

CITY of ALBUQUERQUE

TWENTY THIRD COUNCIL

COUNCIL BILL NO. R-18-85 ENACTMENT NO. _____

SPONSORED BY: Isaac Benton

1 **RESOLUTION**

2 DECLARING A MORATORIUM ON THE OPERATION OF ANY NEW SHARED
3 BICYCLE OR ELECTRIC SCOOTER SERVICE WITHIN THE CITY FOR A TIME
4 PERIOD OF THREE MONTHS OR UNTIL A REGULATORY FRAMEWORK IS
5 ESTABLISHED, WHICHEVER OCCURS FIRST.

6 WHEREAS, shared bicycle and electric scooter services have become
7 increasingly popular across the country in the last twelve months; and

8 **WHEREAS, operation of these services has been problematic in other**
9 **municipalities across the country; and**

10 WHEREAS, most municipalities are scrambling to establish regulations for
11 these services related to operations and management only after these
12 services have been established in their municipality; and

13 WHEREAS, the City of Albuquerque needs time to consider how to regulate
14 these services; and

15 WHEREAS; the City, in cooperation with the Council of Governments, has
16 one bikeshare service operating within the city limits; and

17 WHEREAS; in 2015 the City adopted a Complete Streets policy to ensure
18 that the city's transportation network is safe and accessible for all users; and

19 WHEREAS; the City's ADA Transition Plan identifies that over \$400,000,000
20 in capital funding will be required for the city to correct ADA deficiencies
21 citywide; and

22 WHEREAS, additional services and new modes of transportation will have
23 major implications for all of the public right-of-way, the pedestrian realm,
24 existing bicycle infrastructure, and the overall transportation network in the
25 city; and

1 **WHEREAS**, at this time, there is nothing to prevent any of these services
2 from coming into Albuquerque to begin operating; and

3 **WHEREAS**, the time period that this moratorium is effective will allow the
4 City to consider the appropriate regulatory framework and work with affected
5 stakeholders on legislation applicable to allowing additional services to
6 operate in the City.

7 **BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**
8 **ALBUQUERQUE:**

9 **SECTION 1.** No new company offering bikeshare or scootershare services
10 is permitted to operate within the City of Albuquerque until the sooner of:
11 a) the passage of six months from the date of adoption of this resolution;
12 or
13 b) legislation regulating bikeshare and scootershare services has been
14 enacted by the City.

15 **SECTION 2. SEVERABILITY CLAUSE.** If any section, paragraph, sentence,
16 clause, word or phrase of this resolution is for any reason held to be invalid or
17 unenforceable by any court of competent jurisdiction, such decision shall not
18 affect the validity of the remaining provisions of this resolution. The Council
19 hereby declares that it would have passed this resolution and each section,
20 paragraph, sentence, clause, word or phrase thereof irrespective of any
21 provision being declared unconstitutional or otherwise invalid.

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