

August 18, 2019

Mr. Mark Schwartz
Arlington County Manager
Via e-mail: mschwartz@arlingtonva.us

RE: Ordinance Changes for Micromobility devices

Dear Mr. Schwartz,

Committee Members

Eric Goldstein, Chair
Chris Yarie, Vice Chair
Pamela Van Hine, Recording Secretary
John Armstrong
Ian Blackwell
Jim Feaster
Gail Ginsburg
Eric Goodman
Tom Kornis
Andrea Walker

I write today, on behalf of the Pedestrian Advisory Committee (PAC), to express our thoughts on the proposed ordinance changes regulating e-bikes and e-scooters in light of the proliferation of dockless scooters and other micromobility devices throughout the county. The PAC has discussed this topic at many of our meetings over the last 12 months, hearing from both staff (including transportation planners, program staff, and the ACPD) and members of the public, as well as having discussions amongst ourselves. As proponents of alternative means of travel that will decrease car travel in Arlington, the PAC is very supportive of the continued operation of these micromobility devices in Arlington. The PAC is generally supportive of the plans presented at our September 11, 2019 meeting.

The PAC is, however, concerned about the impact these devices have on the pedestrian environment when they are ridden or parked on the clear zone of the sidewalk. Throughout the pilot program, many pedestrians have shared the sidewalk with scooters riders, who are often riding at high rates of speed, and in disregard of the prohibition on their use on sidewalks. This causes a significant safety concern, particularly for our most vulnerable pedestrians – the elderly, the frail, the disabled, and young children. However, members of the PAC equally understand that in many locations riders of e-scooters and e-bikes do not have alternative locations where it is safe for them to ride. As a county, we are lacking in a comprehensive connected bike network that would provide safe high quality bike and micro-mobility lanes for e-bikes and e-scooters to ride on. While not within the scope of the current proposal, the PAC sees this conflict as strong evidence for the renewed need to accelerate our building of protected bike lanes throughout the county.

The PAC understands that staff plans to recommend allowing e-bikes and e-scooters on sidewalks. While e-bikes would be limited to 20 MPH and e-scooters would be limited to 15 MPH as a technological matter, both devices would be prohibited from riding at speeds greater than 6 MPH while on sidewalks. Many members of the PAC are concerned about the lack of easy enforcement opportunities regarding the sidewalk speed limit. We understand that the technology is not advanced enough to allow multiple different speed limits built into the scooters. We also understand the police do not have resources sufficient to regularly enforce these limits.

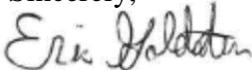
The PAC recommends the county take action to help mitigate these concerns. We recommend staff working with the shared mobility device providers to come up with an extensive and effective education program to achieve compliance with the 6 MPH speed limit. Additionally, we believe the county should identify certain sidewalk areas where riding bikes, e-bikes, and e-scooters on the sidewalk should be prohibited. These should include high-volume pedestrian areas such as those in the immediate vicinity of Metro stations and narrow sidewalks adjacent to high-quality bike facilities (such as protected bike lanes). We understand that the current ordinance proposal will allow the flexibility to designate these locations in the future, and we look forward to further discussions with staff about the appropriate standards for where these locations should be. With these understandings, taken together, the PAC was unanimous in support of the proposals for speed restrictions and allowance of use on sidewalks.

In addition to riding on sidewalks, the PAC is also concerned about the parking of these devices on sidewalks. We have all experienced seeing dockless e-scooters parked in such a way that they completely blocked the sidewalk. While most pedestrians are able to move them out of the way with only slight inconvenience, for many pedestrians, such as wheelchair users, such inappropriate placement forms an impenetrable barrier. We understand staff plans to recommend that micromobility devices continue to be allowed to be placed on the sidewalk. While there is language in the proposal specifying where on the sidewalk they are to be placed, from our experience over the last 12 months we have found that compliance can be difficult. We note that e-bikes and e-scooters are allowed, under the proposed language, to be parked on the street up against the curb. We recommend that this be advertised as the default parking place for shared mobility devices. To date, the only time we have noted shared mobility device providers deploying e-scooters on the street is inside designated scooter parking corrals. There is no reason they cannot also be deployed in other on street parking locations. We recommend that the agreements with the shared mobility device providers incorporate requirements that they deploy the devices in on-street locations only and that they advertise the availability of on all street parking to riders. Not only will parking these devices on the street stop the sidewalks from becoming blocked, if riders begin their trip on the street, they are more likely to ride on the street.

Aside from these concerns over sidewalk access, the PAC believes most other restrictions on the use of these devices are unnecessary. The PAC supports allowing e-bikes and e-scooters on the county's multi-use trails. The PAC opposes restricting the use of these devices from certain locations, such as schools, and opposes the inclusion of time-of-day restrictions on the use of shared mobility devices. The PAC would also like to see the county work with the shared mobility device providers to discourage them from implementing their own time-of-day restrictions. The PAC opposes the county enforcing any age restriction beyond what is required by state law.

Lastly, the PAC notes that there are significant equity concerns regarding the use of shared mobility devices. Nearly all the trips have occurred within our metro corridors. Access is limited to those with a smart phone and a credit card and a driver's license. Additionally, most scooters are not accessible to certain people with mobility impairments. These devices should be available to all members of the community. The PAC is supportive of staff's plan to work with the shared mobility device providers to address these concerns. However, while examining the maps presented by the shared mobility team, it was impossible to miss the correlation between the lack of developed on-street bike infrastructure and the lack of device usage in a given area. As such, the PAC wants to emphasize that achieving equity cannot be viewed just in terms of device placement -- it must also involve the county executing its role in building the protected bike lane network envisioned by the Bicycle Element of the Master Transportation Plan. While we understand how difficult these projects are to implement in some neighborhoods, it is imperative the individual pieces making up the network both meet the design guidelines put forth in the plan element, and place user safety and comfort as their top priorities. Without the network in place, pedestrians, cyclists, and shared mobility device riders -- three of the lowest impact users on the street -- will be forced to continue to squabble over 4-10 feet of sidewalk space, while 15 or more yards worth of street right of way remain primarily reserved for CO2-emitting private automobiles.

Sincerely,



Eric Goldstein
Chair, Pedestrian Advisory Committee