

Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_  
Effective: \_\_\_\_\_

CITY OF EAST LANSING  
ORDINANCE NO. 1453

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF EAST LANSING BY ADDING ARTICLE X – ELECTRIC SKATEBOARD COMPANIES - AND DIVISIONS 1 THROUGH 4 AND SECTIONS 8-601, 8-605, 8-606, 8-610, 8-611, 8-612 AND 8-615 TO CHAPTER 8 - BUSINESSES - OF THE CODE OF THE CITY OF EAST LANSING.

THE CITY OF EAST LANSING ORDAINS:

Article X, Divisions 1 through 4 and Sections 8-601, 8-605, 8-606, 8-610, 8-611, 8-612 and 8-615 are hereby added to Chapter 8 - Businesses - of the Code of the City of East Lansing to read as follows:

DIVISION 1. GENERALLY

**Sec. 8-601. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*City* means the City of East Lansing and that area within the jurisdictional boundaries of the City of East Lansing.

*Deploy* means to place, after charging or maintenance, an electric skateboard on the public right-of-ways for the purpose of customer operation.

*Electric Skateboard* means a wheeled device that has a floorboard designed to be stood upon when riding that is no more than 60 inches long and 18 inches wide, is designed to transport only 1 person at a time and has an electrical propulsion system. An electric skateboard includes those that have handlebars and, in addition to having an electrical propulsion system, are designed to also be powered by human propulsion.

*Electric Skateboard Company* means a person or entity that provides, or otherwise makes available to the public, electric skateboards for use on a temporary basis for payment.

*Operation of an Electric Skateboard Company within the City* means having one or more electric skateboards deployed within the city for the purpose of customer operation within the city on the city’s public right-of-ways or the deployment of electric skateboards outside the city with the intent that the skateboards be operated within the city on the city’s public right-of-ways.

**Secs. 8-602 to 8-604 reserved.**

**DIVISION 2. LICENSE ISSUANCE AND FEES**

**Sec. 8-605. Required; application.**

(1) No person shall operate an electric skateboard company within the city without having a valid license for operation of an electric skateboard company issued by the city clerk.

(2) Application shall be made by the person or entity operating the company, annually, on forms provided by the city clerk which shall require the following:

- (a) The full names and addresses of the owner or operator of the applicant;
- (b) The address of the applicant's local business office;
- (c) The logo or other branding unique to the applicant that will be visible on every electric skateboard it operates or makes available;
- (d) The telephone number, email address, and website that the public may contact to lodge complaints or make reports;
- (e) Acknowledgment of the requirements in section 8-612;
- (f) A copy of the certificate of insurance required pursuant to this Article;

**Sec. 8-606. License issuance, fees.**

The city clerk is hereby authorized to grant licenses described in this Article. All licenses are annual unless suspended or revoked earlier as provided in section 8-67. A non-refundable annual license fee must be paid for a license; the annual fee for the first year this ordinance goes into effect is Two Thousand Five Hundred Dollars (\$2,500.00) and hereafter shall be as established by the budget resolution of city council. An additional fee for each electric skateboard that is available to the public in the city each day must be paid to the city on a monthly basis; the fee for the first year this ordinance goes into effect is Ten Cents (\$.10) per ride that originates in the city and hereafter shall be set by budget resolution of city council. An additional fee in the amount of One hundred Dollars (\$100.00) shall be paid to the City each month for each electric skateboard which has remained impounded by the City for more than 30 days after notice has been sent to the company notifying them of the impoundment. After offsetting costs related to the permit process and enforcement of operational and parking restrictions all fees collected under this section shall be allocated to fund programs consistent with the city's "complete streets" policy as set forth in the strategic priorities established by city council so as to maintain and expand the city's infrastructure and rights-of-way utilized by electric skateboards.

**Secs. 8-607 to 8-609 reserved**

**DIVISION 3. CONDUCT OF LICENSEE, ENFORCEMENT.**

**Sec. 8-610. Conduct of Licensee.**

Each licensee shall, as a condition of obtaining and maintaining a license, agree to comply at all times with all of the following:

- (1) Provide easily visible contact information on each electric skateboard, including: a logo or other branding; a unique identification number that is visible while the electric skateboard is parked upright; and contact information for the company that is visible while the electric skateboard is parked upright, including telephone number, email address, and website;
- (2) Maintain a 24-hour customer service phone number for customers and members of the public to report safety concerns, complaints, or to ask questions;
- (3) Respond to requests from any person or entity for rebalancing, reports of incorrectly parked electric skateboards, or reports of unsafe/inoperable electric skateboards, damaged, in low battery state or when blocking the public right of way by relocating, re-parking, or removing the electric skateboard, as appropriate, within 2 hours of receiving notice;
- (4) Respond to reports from any person or entity of safety or maintenance issues with a specific device, by remotely making that electric skateboard unavailable to users in addition to removing the electric skateboard as required in this section;
- (5) Ensure that any inoperable or unsafe device shall be repaired before it is put back into service;
- (6) Ensure that the use policy includes clear prohibition on more than one person riding on an electric skateboard at a time;
- (7) Implement a marketing and targeted community outreach plan, at the person or entity's own cost, to provide access to electric skateboard services and promote the use of electric skateboards citywide, particularly among low-income communities;
- (8) Implement a plan, at a person or entity's own cost, to educate electric skateboard users about:
  - (a) The rights of pedestrians, including those with disabilities, to travel unimpeded by electric skateboards, whether in use or parked;
  - (b) Permissible parking locations, speed limits, safety equipment requirements and general courtesies;

(9) Indemnify, defend, and hold harmless the city against any and all liability, actions, or claims resulting from the conduct or operations related to electric skateboards by any person or entity;

(10) Maintain insurance providing liability coverage in an amount not less than \$500,000 per incident and \$1,000,000 aggregate;

(11) Share identified usage data, as more fully described in section 8-612, with the city.

(12) Deploy electric skateboards only in areas so designated by the city;

(13) Remove all electric skateboards from the public rights-of-way within the city between the hours of 3:00 a.m. and 6:00 a.m. each day.

(14) Remove all electric skateboards from the public rights-of-way within the city when snow/ice or other weather conditions require removal for purposes reasonably related to city operations such as plowing and maintenance of streets and sidewalks and access to public facilities, as determined by the City Manager.

(15) The city reserves the right to restrict the number of electric skateboards deployed in the city by any licensee.

#### **Sec. 8-611. License suspension, impoundment.**

(1) In addition to those acts set forth in Sec. 8-68, the failure to comply with the provisions of 8-610 or 8-612 by any licensee shall be deemed to be “cause” for a license suspension pursuant to Sec. 8-67.

(2) Any electric skateboard deployed in an area not designated for deployment by the city is subject to being impounded by the city pursuant to MCL 257.252d(1)(b).

(3) Any electric skateboard parked in an area or that is otherwise in a condition so as to be subject to removal pursuant to MCL 257.252d (1) is subject to being impounded by the city pursuant to MCL 257.252d(1).

(4) Any electric skateboard parked in any prohibited area pursuant to Section 8-615 is subject to removal and impoundment pursuant to MCL 257.252d(1).

(5) In addition to other penalties allowed by law, any electric skateboards deployed by an unlicensed company are subject to removal and impoundment.

#### **Sec. 8-612. Reporting Requirements.**

(1) Each month, a licensed company shall make available upon request the following data with the city in order to improve future operations for electric skateboards within the city:

- (a) Electric skateboard utilization rates;
- (b) Trip volumes, including a separate notation of the number of trips originating within the city;
- (c) Trip distances and routes;
- (d) Starting and stopping points for each trip;
- (e) Number of electric skateboards it deployed in the city each day;
- (f) Number of electric skateboards it removed from the city each day;
- (g) Parking compliance rates;
- (h) Any information regarding theft and vandalism of the electric skateboards;
- (i) Maintenance records for any electric skateboards deployed within the city; and
- (j) Records of any accidents or crashes involving users of electric skateboards.

(2) Within a reasonable time after any information supplied on a license application changes, the licensee shall provide to the city clerk the updated information.

(3) A company that violates this section is responsible for a civil infraction.

**Secs. 8-613 to 8-614 reserved**

**DIVISION 4. CONDUCT OF ELECTIC SKATEBOARD USERS.**

**Sec. 8-615. – Parking and operation in the city right-of-way; Restrictions.**

In addition to the restrictions on parking and operation of electric skateboards found in the Michigan Motor Vehicle Code and the Uniform Traffic Code, electric skateboard users are subject to the following restrictions:

(1) Electric skateboards shall be parked upright on hard surfaces on the sidewalk but only if at least five linear feet of unobstructed sidewalk is preserved for safe pedestrian travel and where designated, if at all, by the city manager through an administrative order approved by council.

(2) Electric skateboards may not park in such a manner that impedes or interferes with access to or use of:

- (a) Sidewalks, crosswalks, or sidewalk ramps;
- (b) Bus stops, shelters, or waiting areas;
- (c) Loading zones or handicapped parking spaces;
- (d) Fire hydrants;
- (e) Benches;
- (f) Parking meters or pay stations;
- (g) Commercial window displays;
- (h) Access to or from any buildings;
- (i) Any bicycle racks;
- (j) Streets, driveways or alleys;

(3) Electric skateboards may not be parked in street metered vehicular parking spaces or vehicular spaces within City parking garages and surface lots.

(4) Electric skateboards may be parked on streets without sidewalks only if the roadway travel lanes and bike lanes are not impeded.

(5) While on sidewalks within the city electric skateboards shall be driven at no more than 10 miles per hour.

(6) A person who violates this section is responsible for a civil infraction.