

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, PROHIBITING ANY SHARED MOBILITY DEVICE SYSTEMS AS IDENTIFIED HEREIN**

Sponsored By: Laws & Rules Committee: Alderman:  
Worthington, Frankel, Scott-Childress,  
Olivieri

**WHEREAS**, Allotted Fleet Size is defined as the maximum number of permitted shared bicycles, shared bicycles with electric assist, and shared electric scooters that an operator is authorized to have available at any single point in time per day; and

**WHEREAS**, Deployment is defined as the initial placement of a shared mobility device for availability on an individual day; and

**WHEREAS**, Electric Mobility Device is defined as any bicycle with electric assist or electric scooter; and

**WHEREAS**, Grouping is defined as the placement of two or more shared mobility devices at a docking station; and

**WHEREAS**, Rebalancing is defined as the act of relocating shared mobility devices from over crowded stations to those with a shortage of devices; and

**WHEREAS**, Shared Bicycle System is defined as a network of publicly available bicycles as defined in Section 1243 of the New York State Vehicle and Traffic Law; and

**WHEREAS**, Shared Bicycle With Electric Assist System is defined as a network of publicly available bicycles with electric assist as defined in Section 1243 of the New York State Vehicle and Traffic Law; and

**WHEREAS**, Shared Electric Mobility Device is defined as a bicycle with electric assist or electric scooter that is part of a shared mobility device system; and

**WHEREAS**, Shared Mobility Device is defined as a bicycle with electric assist, or electric scooter that is part of a shared mobility device system; and

**WHEREAS**, Shared Electric Scooter System is defined as a network of publicly available electric scooters as defined in Section 1282 of the New York State Vehicle and Traffic Law; and

**WHEREAS**, Shared Mobility Device System is defined as a shared bicycle system, shared bicycle with electric assist system, shared electric scooter system, or any network offering a combination of two (2) or more types of shared mobility devices for public use; and

**WHEREAS**, Shared Mobility Device System Permit is defined as a permit issued by the City of Kingston.

**NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK AS FOLLOWS:**

**SECTION 1.** That the Common Council of the City of Kingston authorizes the adoption of the definitions for Allotted Fleet Size, Deployment, Electric Mobility Device and Grouping as listed above.

**SECTION 2.** All ordinances and parts thereof, inconsistent herewith, are hereby repealed.

**SECTION 3.** This ordinance shall take effect immediately after passage, approval and publication as provided by law.

Submitted to the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2023

Approved by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
Elisa Tinti, City Clerk

\_\_\_\_\_  
Steven T. Noble, Mayor

Adopted by Council on \_\_\_\_\_, 2023

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THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES COMMITTEE REPORT

DEPARTMENT: L&R DATE: 6/21/23

Description: Adoption of An Ordinance Prohibiting Any Shared Mobility Device Systems AS Identified in the Definitions Attached

Signature: [Signature]

Motion by RSC

Seconded by MO

Action Required:

SEQRA Decision:

Type I Action     

Type II Action     

Unlisted Action     

Negative Declaration of Environmental Significance:     

Conditioned Negative Declaration:     

Seek Lead Agency Status:     

Positive Declaration of Environmental Significance:     

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
<u>[Signature]</u> Rita Worthington, Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Barbara Hill, Ward 1	<input type="checkbox"/>	<input type="checkbox"/>
<u>[Signature]</u> Carl Frankel, Ward 2	<input type="checkbox"/>	<input type="checkbox"/>
Rennie Scott-Childress, Ward 3	<input type="checkbox"/>	<input type="checkbox"/>
<u>[Signature]</u> Michael Olivieri, Ward 7	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>[Signature]</u>	<input type="checkbox"/>	<input type="checkbox"/>

~~§ 160-1.~~ **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

*ADA-compliant ramp* – A ramp which meets the requirements of the Americans with Disabilities Act of 1990 (ADA).

✓ *Allotted fleet size* – The maximum number of permitted shared bicycles, shared bicycles with electric assist, and shared electric scooters that an operator is authorized to have available at any single point in time per day.

*Applicant* – An individual or entity with a pending application for a shared system permit.

*Bicycle* – A device as defined in § 102 of the New York State Vehicle and Traffic Law.

*Bicycle with electric assist* – A bicycle as defined in § 102-c(a) or § 102-c(b) of the New York State Vehicle and Traffic Law.

*Crosswalk* – A portion of a roadway as defined in § 110 of the New York State Vehicle and Traffic Law.

✓ *Deployment* – The initial placement of a shared mobility device for availability on an individual day.

*Driveway* – An entrance or exit as defined in § 114 of the New York State Vehicle and Traffic Law which is used by vehicular traffic.

✓ *Electric mobility device* – Any bicycle with electric assist or electric scooter as defined in this chapter.

*Electric scooter* – A device as defined in § 114-e of the New York State Vehicle and Traffic Law.

*Furnishings zone* – That portion of a sidewalk adjacent to the curb that contains elements such as street trees, signal poles, streetlights, bicycle racks or other street furniture. This area does not include the curb itself or the pedestrian through-zone.

*Geofencing* – The use of Global Positioning System ("GPS"), Radio Frequency Identification ("RFID"), or other technology to create a virtual geographic boundary, enabling software to trigger a response in a shared mobility device when it enters or leaves a particular area.

✓ *Grouping* – The placement of two or more shared mobility devices at a docking station.

*Mobility device* – A bicycle or an electric mobility device as defined in this chapter.

*Multiuse path* – A public way designed and designated for use by pedestrians, persons riding bicycles, and, to the extent also permitted, those employing other non-motorized conveyances (such as in-line skates, roller skates, skateboards, and kick scooters).

*Not-for-profit operator* – A company, person, or philanthropic organization that engages in or operates a shared system but does not charge for its use.

*Operator* – An individual, sole proprietorship, partnership, association, corporation, or not-for-profit organization that engages in or operates a shared system business or enterprise, including the employees, agents, designees, representatives, officers, and/or directors thereof. For the purposes of this section, there shall be no distinction between an operator and a permit holder.

*Pedestrian through-zone* – That portion of a sidewalk used primarily by pedestrians for travel and for accessing transit or buildings. It does not include the furnishings zone.

*Permit holder* – The individual, sole proprietorship, partnership, association, corporation, or not-for-profit organization that is the named holder of a permit issued pursuant to this chapter. For the purposes of this section, there shall be no distinction between an operator and a permit holder.

*Public highway* – A public way as defined in § 134 of the New York State Vehicle and Traffic Law.

✓ *Rebalancing* – The act of relocating shared mobility devices from overcrowded stations to those with a shortage of devices.

✓ *Shared bicycle system* – A network of publicly available bicycles as defined in § 1243 of the New York State Vehicle and Traffic Law.

✓ *Shared bicycle with electric assist system* – A network of publicly available bicycles with electric assist as defined in § 1243 of the New York State Vehicle and Traffic Law.

✓ *Shared electric mobility device* – A bicycle with electric assist or electric scooter that is part of a shared mobility device system.

✓ *Shared mobility device* – A bicycle, bicycle with electric assist, or electric scooter that is part of a shared mobility device system.

✓ *Shared electric scooter system* – A network of publicly available electric scooters as defined in § 1282 of the New York State Vehicle and Traffic Law.

✓ *Shared mobility device system* – A shared bicycle system, shared bicycle with electric assist system, shared electric scooter system, or any network offering a combination of two (2) or more types of shared mobility devices for public use.

✓ *Shared mobility device system permit* – A permit issued by the City as provided in this chapter.

*Sidewalk* – A portion of a street intended for pedestrian use as defined in § 144 of the New York State Vehicle and Traffic Law.

*User* – A natural person who operates a shared mobility device in a shared mobility device system.

~~§ 160-2.~~     ~~Scope.~~