

1 COUNCIL OF THE TOWN OF RIVERDALE PARK

2  
3 ORDINANCE 2022-OR-09

4  
5  
6 **Introduced By:** CM David Lingua

7  
8 **Date Introduced:** December 5, 2022

9  
10 **Date Adopted:** January 9, 2023

11  
12 **Date Effective:** July 1, 2023

13  
14  
15 **AN ORDINANCE** concerning

16  
17 Shared Micromobility

18  
19 **FOR** the purpose of regulating through permit requirements, performance criteria and violations  
20 and penalties, the operation and maintenance of shared micromobility devices in the Town  
21 of Riverdale Park.

22  
23 **BY** adding

24  
25 Chapter 59, SHARED MICROMOBILITY  
26 Sections 59-1 through 59-9  
27 Code of the Town of Riverdale Park  
28 (January 2008 Revision as Supplemented)

29  
30 **SECTION 1: BE IT ENACTED BY THE COUNCIL OF THE TOWN OF**  
31 **RIVERDALE PARK**, that new Sections 59-1 through 59-9, be and they are hereby added to the  
32 Code of the Town of Riverdale Park (January 2008 Revision as Supplemented), to follow  
33 immediately after Section 58-2 of Chapter 58, and to read as follows:

34  
35 **Chapter 59 SHARED MICROMOBILITY**

36  
37 § 59-1 PURPOSE.

38  
39 THE PURPOSE OF THIS CHAPTER IS TO ESTABLISH REGULATIONS GOVERNING  
40 SHARED MICROMOBILITY SERVICES TO PROMOTE THE GENERAL HEALTH,  
41 SAFETY, AND WELFARE OF THE RESIDENTS OF THE TOWN BY:

42  
43 (A) ENCOURAGING ACTIVE TRANSPORTATION;  
44

45 (B) PROVIDING ADEQUATE MULTI-MODAL TRANSPORTATION OPTIONS TO  
46 MEET THE NEEDS OF RESIDENTS, WORKERS, AND VISITORS;

47  
48 (C) REDUCING THE POTENTIAL FOR BICYCLES AND SCOOTERS TO BLOCK  
49 OR INTERFERE WITH PEDESTRIAN AND EMERGENCY SERVICE USE;

50  
51 (D) PROTECTING THE PUBLIC RIGHT-OF-WAY FROM UNCONTROLLED,  
52 UNMANAGED ENCROACHMENT; AND

53  
54 (E) REDUCING THE AMOUNT OF TRAFFIC CAUSED BY AUTOMOBILES.  
55

56 § 59-2 DEFINITIONS.  
57

58 FOR THE PURPOSE OF THIS CHAPTER, THE FOLLOWING WORDS AND PHRASES  
59 SHALL HAVE THE MEANING RESPECTIVELY ASCRIBED THERETO.  
60

61 “SHARED MICROMOBILITY BUSINESS” MEANS A BUSINESS OWNING, MANAGING,  
62 AND/OR MAKING AVAILABLE SHARED MICROMOBILITY DEVICES FOR A FEE.  
63

64 “SHARED MICROMOBILITY DEVICE” MEANS A DEVICE, INCLUDING POWERED OR  
65 NON-POWERED BICYCLES AND SCOOTERS OR SIMILAR DEVICES, DESIGNED  
66 SPECIFICALLY FOR SHARED MICROMOBILITY SERVICES AND DEPLOYED BY A  
67 SHARED MICROMOBILITY OPERATOR. IT DOES NOT INCLUDE ANY ASSISTIVE  
68 MOBILITY DEVICES USED BY PERSONS WITH DISABILITIES.  
69

70 “SHARED MICROMOBILITY FLEET” OR “FLEET” MEANS ALL SHARED  
71 MICROMOBILITY DEVICES OPERATED BY A SHARED MICROMOBILITY  
72 OPERATOR.  
73

74 “SHARED MICROMOBILITY OPERATOR” MEANS A PERSON OR AN ENTITY,  
75 INCLUDING THE ENTITY’S EMPLOYEES, CONTRACTORS, AND AGENTS, THAT HAS  
76 BEEN ISSUED A SHARED MICROMOBILITY PERMIT FOR THE OPERATION OF  
77 SHARED MICROMOBILITY DEVICES.  
78

79 “SHARED MICROMOBILITY PERMIT” MEANS A PERMIT ISSUED BY THE TOWN TO  
80 A SHARED MICROMOBILITY OPERATOR TO CONDUCT A SHARED  
81 MICROMOBILITY BUSINESS.  
82

83 “SHARED MICROMOBILITY SERVICE” MEANS A SYSTEM IN WHICH A SHARED  
84 MICROMOBILITY OPERATOR MAKES AVAILABLE MICROMOBILITY DEVICES, OR  
85 SIMILAR DEVICES, FOR USE TO PERSONS ON A SHORT-TERM BASIS FOR A FEE.  
86

87 “USER” MEANS ANY PERSON WHO RENTS A SHARED MICROMOBILITY DEVICE  
88 FOR A TRIP, ANY PART OF WHICH IS LOCATED WITHIN THE TOWN OF RIVERDALE  
89 PARK.

90  
91 § 59-3 PERMIT REQUIRED.

92  
93 (A) IT IS UNLAWFUL TO OPERATE A SHARED MICROMOBILITY BUSINESS IN  
94 THE TOWN WITHOUT OBTAINING A SHARED MICROMOBILITY PERMIT  
95 FROM THE TOWN.

96  
97 (B) A PERMIT IS VALID FOR ONE YEAR FROM THE DATE OF ISSUANCE. A  
98 PERMIT MAY BE RENEWED FOR SUCCESSIVE ONE-YEAR TERMS.

99  
100 § 59-4 APPLICATION AND ISSUANCE OF PERMIT.

101  
102 (A) A SHARED MICROMOBILITY BUSINESS SEEKING TO OPERATE OR  
103 CONTINUE THE OPERATION OF A SHARED MICROMOBILITY BUSINESS IN  
104 THE TOWN SHALL APPLY FOR A PERMIT ON A FORM PRESCRIBED BY THE  
105 TOWN MANAGER OR THE TOWN MANAGER’S DESIGNEE. THE TOWN  
106 MANAGER OR THE TOWN MANAGER’S DESIGNEE SHALL ALSO PRESCRIBE  
107 THE FORM OF AN APPLICATION FOR RENEWAL OF A PERMIT.

108  
109 (B) EACH APPLICATION FOR A SHARED MICROMOBILITY PERMIT  
110 PRESCRIBED BY THE TOWN MANAGER OR THE TOWN MANAGER’S  
111 DESIGNEE SHALL CONTAIN, OR BE ACCOMPANIED BY, AT LEAST THE  
112 FOLLOWING INFORMATION:

113  
114 (1) THE NUMBER AND TYPE OF SHARED MICROMOBILITY DEVICES  
115 TO BE DEPLOYED IN THE SHARED MICROMOBILITY FLEET.

116  
117 (2) THE GEOGRAPHICAL BOUNDARIES OF THE PROPOSED  
118 OPERATIONS.

119  
120 (3) THE DESIGNATED AREAS FOR USERS TO LEAVE THE  
121 MICROMOBILITY DEVICES AFTER USE, ALONG WITH WRITTEN  
122 PERMISSION FROM THE OWNER OF THE PROPERTY SO  
123 DESIGNATED.

124  
125 (4) THE NAME AND CONTACT INFORMATION FOR THE SHARED  
126 MICROMOBILITY OPERATOR.

127  
128 (5) A FEE IN THE AMOUNT OF \$200 FOR AN INITIAL PERMIT AND \$100  
129 FOR A RENEWAL PERMIT.

130

131 (6) AN OPERATION PLAN THAT MAINTAINS A SUSTAINABLE  
132 SERVICE, AND PROVIDES INCLUSIVE AND ADEQUATE MEANS OF  
133 COMMUNICATION WITH THE PUBLIC.

134  
135 (C) A PERMIT MAY NOT BE ISSUED UNLESS ALL PERMIT APPLICATION FEES  
136 HAVE BEEN PAID.

137  
138 (D) SHARED MICROMOBILITY BUSINESSES WHOSE APPLICATIONS ARE  
139 DENIED MAY APPEAL THE TOWN MANAGER OR THE TOWN MANAGER'S  
140 DESIGNEE'S DECISION IN ACCORDANCE WITH SECTION 59-8.

141  
142 § 59-5 PERFORMANCE CRITERIA FOR SHARED MICROMOBILITY DEVICES.

143  
144 (A) ALL MICROMOBILITY DEVICES MUST COMPLY WITH THE  
145 REQUIREMENTS IN THIS SECTION.

146  
147 (B) SHARED MICROMOBILITY BUSINESSES SHALL TAKE REASONABLE  
148 MEASURES TO ENSURE THAT USERS OF ITS SHARED MICROMOBILITY  
149 DEVICES ARE NOTIFIED OF, AWARE OF, AND COMPLY WITH THE  
150 FOLLOWING PARKING REQUIREMENTS:

151  
152 (1) USERS OF SHARED MICROMOBILITY DEVICES SHALL PARK THE  
153 SHARED MICROMOBILITY DEVICES UPRIGHT IN A LOCATION THAT  
154 DOES NOT IMPEDE PEDESTRIAN ACCESS OR INTERFERE WITH USE  
155 OF ACCESSIBILITY FEATURES OR EQUIPMENT.

156  
157 (2) USERS SHALL NOT PARK SHARED MICROMOBILITY DEVICES IN  
158 SUCH A MANNER AS TO BLOCK THE PEDESTRIAN CLEAR ZONE AREA  
159 OF THE SIDEWALK, ANY FIRE HYDRANT, CALL BOX, OR OTHER  
160 EMERGENCY FACILITY, BUS BENCH, ACCESSIBILITY FEATURE OR  
161 EQUIPMENT, OR UTILITY POLE OR BOX.

162  
163 (3) USERS SHALL NOT PARK SHARED MICROMOBILITY DEVICES IN  
164 SUCH A MANNER AS TO IMPEDE OR INTERFERE WITH THE  
165 REASONABLE USE OF ANY COMMERCIAL WINDOW DISPLAY OR  
166 ACCESS TO OR FROM ANY BUILDING.

167  
168 (4) USERS SHALL NOT PARK SHARED MICROMOBILITY DEVICES IN  
169 SUCH A MANNER AS TO IMPEDE OR INTERFERE WITH THE  
170 REASONABLE USE OF ANY BICYCLE RACK.

171  
172 (5) USERS SHALL NOT PARK SHARED MICROMOBILITY DEVICES ON  
173 PRIVATELY OWNED PARKING LOTS OR PROPERTY WITHOUT THE  
174 PERMISSION OF THE OWNER OF THE PARKING LOT OR PROPERTY.

175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217

(6) USERS MAY PARK SHARED MICROMOBILITY DEVICES ON PORTIONS OF STREETS WITHOUT SIDEWALKS PROVIDED THE SHARED MICROMOBILITY DEVICES ARE PLACED AGAINST THE CURB.

(C) SHARED MICROMOBILITY BUSINESSES SHALL PROVIDE EASILY VISIBLE CONTACT INFORMATION, INCLUDING A TOLL-FREE PHONE NUMBER OR E-MAIL ADDRESS, ON EACH SHARED MICROMOBILITY DEVICE FOR USERS TO MAKE RELOCATION REQUESTS OR TO REPORT OTHER ISSUES WITH THE DEVICE.

(D) A SHARED MICROMOBILITY BUSINESS IS PERMITTED TO INCREASE ITS FLEET SIZE WITH PRIOR WRITTEN NOTICE TO AND APPROVAL BY THE TOWN MANAGER OR THE TOWN MANAGER’S DESIGNEE BEFORE IMPLEMENTING ANY INCREASE.

(E) A SHARED MICROMOBILITY BUSINESS SHALL KEEP AND MAINTAIN ITS FLEET IN SAFE OPERATING CONDITIONS. EACH SHARED MICROMOBILITY OPERATOR SHALL INSPECT ALL SHARED MICROMOBILITY DEVICES IN ITS FLEET AT REASONABLE INTERVALS TO ENSURE THAT THE DEVICES ARE KEPT IN SUCH CONDITION. SHARED MICROMOBILITY DEVICES ALSO ARE SUBJECT TO INSPECTION BY THE TOWN TO ENSURE THAT THE DEVICES ARE IN SAFE OPERATING CONDITIONS.

(F) THE SHARED MICROMOBILITY BUSINESS SHALL PROVIDE NOTICE TO ALL USERS THAT:

(1) SHARED MICROMOBILITY DEVICES MAY NOT BE RIDDEN BY MORE THAN ONE USER AT A TIME.

(2) SHARED MICROMOBILITY DEVICES ARE TO BE RIDDEN ON STREETS, AND WHERE AVAILABLE, IN BIKE LANES AND BIKE PATHS;

(3) SHARED MICROMOBILITY DEVICES ARE TO BE OPERATED TO THE RIGHT OF STREET LANES AND TO OFFER THE RIGHT-OF-WAY TO BICYCLES ON BIKE LANES AND BIKE PATHS;

(4) SHARED MICROMOBILITY DEVICE USERS ARE ENCOURAGED TO WEAR HELMETS, AND MUST ADHERE TO COUNTY, STATE, AND FEDERAL REQUIREMENTS AT ALL TIMES;

218 (5) SHARED MICROMOBILITY DEVICE USERS ARE REQUIRED TO RIDE  
219 SHARED MICROMOBILITY DEVICES SAFELY AND COURTEOUSLY.

220  
221 (G) EACH SHARED MICROMOBILITY DEVICE SHALL POSSESS A UNIQUE  
222 IDENTIFICATION NUMBER THAT IS VISIBLE ON THE DEVICE.

223  
224 (H) EACH SHARED MICROMOBILITY BUSINESS OR OPERATOR SHALL  
225 COMMUNICATE ALL REQUIREMENTS IDENTIFIED IN SUBSECTION (F) TO  
226 ITS USERS THROUGH THE BUSINESS’S OR OPERATOR’S MOBILE  
227 APPLICATION OR OTHER CUSTOMER SERVICE CHANNELS.

228  
229 (I) THE MAXIMUM MOTOR ASSIST SPEED FOR SHARED MICROMOBILITY  
230 DEVICES SHALL BE NO GREATER THAN 15 MILES PER HOUR.

231  
232 § 59-6 DEFECTIVE SHARED MICROMOBILITY DEVICES.

233  
234 A SHARED MICROMOBILITY OPERATOR MUST REMOVE A SHARED  
235 MICROMOBILITY DEVICE FROM ITS FLEET IF THE BATTERY OR MOTOR ON THE  
236 SHARED MICROMOBILITY DEVICE IS DETERMINED BY THE TOWN TO BE UNSAFE  
237 FOR PUBLIC USE. THE FAILURE BY THE SHARED MICROMOBILITY BUSINESS OR  
238 OPERATOR TO REMOVE A DEFECTIVE SHARED MICROMOBILITY DEVICE MAY  
239 RESULT IN A FINE AND/OR REVOCATION OR SUSPENSION OF THE SHARED  
240 MICROMOBILITY PERMIT.

241  
242 § 59-7 SHARED MICROMOBILITY PERMIT REVOCATION OR SUSPENSION

243  
244 (A) THE TOWN MANAGER OR THE TOWN MANAGER’S DESIGNEE MAY  
245 SUSPEND OR REVOKE A SHARED MICROMOBILITY PERMIT FOR ANY OF  
246 THE FOLLOWING REASONS:

- 247
- 248 (1) FAILURE TO COMPLY WITH THIS CHAPTER OR OTHER PROVISION
- 249 OF THE TOWN CODE, FEDERAL OR STATE LAW, OR ANY OTHER
- 250 APPLICABLE LAWS OR REGULATIONS;
- 251
- 252 (2) FAILURE TO PAY ANY FINES, PENALTIES, FEES OR DAMAGES
- 253 LAWFULLY ASSESSED AGAINST IT;
- 254
- 255 (3) A DETERMINATION BY THE TOWN MANAGER OR THE TOWN
- 256 MANAGER’S DESIGNEE THAT A SHARED MICROMOBILITY DEVICE
- 257 POSES A RISK TO PUBLIC HEALTH, SAFETY OR GENERAL WELFARE
- 258 AND HAS NOT BEEN REMOVED FROM SERVICE IMMEDIATELY AFTER
- 259 NOTIFICATION FROM THE TOWN;
- 260

261 (4) A BREACH OF CONFIDENTIAL DATA OBTAINED FROM USERS;  
262 OR

263  
264 (5) FOR OTHER GOOD AND SUFFICIENT CAUSE AS DETERMINED BY  
265 THE TOWN MANAGER OR THE TOWN MANAGER’S DESIGNEE.  
266

267 (B) THE OPERATOR MAY APPEAL THE DECISION OF THE TOWN MANAGER  
268 OR THE TOWN MANAGER’S DESIGNEE IN ACCORDANCE WITH THE  
269 PROCEDURES SET FORTH IN SECTION 59-8.  
270

271 § 59-8 APPEALS; PROCEDURE.  
272

273 A PERSON AGGRIEVED BY AN ORDER OF THE TOWN MANAGER OR THE TOWN  
274 MANAGER’S DESIGNEE IN THE ADMINISTRATION OR ENFORCEMENT OF THIS  
275 CHAPTER MAY APPEAL THE DECISION TO THE BOARD OF CODE APPEALS IN  
276 ACCORDANCE WITH CHAPTER 56 OF THIS CODE. AN APPEAL SHALL BE IN WRITING  
277 AND FILED WITH THE BOARD NOT LATER THAN FIFTEEN (15) DAYS AFTER THE  
278 DATE OF THE DECISION FROM WHICH THE APPEAL IS TAKEN.  
279

280 § 59-9 VIOLATIONS AND PENALTIES.  
281

282 (A) THIS CHAPTER MAY BE ENFORCED BY THE TOWN MANAGER OR THE  
283 TOWN MANAGER’S DESIGNEE, TOWN POLICE OFFICERS OR CODE  
284 ENFORCEMENT OFFICERS.  
285

286 (B) A VIOLATION OF THIS CHAPTER IS A MUNICIPAL INFRACTION.  
287

288 (C) A PERSON WHO VIOLATES THIS CHAPTER, OR PERMITS A VIOLATION  
289 OF THIS CHAPTER TO EXIST OR CONTINUE, IS GUILTY OF A MUNICIPAL  
290 INFRACTION AND SUBJECT TO A FINE IN THE AMOUNT OF TWO HUNDRED  
291 DOLLARS (\$200) FOR EACH VIOLATION. EACH DAY A VIOLATION  
292 CONTINUES IS A SEPARATE OFFENSE.  
293

294 (D) NOTWITHSTANDING SUBSECTION (C) OF THIS SECTION, A PERSON IS  
295 NOT GUILTY OF A MUNICIPAL INFRACTION IF THE PERSON ABATES THE  
296 VIOLATION WITHIN THE TIME SPECIFIED IN A WRITTEN NOTICE OF  
297 VIOLATION FROM THE TOWN MANAGER OR THE TOWN MANAGER’S  
298 DESIGNEE.  
299

300 **SECTION 2: AND BE IT FURTHER ENACTED** that this Ordinance shall become  
301 effective ~~at the expiration of twenty (20) days~~ July 1, 2023, following approval by the Mayor and  
302 Council.  
303  
304

305 ATTEST:

306

307

308

309

310

311

312

313

314

315

316

  
Jessica E. Barnes, Town Clerk

COUNCIL OF THE TOWN OF  
RIVERDALE PARK

  
Alan K. Thompson, Mayor

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

Underlining indicates amendments to the Ordinance.

~~Strike Out~~ indicates matter deleted from the law or stricken from the Ordinance by amendment.

\*\*\* indicate omission of existing text not modified by this Ordinance.



**APG Media of Chesapeake, LLC**  
**P.O. Box 600**  
**29088 Airpark Drive**  
**Easton, MD 21601**

**INVOICE**  
**12/06/22**

Phone: Fax:

Cust. AcctID: <b>415511</b>	Creation Date: <b>12/06/22</b>
	Ad Date: <b>12/08/22</b>
Name: <b>JESSICA E. BARNES</b>	Class: <b>3670</b>
Company: <b>TOWN OF RIVERDALE</b>	Ad ID: <b>3007502</b>
<b>PARK</b>	Words: <b>92</b>
Address: <b>5008 QUEENSBURY ROAD</b>	Lines: <b>17</b>
<b>20737</b>	Agate Lines: <b>66</b>
	Depth: <b>2.75</b>
	Inserts: <b>2</b>
	Blind Box:

Other Charges:	<b>\$0.00</b>	Total:	<b>\$74.25</b>
Discount:	<b>\$0.00</b>		
Surcharge:	<b>\$0.00</b>	Paid Amount:	<b>- \$0.00</b>
Credits:	<b>\$0.00</b>		
Bill Depth:	<b>2.75</b>	Amount Due:	<b>\$74.25</b>

**CREDIT CARD DETAILS**

PT	CT	CN	Number	Exp.	Amnt.

Publication	Start	Stop	Inserts	
The Enquirer-Gazette	12/08/22	12/08/22	1	\$74.25

Ad Note:

Customer Note:

**TOWN OF RIVERDALE PARK  
 FAIR SUMMARY OF  
 ORDINANCE 2022-OR-09**

This is to give notice that the Riverdale Park Town Council has introduced and intends to take action on Ordinance 2022-OR-09.

Ordinance 2022-OR-09 will regulate through permit requirements, performance criteria and violations and penalties, the operation and maintenance of shared micromobility devices in the Town of Riverdale Park.

Ordinance 2022-OR-09 is available for inspection by the public on the Town's website [www.riverdaleparkmd.gov](http://www.riverdaleparkmd.gov), by e-mail request to [community\\_input@riverdaleparkmd.gov](mailto:community_input@riverdaleparkmd.gov), or by calling 301-927-6381.

**RIVERDALE PARK TOWN COUNCIL**  
**BY: JESSICA BARNES, TOWN CLERK**  
 3007502 EQ 12/8/2022

*We Appreciate Your Business!*  
*Thank You JESSICA E. BARNES!*