

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 9-103-020 of the Municipal Code of Chicago is hereby amended by deleting the language struck-through, and inserting the language underlined, as follows:

9-103-020 Scooter sharing license – Required.

(a) Except as otherwise provided in subsection (c) of this section, no person shall engage in a scooter sharing business in the City without a license.

~~(b) The Commissioner may issue up to three licenses. There shall be no more than three licenses outstanding at any given time.~~

(eb) Nothing provided in this Section, ~~including the license cap in subsection (b),~~ shall be construed to prohibit the operation of a scooter sharing service in the City by a City contractor under a contract between the City and the operator.

SECTION 2. Section 9-103-030 of the Municipal Code of Chicago is hereby amended by deleting the language struck-through, and inserting the language underlined, as follows:

9-103-030 Scooter sharing license – License term and fees.

(a) A scooter sharing license shall be issued for a two-year period, beginning on June 15 of years ending in an even number. ~~The license fee for the two-year license term shall be \$250,000.00 and paid before the first day of the license term. shall be calculated based on \$1-per-day-per-scooter for the total number of scooters that the prospective licensee plans to deploy during the license term, assuming that all of the prospective licensee's scooters shall be deployed each day during the two-year license period.~~ The license fee shall be paid as a precondition to issuance of the license and shall not be prorated. ~~The Commissioner shall adjust the license fee to be paid by any licensee if the number of scooters a licensee deploys increases pursuant to this chapter.~~

(b) The license fees collected pursuant to this subsections (a) and (f) of this Section shall be used to cover the City's cost in the administration and enforcement of this chapter by the Commissioner and the Commissioner of Transportation.

(c) Nothing in this section shall affect the rights of the City to impose or collect any other applicable tax upon the leasing, use or operation of a scooter in addition to the license fee specified in this section.

(d) A scooter sharing license is non-transferable.

(e) A ~~The Commissioner may renew a scooter sharing license is not renewable.~~ However, before the end of a licensee's two-year term of license, or when the license cap is increased pursuant to Section 9-103-020 of this Chapter, or when issuance of a license is within the existing cap is otherwise possible because, among other reasons a license is revoked or surrendered, the Commissioner may issue a new license, complying with all the requirements and processes for issuance of a license provided in this chapter and rules promulgated hereunder if the applicant meets the requirements in Section 9-103-050.

(f) The Commissioner shall impose a monthly service fee to licensees, calculated at a rate of \$16.00 per scooter for the average number of scooters deployed in a month plus \$0.16 per scooter trip, based on the license month. Licensees must pay the service fee before the end of the calendar month as a continuing requirement for maintaining the license.

SECTION 3. Section 9-103-040 of the Municipal Code of Chicago is hereby amended by deleting the language struck-through as follows:

9-103-040 Scooter sharing license – Application.

(Omitted text is unaffected by this ordinance)

(b) In addition to the license application requirements listed in subsection (a), any applicant for license issuance shall provide any other information that the Commissioner may reasonably require in connection with the issuance of a license, including: (i) the applicant's insurance policies as provided in Section 9-103-090; (ii) images, specifications and descriptions of each type of scooter that the applicant plans to deploy; (iii) documentation that the applicant's scooters meet the City's low-speed electric mobility device requirements, as defined in Section 9-4-010 of this Code; (iv) the applicant's fare rates for regular and low-income customers, including any charge or fee associated with these fare rates; and (v) the maximum number of scooters the applicant is planning to deploy during the license term within the cap provided in Section 9-103-110. ~~The information in this subsection (b)(v) shall be used for the purpose of calculating the license fee that a prospective licensee shall pay as provided in Section 9-103-030.~~

(Omitted text is unaffected by this ordinance)

SECTION 4. Section 9-103-050 of the Municipal Code of Chicago is hereby amended by deleting the language struck-through as follows:

9-103-050 Scooter sharing license – Qualifications for license.

(a) In order to be eligible for a scooter sharing license:

(1) an applicant shall be in compliance with all applicable City, State of Illinois and federal laws;

(2) an applicant shall have a place of business in the City:

(i) with respect to any corporate or limited liability company applicant, the company shall be organized or qualified to do business under the laws of the State of Illinois and have a place of business in the City of Chicago; or

(ii) with respect to any partnership applicant, the partnership shall have a place of business in the City of Chicago; or

(iii) with respect to any individual applicant, the applicant shall be a citizen or legal resident of the United States, residing and domiciled in the City.

(3) an applicant does not owe debt to the City as the term "debt" is defined in Section 4-4-150 of this Code.

(4) an applicant must comply with the application requirements provided in Section 9-103-040.

(5) an applicant must have its own Internet-enabled application or digital platform that is not supported by another applicant's Internet-enabled application or digital platform for running the applicant's scooter sharing business.

(6) an applicant shall meet the following requirements:

(i) The applicant must be of good character and repute;

(ii) The applicant must have procured, prepared and have ready at least 2,000 scooters on the first day of the first month of deployment;

(iii) The applicant must attest to their staffing ability to manage deployed scooters throughout the term of the license and to be responsive to concerns from the public, the City and sister agencies;

(iv) The applicant must attest to their commitment to take steps to identify, train, and employ City residents that have been historically disadvantaged in participating in the local economy;

(v) The applicant must attest to their commitment to reduce danger and inconvenience to non-riders caused by scooters and rider behavior by steps including, but not limited to, deploying lock-to scooters on their entire fleet and to implementing sidewalk riding detection technology on their entire fleet;

(vi) The applicant shall make scooter service accessible to people with disabilities and deploy a fleet comprised of at least 5% seated scooters at all times;

(vii) The applicant shall help meet the City's goal of effectively improving mobility and accessibility for residents who face elevated economic, health, social, mobility and accessibility barriers through, at minimum, geographic distribution of scooters and provision of reduced cost programs for those with financial barriers;

(viii) The applicant must attest to their commitment to citywide education, engagement, outreach, rider safety, operations, and technology and innovation plans;

(ix) The applicant must have deployed a fleet of scooters in a city within the United States with a population over 1 million for a minimum of 12 months;

(x) The applicant must be able to meet the operational requirements provided in this Chapter; and

(xi) The applicant must have the technological ability to meet the requirements of this Chapter.

(b) No applicant is eligible for a license if: (1) any city scooter sharing license or permit held by the applicant, or by any officer or director of a corporate applicant or partner of a partnership applicant or manager or managing member of a limited liability company applicant, has been revoked within the previous three years, or has been denied, rescinded, within the 12-month period preceding the date of application; or (2) if the applicant, or any officer or director of a corporate applicant or partner in a partnership applicant, within the three years immediately preceding the date of the applicant's application, has been either convicted, or in custody, under parole or under any other noncustodial supervision resulting from a conviction in a court of any jurisdiction for the commission of any felony as defined by Article 2 of the Illinois Criminal Code of 2012, codified at 720 ILCS 5/2-0.5 et seq., or its equivalent under federal or other jurisdictional law. Provided, however, any conviction for a minor cannabis offense, as defined in Section 4-4-005, shall not disqualify an applicant.

(c) If an application for the issuance or renewal of a license is denied, the applicant may within ten days of the mailing of notice of the denial make a written demand upon the Commissioner for a hearing. Upon receipt of a timely written demand for a hearing the Commissioner shall within 30 days conduct a hearing. If at such a hearing the applicant establishes through competent evidence that the denial was based upon incorrect findings the Commissioner shall consider the applicant for issuance or renewal of a license subject to the requirements provided in this Chapter. If at such a hearing the denial is found to have been based upon correct findings, the denial shall become final. After entry of a final denial, the applicant shall be ineligible to make a new application for a period of 12 months.

SECTION 5. Section 9-103-130 of the Municipal Code of Chicago is hereby amended by deleting the language struck-through, and inserting the language underlined, as follows:

9-103-130 Scooter sharing license – Operational requirements.

(a) *Operating hours.* Each Licensee shall make its scooters available for service ~~from 5:00 a.m. to 12:00 a.m. (midnight). No licensee shall make its scooters available for service from 12:00 a.m. (midnight) to 5:00 a.m.~~during service hours as established by rules promulgated by the Commissioner.

(Omitted text is unaffected by this ordinance)

SECTION 6. Chapter 9-103 of the Municipal Code of Chicago is hereby amended by deleting Section 9-103-060 in its entirety.

SECTION 7. This ordinance shall be in full force and effect following its passage and approval.