



Legislation Details (With Text)

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On agenda: 11/22/2021
Final Action: 12/2/2021 **Ord. No.** Ord 126486

Title: AN ORDINANCE relating to the Traffic Code; modifying fees associated with car sharing; clarifying certain definitions; establishing Seattle Department of Transportation authority for managing free-floating zone service areas; and amending Sections 11.14.087, 11.23.150, and 11.23.160 of the Seattle Municipal Code.

Sponsors: Teresa Mosqueda

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Signed Ordinance 126486, 3. Affidavit of Publication

Date	Ver.	Action By	Action	Result
12/2/2021	1	City Clerk	attested by City Clerk	
12/2/2021	1	Mayor	returned	
12/2/2021	1	Mayor	Signed	
11/23/2021	1	City Clerk	submitted for Mayor's signature	
11/22/2021	1	City Council	passed	Pass
11/18/2021	1	Select Budget Committee	pass	Pass
10/18/2021	1	City Council	referred	
10/12/2021	1	City Clerk	sent for review	
10/12/2021	1	Council President's Office	sent for review	
9/27/2021	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the Traffic Code; modifying fees associated with car sharing; clarifying certain definitions; establishing Seattle Department of Transportation authority for managing free-floating zone service areas; and amending Sections 11.14.087, 11.23.150, and 11.23.160 of the Seattle Municipal Code.

WHEREAS, in November 2009, Council passed Ordinance 123162, which authorized parking privileges for car sharing activities and established a car share permit fee; and

WHEREAS, in December 2012, Council passed Ordinance 124063, which created a free-floating car sharing

permit and program and established fees; and

WHEREAS, in January 2015, Council passed Ordinance 124689, which expanded the car share permit program to allow for more operators and increased the fee; and

WHEREAS, portions of both the car share fee and the free-floating car share fee have historically been calculated to reflect the foregone paid parking revenue the City would otherwise have received from on-street paid parking; and

WHEREAS, starting in 2020, paid parking revenues have declined significantly due to the impacts of the COVID-19 pandemic and the return of on-street paid parking rates at significantly lower than pre-pandemic rates; and

WHEREAS, the City Transportation Electrification Blueprint in 2021 named a goal to have 100 percent of shared mobility be electric by 2030; and

WHEREAS, operators provided the valuable service of car sharing during the COVID-19 pandemic, serving essential travel needs for Seattle residents; and

WHEREAS, car sharing continues to provide an alternative to vehicle ownership in alignment with climate goals; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 11.14.087 of the Seattle Municipal Code, enacted by Ordinance 122779, is amended as follows:

11.14.087 Car sharing((-))

"Car sharing" is a system in which a fleet of cars (or other vehicles) is made available for use by members of the car share group in a wide variety of ways. Car sharing provides an alternative to car ownership under which

a) persons or entities that become members are permitted to use vehicles from a fleet on ~~((an hourly))~~ a limited, fee-per-use basis; b) vehicles are available to members in parking spaces at dispersed locations or facilities; and

c) no separate written agreement is required each time a member reserves and uses a vehicle.

Section 2. Section 11.23.150 of the Seattle Municipal Code, last amended by Ordinance 125994, is amended as follows:

11.23.150 Car share parking fees

((A-)) Annual car sharing permit for dedicated spaces in locations where there is no paid on-street parking	\$300/year
((B-)) Annual car sharing permit for designated spaces in locations where there is paid on-street parking	(((\$3,000/year)) <u>The Seattle Department of Transportation (SDOT) shall establish the following year’s annual rate to be no less than \$500 per year and no more than \$3,500 per year, based on actual average per-space parking revenue. SDOT will calculate the updated fee for the next calendar permit year by November 1. The last announced annual rate will apply until a new rate is announced.</u>
((C-)) Annual free-floating car sharing permit for each free-floating car sharing vehicle <u>with an internal combustion or hybrid engine</u>	(((\$1,230)) <u>\$300/year* plus a fee of 50 cents per trip, to be paid to the City on a quarterly basis</u>
Annual free-floating car sharing permit for each <u>battery-electric free-floating car sharing vehicle</u>	<u>\$300/year* plus a fee of 25 cents per trip, to be paid to the City on a quarterly basis</u>

* This fee is comprised of: ~~(1) ((the initial paid parking fee of \$930 per year, to be adjusted annually based on actual meter use in paid parking areas per subsection 11.23.160.G; (2)))~~ an RPZ fee of \$200 per year; and ~~((3))~~ (2) an administrative fee of \$100 per year.

A. For purposes of calculating the per-trip fee for free-floating car share, a “trip” shall represent a booking wherein a member reserves a vehicle for a given amount of time, defined by a geo-tagged start and stop point. The Director of Transportation may amend the definition of trip based on the review of trip-level data.

B. The City will require and collect trip-level data through appropriate data feeds, as defined in annual permit conditions.

C. Unless stated otherwise by Director’s rule, all trips subject to a per-trip fee shall have a starting point and/or ending point within, and a route within the geographic confines of the City.

D. Annual car sharing permits and annual free-floating car sharing permits are valid from January 1((-)) through December 31. The Director of Transportation or the Director's designee ((shall have the authority to)) may prorate the price of the annual ((free-floating car sharing)) permit if a permit is issued for less than a full year. A new free-floating car sharing permit is required each calendar year for each vehicle in the free-floating car share program.

Section 3. Section 11.23.160 of the Seattle Municipal Code, last amended by Ordinance 124689, is amended as follows:

11.23.160 Free-floating car sharing parking

A. A free-floating car sharing parking program is established in order to:

1. Provide Seattle residents an alternative to personal vehicle ownership, complement the use of public transportation, and reduce personal vehicle ownership, the overall number of car trips and/or vehicle miles traveled within the City((, consistent with the City of Seattle's Transportation Strategic Plan)) ;

2. Achieve emission reduction goals through use of car sharing((, as outlined by the City of Seattle's Climate Action Plan)) ;

3. Achieve curb space priority objectives in commercial districts and residential districts, as outlined by the City of Seattle's Comprehensive Plan; and

4. ((Provide low-income access to transportation options.)) Serve diverse and widespread populations of the city by geography, income, race, land use, and multi-modal transportation needs and connections.

B. In order to qualify for the free-floating car sharing program as set forth in this Section 11.23.160, all of the following standards must be met:

1. Permittee must obtain a free-floating car sharing permit for each free-floating car sharing vehicle ((by)) and pay((ing)) the free-floating car sharing permit fee to the Seattle Department of Transportation (SDOT);

~~((2. Free-floating car sharing vehicles must be parked in the Free-Floating Zone, the area in which the car must be parked at the end of each trip as stated in the permit;))~~

~~((3-))~~ 2. Each free-floating car share vehicle permitted by SDOT shall display a permit and contact information, in a manner determined by SDOT;

~~((4-))~~ 3. Each free-floating car share vehicle must be registered, in a manner determined by SDOT, in Seattle in the free-floating car share program;

~~((5-))~~ 4. Permittee shall comply with the terms of free-floating car sharing permit;

~~((6-))~~ 5. Permittee shall utilize on-street parking within City rights-of-way in compliance with all applicable federal, state, County and City laws and regulations;

~~((7-))~~ 6. Permittee must demonstrate that the free-floating car sharing vehicles have the technical capacity to accurately track each permitted vehicle's actual meter use in paid parking areas, such as GPS or other technology, and provide regular reports to SDOT, as well as appropriate data feeds, to verify such use; and

~~((8-))~~ 7. Permittee shall establish a ~~((service area for the entire city))~~ free-floating zone and service capability that effectively meets the objectives stated in 11.23.160.A.4 as determined by SDOT within their free-floating car sharing permit~~((, within two years of the issue date of the operator's first free-floating car share permit))~~ . Considerations for approval of the free-floating zone include: (1) operational feasibility and fleet size; (2) serving areas of the City with identified and potential need for the service; (3) breadth of service in various neighborhoods of the City; and (4) identified strategies for reaching a diverse customer base, including low-income customers. The Director of Transportation may further define criteria to determine whether an operator's free-floating zone is appropriate.

C. ~~((In 2015, SDOT may issue free-floating car sharing permits to no more than four free-floating car sharing operators. In 2015, each free-floating car sharing operator may receive up to 500 free-floating car share permits, or up to 750 free-floating car sharing permits with the establishment of a service area for the entire~~

city. For subsequent years,)) SDOT shall determine by Director's Rule the number of permits and operators based on data received as a part of the operator reporting requirements specified in the free-floating car sharing permit. In determining the number of permits and operators, SDOT will consider effects on reductions in personal vehicle ownership, effects on neighborhood business district customer access, whether free-floating car share is sufficiently serving low income communities, and other considerations that affect the public's use of the right of way and travel behavior.

D. SDOT can deny issuance of subsequent permits to the same permittee for ~~((either (i) Non-payment of outstanding meter usage fees by permittee pursuant to SMC 11.23.150.C, or (ii) Failure to maintain a service area that serves the entire city))~~ noncompliance with any permit conditions.

E. During all hours when it is otherwise lawful to park in specified parking spaces within the Free-Floating Zone, free-floating car sharing vehicles that comply with this Section 11.23.160 may park in any of the following parking spaces or stalls: (1) parking spaces or stalls where the posted time limit is one hour or greater, regulated by a parking payment device without displaying a payment receipt and without regard to posted time-limits; (2) time-limited parking spaces or stalls where the posted time limit is one hour or greater, without regard to the posted time; (3) parking spaces or stalls located in any restricted parking zone (RPZ) without regard to time limits imposed on vehicles without RPZ permits; (4) car share vehicle zones that are permitted for the specific free-floating car share operator, or car share vehicle zones that are signed for general car sharing use; or ~~((4))~~ (5) any other parking space in the public right-of-way not otherwise restricted for exclusive use.

F. Free-floating car sharing vehicles shall be prohibited from parking in the following zones or areas: 1) zones designated as bus zones; 2) car share vehicle zones~~((, unless separately))~~ permitted for a different operator; 3) commercial vehicle load zones; 4) emergency zones; 5) food-vehicle zones; 6) pedestrian zones; 7) roadway construction zones; 8) school loading zones; 9) taxicab, pedicab, and other for-hire car stands; 10) tow-away zones; 11) truck load zones; 12) parking areas adjacent to parking payment device controlled with a

service parking meter hood; or 13) any other zone restricted by the Traffic Engineer.

G. Free-floating car sharing vehicles shall be prohibited from parking in a parking space or stall reserved for a person with a disability, unless the member of the free-floating car sharing group utilizing the free-floating car sharing vehicle meets the criteria for special parking privileges under RCW 46.19.010 and the disabled parking permit is displayed as described in RCW 46.19.030 for the duration of the time the free-floating car sharing vehicle is parked within the parking space or stall reserved for a person with a disability.

~~((H. Permittee must provide a report to SDOT at an address specified in the free-floating car sharing permit that provides data showing actual paid parking meter use for each free-floating car share vehicle for the preceding year. The report shall be submitted no later than January 31 of each year. In the event a free-floating car sharing operator's total actual meter use in paid parking areas during the prior permit term exceeds the total paid parking area reimbursement fees required under SMC 11.23.150.C and paid for in the prior permit period, the free-floating car sharing permittee shall reimburse the City for the difference no later than February 28 of each year.))~~

~~((H.))~~ H. SDOT may establish permit conditions and limitations to address neighborhood impacts, equitable access, peak right-of-way usage, or other considerations that affect the public's use of the right of way.

Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)