
2019-29 (2ND READING): TO ENACT CHAPTER 12, MOTOR VEHICLES & TRAFFIC, A NEW ARTICLE VI, SHARED MOBILITY DOCKLESS ELECTRIC SCOOTERS AND BICYCLES, & UNFRANCHISED RENTAL SCOOTERS.

Applicant/Purpose: Staff/ to manage the proliferation of unfranchised rental scooters.

Brief:

- Many communities (including Charleston & Mt. Pleasant) are trying to manage the proliferation of dockless motorized scooters & bikes.
- These conveyances are unregulated & often end up abandoned in unapproved areas including parking spaces, bike lanes, parks, sidewalks, boardwalks, etc.
- This poses a public safety concern for the proper use of the rights-of-way, particularly w/ maintaining ADA compliance.
- These devices are often used by minors who lack proper training or safety equipment.
- This ordinance does not apply to pedal operated bicycles rented to consumers by a properly licensed business.
- At 1st reading the holding period before an impounded scooter can be disposed of was changed from 24 to 48 hours.

Issues:

- If passed this ordinance would make it unlawful to:
 - Park, leave standing, leave lying, abandon, or otherwise place a shared mobility device or unfranchised rented motor scooter in a ROW or rented scooter on public property.
 - Operate a shared mobility device or scooter in a ROW or on public property.
 - Provide or offer for use a shared mobility device or rented scooter.
- Law enforcement officers, parking enforcement officers, any party contracted by the City are authorized to impound the device.
- Any such conveyance left unattended on public property may be removed & held by the city. Confiscated scooters may be released upon proof of ownership & payment of a \$100 removal & storage fee.
- Conveyances held for over 48 hours may be disposed of by any means deemed appropriate by the city.

Public Notification:

- Normal meeting notification.
- All moped & golf cart franchise holders received a letter & copy of the ordinance to avoid confusion & to clarify that this proposed ordinance does not apply to them.

Alternatives:

- To amend the ordinance.
- To deny the ordinance

Financial Impact: None.

Manager's Recommendation:

- I recommend 1st reading (5/28/19).
- I recommend 2nd reading & adoption (6/11/19).

Attachment(s): Proposed ordinance.

CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA

AN ORDINANCE TO ENACT CHAPTER 12,
MOTOR VEHICLES AND TRAFFIC, A NEW
ARTICLE VI, SHARED MOBILITY DOCKLESS
ELECTRIC SCOOTERS AND BICYCLES, AND
UNFRANCHISED RENTAL SCOOTERS.

IT IS HEREBY ORDAINED THAT CHAPTER 12, ARTICLE VI OF THE CODE OF ORDINANCES OF THE
CITY OF MYRTLE BEACH IS HEREBY ENACTED TO READ IN ITS ENTIRETY AS FOLLOWS:

ARTICLE VI. SHARED MOBILITY DOCKLESS ELECTRIC SCOOTERS AND BICYCLES, AND
UNFRANCHISED RENTAL SCOOTERS

Sec. 12-250. Findings and Purpose

Dockless electric scooters and bicycles available to be rented on demand from unstaffed locations have been shown to arrive unexpectedly and proliferate rapidly. These devices are unregulated, often abandoned by their users in unapproved parking, resulting in obstruction and danger in our streets, sidewalks, parks, boardwalks and other public places. This results in a serious public safety concern, especially for the City's most vulnerable pedestrians, and those areas under the protections of the Americans with Disabilities Act. The users are often minors, operating without training of safety equipment, such as helmets. The business rarely apply for franchise, which is required, and eschew business licensing.

The purpose of this chapter is to preserve public safety by prohibiting shared mobility devices or motors scooters from being placed in the public right-of-way or on public property, operated in the public right-of-way or on public property, or offered for use anywhere in the City, so as to allow for adequate pedestrian traffic flow and to promote public safety.

This Article does not apply to pedal operated bicycles rented to consumers by a properly licensed business.

Sec. 12-251. DEFINITIONS:

"Shared mobility device" means any wheeled device, other than an automobile or motorcycle, that is powered by a motor; is accessed via an on-demand portal, whether a smartphone application, membership card, or similar method; is operated by a private entity that owns, manages, and maintains devices for shared use by members of the public; and is available to members of the public in unstaffed, self-service locations, except for those locations which are designated by the City under franchise.

"Motorized scooter" shall mean a two-wheeled device that has handlebars, a floorboard that is designed to be stood upon when riding, and is powered by an electric motor or by a source other than electric power.

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2 Sec. 12-252, GENERAL REQUIREMENTS:
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- 4 A. It is unlawful to park, leave standing, leave lying, abandon, or otherwise place a shared
5 mobility device or unfranchised rented motor scooter in a public right-of-way or rented
6 scooter on public property anywhere within the City.
7 B. It is unlawful to operate a shared mobility device or scooter in a public right-of-way or
8 on public property anywhere within the City.
9 C. It is unlawful to provide or offer for use a shared mobility device or rented scooter
10 anywhere within the City.
11 D. Law enforcement officers, parking enforcement officers, those City code officials
12 designated by the City Manager, and any party contracted by the City to specifically
13 impound shared mobility devices or unfranchised rental motor scooters are authorized
14 to impound the device.
15 E. Any shared mobility device or motor scooter, rented or otherwise, left physically
16 unattended on the public property may be removed and held by the city for forty-
17 eight (48) hours. A confiscated motorized scooter shall be released upon proof of
18 ownership and payment of a \$100.00 dollar (\$100.00) fee for removal and storage.
19 Motorized scooters held for over forty-eight (48) hours may be disposed of by
20 discarding, donation, auction, or any other manner deemed appropriate by the city.
21 The city shall bear no responsibility to a motorized scooter owner or operator for loss
22 of or damage to a confiscated motor scooter, including any chain or locking
23 mechanism, in its enforcement of this section.
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25 Sec. 12-254. Penalties
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- 27 A. Violations of this chapter shall be punishable as a misdemeanor as provided for in
28 Chapter 1, Section 1-9 of the Code of Ordinances of Myrtle Beach.
29 B. The provision of a shared mobility device by a licensed business owner may result in the
30 suspension or revocation of the business license.
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32 This ordinance shall become effective upon adoption.
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36 ATTEST:

BRENDA BETHUNE, MAYOR

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JENNIFER STANFORD, CITY CLERK
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41 1st Reading: May 28, 2019

42 2nd Reading: June 11, 2019