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**CITY OF SANTA FE, NEW MEXICO**

**BILL NO. 2019-6**

**INTRODUCED BY:**

Councilor Carol Romero-Wirth

Councilor Signe I. Lindell

**AN ORDINANCE**

**ADDING A DEFINITION OF “ELECTRIC SCOOTER” TO THE UNIFORM TRAFFIC  
ORDINANCE; AND PROHIBITING THE USE OF RENTED ELECTRIC SCOOTERS IN  
THE PUBLIC RIGHT-OF-WAY UNLESS A PILOT PROGRAM IS EXPRESSLY  
AUTHORIZED BY THE GOVERNING BODY.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

**Section 1. A new Section 12-1-16.1 of the Uniform Traffic Ordinance (being  
Ord. #2006-34, as amended) is ordained to read:**

**12-1-22.1 ELECTRIC SCOOTER.**

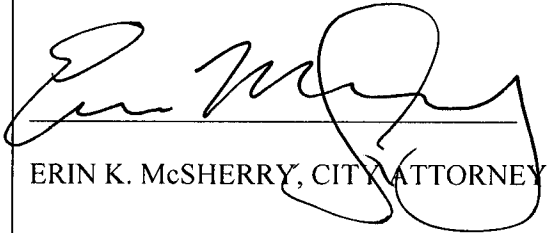
“Electric scooter” means an electric vehicle consisting of a narrow footboard mounted  
between two wheels in tandem with an upright steering handle attached to the front wheel that is  
propelled via electricity.

**Section 2. A new Section 12-8-18 of the Uniform Traffic Ordinance (being Ord.  
#2006-34, as amended) is ordained to read:**

**12-8-18 ELECTRIC SCOOTERS PROHIBITED.**

1 Electric scooters that are available to rent via dockless or docked rental systems are  
2 prohibited from using public streets, sidewalks, parks, or any other public area unless the  
3 Governing Body approves the implementation of up to a two-year pilot program via Resolution.

4 APPROVED AS TO FORM:

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7 ERIN K. McSHERRY, CITY ATTORNEY  
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25 *M/Legislation/Bills 2019/Electric Scooter Prohibition*

## City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

### Section A.      General Information

(Check) Bill:   X        Resolution: \_\_\_\_\_

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): **AN ORDINANCE ADDING A DEFINITION OF "ELECTRIC SCOOTER" TO THE UNIFORM TRAFFIC ORDINANCE; AND PROHIBITING THE USE OF RENTED ELECTRIC SCOOTERS IN THE PUBLIC RIGHT-OF-WAY UNLESS A PILOT PROGRAM IS EXPRESSLY AUTHORIZED BY THE GOVERNING BODY.**

Sponsor(s): Councilors Romero-Wirth and Lindell

Reviewing Department(s): Public Works Department

Persons Completing FIR: Erick Aune      Date: 3/14/19      Phone: 955-6664

Reviewed by City Attorney: \_\_\_\_\_

(Signature)

Date: 3/20/19

Reviewed by Finance Director: \_\_\_\_\_

(Signature)

Date: 3/26/19

### Section B.      Summary

Briefly explain the purpose and major provisions of the bill/resolution:

**Adoption of this Bill prohibits the operation of rented electric scooters on public property unless the Governing Body expressly authorizes a pilot program of up to two years via resolution.**

### Section C.      Fiscal Impact

**Note:** Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)\*

#### **1. Projected Expenditures:**

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate:      "A" if current budget and level of staffing will absorb the costs  
                      "N" if new, additional, or increased budget or staffing will be required
- c. Indicate:      "R" – if recurring annual costs  
                      "NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: \_\_\_\_\_

X     Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____
All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____
Total:	\$ _____			\$ _____			

\* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. \*\*For fringe benefits contact the Finance Dept.

**2. Revenue Sources:**

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

_____	\$ _____	_____	\$ _____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____
Total:	\$ _____		\$ _____		

### 3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

N/A

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### **Section D.      General Narrative**

**1. Conflicts:** Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None identified.

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### **2. Consequences of Not Enacting This Bill/Resolution:**

Are there consequences of not enacting this bill/resolution? If so, describe.

The City will have no ability to prevent electric scooter companies from renting their products for use on City streets.

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### **3. Technical Issues:**

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

None identified.

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### **4. Community Impact:**

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

As of March of 2019, the residents of the City of Santa Fe have not experienced access to a company that provides on-demand electric scooters to rent. However, there have been many references in social media, news outlets, and other means of communication that on-demand rentable electric scooters may be coming to the community. The City does not see a "major" positive or negative effect on the community other than the costs potentially lost by local entrepreneurs being part of a scooter company and the potential health and safety considerations that could result if a electric scooter company provided services that were not developed in a manner that enhanced user safety to the extent practicable.

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