by areas of highest shared-use motorized scooter usage.

**Synopsis**

This amendment is sponsored by Councilmember Piedmont-Smith and modifies the language requiring that scooter companies make helmets available to users by shifting the requirement that helmets be made available “at a local location” to a requirement that helmets must be available “at convenient locations throughout the community, with such locations determined by areas of highest shared-use motorized scooter usage.”

**04/10/19 Committee Action:** None  
**04/17/19 Regular Session Action:** None  
**05/01/19 Regular Session Action:** None  
**05/15/19 Regular Session Action:** None  
**07/31/19 Regular Session Action:** *Pending*

(July 26, 2019)

**\*\*\* Amendment Form \*\*\***

**Ordinance #:** 19-09  
**Amendment #:** 15  
**Submitted By:** Councilmember Piedmont-Smith  
**Date:** 05 July 2019

**Proposed Amendment:**

**1.** Ordinance 19-09 shall be amended by modifying SECTION 3, Subsections 15.58.050 (b) and 15.58.050 (d) such that those provisions shall read as follows:

(b) Motorized scooters may be parked at any bicycle parking facility located in the public right-of-way.

(d) Motorized scooter parking is permitted on sidewalks with the following limitations.

- (1) Motorized scooters shall be parked only at bicycle parking facilities.
- (2) Motorized scooters shall be parked in an upright position.
- (3) Motorized scooters shall be parked so as to leave a clear straight pathway at least fifty-four (54) inches wide.
- (4) Under no circumstance shall motorized scooters be parked so as to obstruct:
  - (A) Any parking space, including any parking access aisle;
  - (B) Any loading zone;
  - (C) Any curb ramp;
  - (D) Any public transportation infrastructure including, but not limited to, bus shelters, bus stop signs, or passenger waiting areas;
  - (E) Any driveway;
  - (F) Any entrance or exit from any building;
  - (G) Any fire hydrant, emergency call box, or other emergency facility;
  - (H) Any parking meter;
  - (I) Any utility pole or utility box;

- (J) Any street furniture or newsrack;
- (K) Any commercial window display; or
- (L) A crosswalk button.

- (5) Under no circumstance shall motorized scooters be parked so as to impede accessibility under the Americans with Disabilities Act (ADA), so as to impede access to accessible parking zones, or so as to impede access to parking spaces designated for persons with disabilities.

- 2. Ordinance 19-09 shall be amended by modifying the seventh “Whereas” clause such that the clause reads as follows:

WHEREAS, it is necessary to ensure that shared-use motorized scooters are parked in a manner that does not clutter the public right-of-way or obstruct access for pedestrians, cars, bicycles, or buses. For that reason, the Council requests that the Administration install additional bicycle parking facilities in the roadway as space allows and install additional bike hoops parallel to the sidewalk as space allows, in the interest of effectuating the intent of this ordinance; and

### Synopsis

This amendment is sponsored by Councilmember Piedmont-Smith and restricts scooter parking on sidewalks only to bicycle parking facilities, including bike racks and bike hoops, while still emphasizing accessibility of the public right-of-way for all users. The amendment shifts the term “bike rack” to “bicycle parking facility” to more accurately reflect the term used in other places of the Bloomington Municipal Code, namely Title 20. The amendment also modifies the seventh “Whereas” clause to request that the Administration install additional bicycle facilities in the street and additional bike hoops parallel to the sidewalk in the interest of effectuating the intent of this change.

**04/10/19 Committee Action:** None  
**04/17/19 Regular Session Action:** None  
**05/01/19 Regular Session Action:** None  
**05/15/19 Regular Session Action:** None  
**07/31/19 Regular Session Action:** *Pending*

July 26, 2019

**\*\*\* Amendment Form \*\*\***

**Ordinance #:** 19-09  
**Amendment #:** 16  
**Submitted By:** Councilmember Piedmont-Smith  
**Date:** 05 July 2019

**Proposed Amendment:**

**1.** Ordinance 19-09 shall be amended by modifying SECTION 3, 15.58.150(c) such that the provision shall read as follows:

(c) The shared-use motorized scooter operator has violated any federal law including, but not limited to, the Americans with Disabilities Act (ADA) or federal regulation; any state law or regulation; or any local law or regulation.

**Synopsis**

This amendment is sponsored by Councilmember Piedmont-Smith at the request of advocates from the accessibility community. The amendment makes clear that the Americans with Disabilities Act (ADA) is one of the federal laws whose violation would trigger revocation of a shared-use motorized scooter operator's license.

**04/10/19 Committee Action:** None  
**04/17/19 Regular Session Action:** None  
**05/01/19 Regular Session Action:** None  
**05/15/19 Regular Session Action:** None  
**07/31/19 Regular Session Action:** *Pending*

(July 26, 2019)



**\*\*\* Amendment Form \*\*\***

**Ordinance #:** 19-09  
**Amendment #:** 17  
**Submitted By:** Councilmember Piedmont-Smith  
**Date:** 08 July 2019

**Proposed Amendment:**

1. Ordinance 19-09 shall be amended by modifying SECTION 10, the effective date of the ordinance, such that the Section shall read as follows:

SECTION 10. This ordinance shall be in full force and effect beginning **September 1, 2019**.

*Note: This date may need to be pushed out further depending on how soon the Administration is positioned to implement the provisions of the ordinance, as amended.*

**Synopsis**

This amendment is sponsored by Councilmember Piedmont-Smith and shifts the effective date of the ordinance from July 1, 2019 to **September 1, 2019**.

*Note: The September date may need to be changed depending on the timeframe for implementation.*

**04/10/19 Committee Action:** None  
**04/17/19 Regular Session Action:** None  
**05/01/19 Regular Session Action:** None  
**05/15/19 Regular Session Action:** None  
**07/31/19 Regular Session Action:** *Pending*

(July 26, 2019)