

## Ordinance No. 1393

### Amending the Fridley City Code Chapter 509, Motorized Vehicle Rentals

The City of Fridley does ordain, after review, examination and staff recommendation that Chapter 509, Motorized Vehicle Rentals, of the Fridley City Code be amended as follows:

**FRIDLEY CITY CODE**  
**CHAPTER 509, ~~MOTORIZED VEHICLE RENTALS~~ MICROMOBILITY SHARING OPERATIONS**  
(Ref. 303, 1393)

#### 509.01. DEFINITIONS

The following definitions shall apply in the interpretation and application of this Chapter and the following words and terms, wherever they occur in this Chapter, are defined as follows:

1. ~~Motorized Vehicle.~~

~~Any self-propelled vehicle not operated exclusively upon railroad tracks. Motorized bicycles, motor scooters, motorcycles and the like are included within the definition of a motor vehicle. Vehicles designed to be operated exclusively over snow, motorized wheel chairs, farm tractors or other farm implements, passenger cars, trucks, tractors, trailers, semi-trailers, lift trucks, lawn mowers or any other mobile equipment whether or not used on highways, which are leased for business, commercial or home maintenance purposes are not included in the definition of a motor vehicle.~~

Attended. Having a readily identifiable user that is located within five feet of the micromobility vehicle.

Impoundment. Removal of a micromobility vehicle to a storage facility or designated impound location by the City or a licensed City contractor in response to authorization from a police officer or other City employee who is designated by the City Manager or their designee to act under this section.

License Agreement or License. A written contract or agreement issued by the City Manager or their designee.

Micromobility Sharing or Micromobility Sharing Service. A rental or lending service that:

- A. Allows riders to temporarily use micromobility vehicles available from a fleet in exchange for a fee or other form of direct or indirect compensation; and
- B. Encourages, allows, or is susceptible to micromobility vehicle vending, renting, or lending from City-maintained right-of-way or other City property.

Micromobility Vehicle. Bicycles, electric-assisted bicycles, motorized foot scooters, and any other transportation device intended for short-duration or short distance trips. A current list of all micromobility vehicles included in this definition shall be kept on file by the City Manager or their designee and will be made readily available for public inspection.

#### 509.02. LICENSE REQUIRED

~~No person, firm or corporation shall engage in the business of renting motorized vehicles to any person or persons for hire unless said person, firm or corporation is duly licensed as hereinafter provided.~~

~~1. Notwithstanding any other provision to the contrary, no person shall engage in the business of micromobility sharing from City-maintained right-of-way or other City property without a valid license agreement with the City.~~

~~2. Any micromobility vehicle that is part of a micromobility sharing operation not authorized by a license agreement under this section shall be deemed an unpermitted micromobility vehicle. Any person in possession of an unpermitted micromobility vehicle may ride such micromobility vehicle into and through the City, subject to all applicable state and local laws and rules. All unpermitted micromobility vehicle must be attended by the same user at all times while on City-maintained right-of-way or other City property.~~

### **509.03. APPLICATION CONTROL OF THE RIGHT-OF-WAY**

~~1. All persons, firms or corporations engaging in the business of renting motorized vehicles shall file a written application with the City clerk of the City of Fridley. The application shall contain the following:~~

~~A. The name and business address of licensee; and~~

~~B. The year, make, model, serial number and license number that identifies each motorized vehicle to be rented.~~

~~2. Said application shall be duly sworn to by the person or by the proper officer of the company or corporation applying for the license.~~

~~License agreements issued pursuant to this Chapter shall not operate so as to transfer ownership or control of the public right-of-way to micromobility sharing operators, or to any other party.~~

### **509.04. LESSEE SHALL BE LICENSED COMPLIANCE WITH LAWS**

~~No licensee shall let or furnish any motorized vehicle to any person(s) not having a motor vehicle driver's license which has been issued in accordance with the provisions of the laws of the State of Minnesota. It shall be unlawful for any person(s), whether they be the owner or lessee of a motorized vehicle, to permit any person who is not so licensed by the State of Minnesota to drive or operate such vehicle. Before letting, leasing or furnishing any motorized vehicle to any person(s), the licensee shall make a permanent and legible record containing the name, address and age of the person to whom the motorized vehicle is leased, rented or let and shall record thereon the number, date of issue and expiration of the driver's license, together with the description of the person as shown by the driver's license and identify the vehicle leased or rented to the person by the motorized vehicle license number issued by the State of Minnesota, together with the date or dates of such licensing. It shall be unlawful to let, rent or furnish any motor vehicle to any person under the age of eighteen (18) years unless such person shall furnish and leave the licensee a statement in writing showing the consent of the parent or guardian to the leasing or letting of the motor vehicle to such person. All records required by this Section shall be kept for a period of not less than one (1) year and shall at all times be open to inspection by the Police Department of the City of Fridley.~~

Micromobility sharing operators and consumers shall comply with all applicable federal, state, and local laws, as they may be amended from time to time. The operation of a micromobility vehicle upon a public street, alley, highway, sidewalk, or other public property in the City shall be governed by the corresponding provisions of Minnesota Statute Chapter 169.

#### **509.05. INSURANCE REQUIRED ENFORCEMENT**

~~1. No motorized vehicle rental license shall be issued to any person, firm or corporation to engage in said business in the City of Fridley until the applicant obtains and files with the City of Fridley a policy of liability insurance that has been issued by an insurance company authorized to do business under the laws of the State of Minnesota. The liability or indemnity insurance for each motor vehicle shall be in the minimum amount of \$10,000 for injury to person or persons and shall provide for and be made to cover all injuries to property in the minimum amount of \$5,000. Such policy shall be in such form that it shall provide for the payment of any judgment against the insured therein to the extent of the liability therein obtained by any person injured in person or property by reason of any act of the owner, driver or any other person in the operation of said vehicle, and for the payment of any judgment obtained against the insured therein by any person injured or by the representative of any person killed or injured by such act. Such policy shall have a condition that it cannot be canceled after loss or without written notice to the City of Fridley; and in case of any cancellation the license therein provided for, issued to the person, firm or corporation whose policy is so canceled, shall become, by virtue of such cancellation, inoperative and void, unless another policy is forthwith issued, approved and filed in lieu of said canceled policy. The Council of the City may require the licensee to replace said policy of insurance if it deems said policy unsatisfactory or insufficient for any reason, and the default or refusal of said licensee to comply with any such order of the Council shall be grounds for revocation of the license of the person, firm or corporation so offending. Said policy shall be approved as to form by the City Attorney of the City of Fridley and shall be filed with the City Clerk.~~

~~2. Upon compliance with the above stated provisions, the City Clerk shall issue a license to the applicant in conformity with the provisions of this Chapter, together with a tag bearing the same number as the license, which the applicant shall display in a conspicuous place on the motorized vehicle.~~

1. Micromobility vehicles may be deemed to be part of a micromobility sharing operation based on any of the following: marketing or advertising associated with a business logo attached to the vehicle; marketing or advertising associated with the overall appearance of the vehicle; the existence of a locking mechanism that can be unlocked for a fee or other form of direct or indirect compensation; or any other indicator that would lead a reasonable person to believe that the vehicle is used for micromobility sharing as defined in this section.

2. Any micromobility vehicle deemed to be part of a micromobility sharing operation that is found illegally parked, or otherwise in violation of this section or the terms of a valid City license agreement, shall be subject to impoundment under subsection 509.07 herein.

3. Any micromobility vehicle deemed to be part of a micromobility sharing operation that is left unattended on private property shall be subject to impoundment under subsection 509.07 herein. Impoundment shall not occur unless and until a qualifying request to remove the micromobility vehicle is made by the owner or authorized representative of such property.

4. In addition to any other remedy available at equity or law, failure to comply with the provisions of this section, or with the terms of any license agreement issued pursuant hereto, may result in impoundment as provided in this section, license termination, suspension or cancellation, administrative fines, restrictions, or other penalties as provided herein.

#### **509.06. FEES**

The annual license fee and expiration date shall be as provided in Chapter 11 of this Code. Receipt for such payment shall be presented to the ~~City Clerk~~ City Manager or their designee before the issuance of any license.

#### **509.07 IMPOUNDING AUTHORIZED**

1. Micromobility vehicles may be impounded by any police officer or duly authorized City employee because:
  - A. The micromobility vehicle was found unattended and blocking traffic, public infrastructure, or otherwise compromising public safety.
  - B. The micromobility vehicle is part of an unpermitted micromobility vehicle sharing operation or is found in violation of one or more provisions of this section.
  - C. The micromobility vehicle is found in violation of one or more of the terms of a contract or license issued under subsection 509.02 herein.
2. All micromobility vehicles found in violation of this section are subject to impoundment without warning.
3. Not more than 72 hours after impoundment of any micromobility vehicle, the City shall provide written notice to the owner of the micromobility vehicle, as disclosed by readily identifiable owner contact information attached to the micromobility vehicle. The notice shall be sent by either electronic or US mail. The notice shall contain the full particulars of the impoundment and redemption process. If a micromobility vehicle is redeemed prior to the submission of notice, or if the City is unable to readily identify the owner, then notice need not be sent. Saturdays, Sundays, and City holidays are to be excluded from the calculation of the seventy-two-hour period.
4. All micromobility vehicles impounded under this section shall be subject to an impoundment that is sufficient to offset the City's costs of enforcement and storage for each such micromobility vehicle.
5. Any micromobility vehicle lawfully coming into the possession of the City and remaining unclaimed by the owner for a period of at least thirty (30) days may be sold to the highest bidder at public auction or sale following reasonable published notice.

#### **509.07 08. PENALTIES**

Any violation of this Chapter is a misdemeanor and is subject to all penalties provided for such violations under the provisions of Chapter 901 of this Code.

**Passed and adopted by the City Council of the City of Fridley on this [Day] day of [Month], 2021.**

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Scott J. Lund - Mayor

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Daniel Tienter - City Clerk

First Reading:  
Second Reading:  
Publication:

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