



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 18989

Proposed No. 2019-0358.2

Sponsors McDermott, Dembowski, Balducci
and Kohl-Welles

1 AN ORDINANCE relating to establishment of an electric
2 scooter share pilot program.

3 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

4 SECTION 1. The definitions in this section apply to sections 2 through 7 of this
5 ordinance unless the context clearly requires otherwise.

6 A. "Director" means the manager of the records and licensing division of the
7 department of executive services.

8 B. "Division" means the records and licensing division of the department of
9 executive services.

10 C. "Limited-use permit" means permission granted by the county to an operator
11 to participate in the scooter share pilot program established under this ordinance for up to
12 one year.

13 D. "Motorized foot scooter" means a device with two or three wheels that has
14 handlebars, that has a floorboard that can be stood upon while riding, that is powered by
15 an internal combustion engine or electric motor and that has a maximum speed of no
16 greater than twenty miles per hour on level ground. A motor-driven cycle, a moped, an
17 electric-assisted bicycle or a motorcycle is not a "motorized foot scooter."

18 E. "Operator" means the limited-use permit applicant, and any of its officers,
19 partners or owners.

20 F. "Scooter share pilot program" means shared electric motorized foot scooters
21 offered for hire by a permitted operator.

22 G. "Shared scooter" means any electric motorized foot scooter offered for hire as
23 part of a fleet available to the public in publicly accessible places.

24 SECTION 2. The executive shall establish a scooter share pilot program in the
25 North Highline urban unincorporated area in King County for up to one year, beginning
26 by January 1, 2020. Scooter share pilot program development, implementation and
27 administration authority shall be delegated by the executive to the division. The division
28 shall work in consultation and coordination with other county agencies, including, but not
29 limited, to the Metro transit department, the parks and recreation division, the department
30 of local services and public health - Seattle & King County, regarding development,
31 implementation and enforcement criteria for the scooter share pilot program. The
32 division shall also consult disability rights groups and local North Highline community
33 groups for input throughout the scooter share pilot program.

34 SECTION 3. A. Up to two operators may be issued a limited-use permit to
35 participate in the scooter share pilot program established under this ordinance. The
36 director may issue the limited-use permits. The director may require applicants to
37 reimburse the county for actual costs incurred by the county in the reviewing and
38 processing of an application for a limited-use permit and for scooter share pilot program
39 administration and evaluation.

40 B. The limited-use permit application form, to be developed by the division for
41 purposes of the scooter share pilot program, must address at a minimum the following:

42 1. Identification of where and when shared scooters are allowed to operate and

43 be parked in the public right-of-way and any additional identified areas of use and
44 geofencing requirements;

45 2. Identification of the initial maximum allowed shared scooter fleet size and
46 any potential phasing or expansion goals throughout the pilot period;

47 3. Identification of shared scooter maximum allowed speed should the executive
48 determine it necessary to set a maximum speed lower than state law;

49 4. Time of operation. Notwithstanding K.C.C. 14A.40.010, for the purpose and
50 duration of the scooter share pilot program, scooters operated in accordance with the
51 scooter share pilot program may operate at any time, but may not be operated from a half
52 hour after sunset to a half hour before sunrise without reflectors of a type approved by the
53 Washington State Patrol;

54 5. Requirement for each operator, before permit issuance, to sign and record an
55 indemnification agreement indemnifying and holding harmless the county from and
56 against any claims, suits, causes of action, judgments, damage, loss or liability for
57 injuries to persons or property, other than claims arising out of the county's negligence or
58 willful misconduct;

59 6. Requirement for each operator to have and maintain appropriate insurance
60 coverage, in accordance with state and local laws;

61 7. Requirement for each operator to be responsible for the distribution and
62 maintenance of its shared scooters;

63 8. Requirement for each operator to provide a mechanism for public agencies
64 and the public, both users and non-users of the shared scooter fleet, to notify the operator
65 of safety or maintenance issues, including improperly parked or abandoned shared

66 scooters, and provide feedback or ask questions about the scooter share pilot program.
67 The division may also include a requirement to respond to certain types of complaints
68 within a specified timeframe;

69 9. Requirement for each operator to make its software application program
70 available to users in multiple languages, including, but not limited to, English and
71 Spanish, and to make information available to users on its software application program
72 regarding applicable laws and user code of conduct and safety criteria identified by the
73 division;

74 10. Requirement for each operator to monitor scooter share pilot program
75 implementation and provide no less than monthly reporting to the division and meet with
76 the division no less than quarterly, by phone or in person, to assess scooter share pilot
77 program implementation; and

78 11. Requirement that all shared scooters must bear a single unique alphanumeric
79 identification visible from a distance of five feet, which shall not be obscured by
80 branding or other markings and which shall be used to identify the shared scooter.

81 C. The division shall require each operator to conduct public education and
82 outreach activities throughout the pilot period to promote proper shared scooter user
83 behavior, including, but not limited, to how to operate and park shared scooters safely.

84 D. The division shall require operators to mitigate technology and financial
85 barriers by providing and publicizing at least one scooter share pilot program
86 participation option for persons without access to a smartphone and for persons who are
87 unbanked or have a household income of less than two hundred percent of the federal
88 poverty level.

89 SECTION 4. The division, on its public website, shall make information about
90 the scooter share pilot program easily accessible, including applicable laws, user code of
91 conduct and safety criteria, the mandatory reports to council and contact information for
92 permit holders. The division shall also make public and community feedback
93 opportunities available on their website. Both the information provided and feedback
94 opportunities must be in multiple languages, including, but not limited to, English and
95 Spanish.

96 SECTION 5. The director may modify, suspend temporarily or terminate any
97 limited-use permit issued under the scooter share pilot program established under this
98 ordinance, and may require the operator to reduce or remove its shared scooter fleet
99 within ten days of notice, under any one or more of the following circumstances:

100 A. If the operator violates and fails to come into compliance with the terms of the
101 limited-use permit;

102 B. The division determines an operator's shared scooter fleet to be unsafe for
103 public use; and

104 C. The scooter share pilot program is determined to be no longer feasible by the
105 division in consultation with the participating operator or operators.

106 SECTION 6. A. The executive shall solicit public and community feedback
107 throughout the pilot period and monitor the usage and costs associated with the scooter
108 share pilot program. Feedback must be solicited in multiple languages, including, but not
109 limited to, English and Spanish. The executive should get feedback from both scooter
110 share pilot program users and people who do not use the scooter share pilot program with
111 the goal of understanding issues such as the reasons for using electric motorized foot

112 scooters, the mode of transportation replaced by an electric motorized foot scooter ride,
113 ease and barriers of use, responsiveness of the county and operators to questions and
114 concerns, infrastructure needs, parking issues and similar issues. The executive shall
115 report twice to the council, by June 30, 2020, and by August 24, 2020, on scooter share
116 pilot program implementation.

117 B. Each report must contain the most current information available on scooter
118 share pilot program feedback, usage and costs, including, but not limited to, the
119 following:

- 120 1. The total number of shared scooter trips taken during the pilot period;
- 121 2. Trips per shared scooter per day;
- 122 3. Shared scooter availability, reliability and distribution;
- 123 4. Usage patterns by time of day, day of week;
- 124 5. Trip duration;
- 125 6. Spatial patterns to understand the most popular routes;
- 126 7. Anonymized user demographic data;
- 127 8. The number of any reported parking and operating violations;
- 128 9. The number and description of any reported safety incidents;
- 129 10. Operator average response time for maintenance, hazard reports and shared
130 scooter redistribution requests;

131 11. An equity analysis, including but not limited to a description of how the
132 scooter share pilot program relates to or supports one or more of the determinants of
133 equity identified in ordinance 16948, a description of any gaps in access to the scooter
134 share pilot program based on race, class, gender, ability or language spoken and a

135 description of any other impacts to the community in the North Highline urban
136 unincorporated area;

137 12. An analysis of shared scooter usage for first/last mile connections to transit,
138 including availability and reliability of shared scooters within a mile of transit hubs and
139 whether there are any impacts to transit ridership during the pilot period associated with
140 shared scooter usage;

141 13. A summary of public and user scooter share pilot program feedback
142 received by the operators and the county; and

143 14. A summary of any costs to the county relating to scooter share pilot program
144 development, implementation and administration.

145 C. The second report must additionally include an analysis of emerging lessons
146 learned from scooter share pilot programs in other select jurisdictions, and the
147 recommendation of the executive as to whether the county's scooter share pilot program
148 should either continue or expand, or both, beyond the pilot period. If the
149 recommendation of the executive is to continue, to expand or to continue and expand the
150 scooter share pilot program beyond the pilot period, then the executive must transmit
151 proposed legislation to the council to effectuate the recommendation, including an
152 implementation plan and, if needed, applicable fee approval or supplemental
153 appropriation request legislation. The executive's recommendation should consider
154 procurement and permitting processes, number of vendors, system size, coverage area,
155 infrastructure and parking management needs, a maximum speed limit, performance
156 evaluation and data requirements, staffing needs, fees, equity and community
157 considerations including accessibility needs, transit integration and technology needs.

158 D. The executive shall file each report required by this section in the form of a
159 paper original and an electronic copy with the clerk of the council, who shall retain the
160 original and provide an electronic copy to all councilmembers, the council chief of staff,
161 the policy staff director and the lead for the mobility and environment committee, or its
162 successor.

163 SECTION 7. If legislation authorizing continuation of the scooter share pilot
164 program beyond the pilot period is not approved by the council before the end of the pilot
165 period, then the executive shall notify each operator to collect and remove its shared
166 scooter fleet within ten days of the expiration date of the operator's limited-use permit.

167 SECTION 8. This ordinance expires February 28, 2021.

168 SECTION 9. Severability. If any provision of this ordinance or its application to

169 any person or circumstance is held invalid, the remainder of the ordinance or the
170 application of the provision to other persons or circumstances is not affected.
171

Ordinance 18989 was introduced on 8/28/2019 and passed as amended by the Metropolitan King County Council on 10/2/2019, by the following vote:

Yes: 9 - Mr. von Reichbauer, Mr. Gössett, Ms. Lambert, Mr. Dunn, Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and Ms. Balducci



KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

A handwritten signature in black ink, appearing to read "Rod Dembowski".

Rod Dembowski, Chair

ATTEST:

A handwritten signature in black ink, appearing to read "Melani Pedroza".

Melani Pedroza, Clerk of the Council

APPROVED this 15 day of OCTOBER 2019.

A handwritten signature in black ink, appearing to read "Dow Constantine".

Dow Constantine, County Executive

Attachments: None

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CLERK
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