



**STAFF REPORT**  
**2/22/2023**

**TO:** Honorable Mayor and City Council Members

**FROM:** Celina Jimenez, Grants Manager

**SUBJECT:** Authorize an Operating Agreement with Bound Corporation for Scooters and E-Bikes

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**STAFF RECOMMENDATION:**

Staff recommends that the City Council consider authorize an Operating Agreement with Bound Corporation to administer and operate a stand-up electric scooter and electric bike sharing system in the City of Coachella.

**BACKGROUND:**

On September 19, 2018, the State of California enacted new laws regarding motorized scooters. Assembly Bill No. 2989 amended Section 21235 of the California Vehicle Code, which includes, but is not limited to, the following new laws:

- A motorized scooter cannot operate on a roadway with a speed limit in excess of 25 miles per hour (mph), unless within a Class II bike lane or Class IV bikeway.
- A motorized scooter may operate on a roadway with a speed limit greater than 25 mph, but less than 35 mph if authorized via ordinance or resolution by the City Council.
- A motorized scooter cannot operate upon a sidewalk, except as necessary to enter or leave adjacent property.
- A motorized scooter cannot be placed laying on its side on a sidewalk, or park a motorized scooter on a sidewalk in any other position that obstructs a pedestrian's path of travel.
- No person under 18 years of age shall operate a motorized scooter without a properly fitted and fastened bicycle helmet.
- No person without a valid driver's license or instruction permit shall operate a motorized scooter.

Please note that under a separate State law (Vehicle Code 22411) no person shall operate a motorized scooter at a speed in excess of 15 mph.

Currently, the City does not have any applicable municipal code related to Neighborhood Electric Vehicles (NEV) or Low Speed Vehicles (LSV). In January 2016, the Coachella Valley Association of Governments (CVAG) completed a Neighborhood Electric Vehicle (NEV) Plan that proposed a network of NEV routes along surface streets and along rights-of-ways that can be used for paths. The NEV plan describes the specific duties required of NEV operators, the current state of NEV development, and the future incorporation of NEV infrastructure in the Coachella Valley region.

**DISCUSSION/ANALYSIS:**

On March 18, 2021, the City of Coachella Economic Development and Planning Sub-Committee approved the first draft Pilot Operating Agreement that administers and manages a stand-up electric scooter-sharing program in the City of Coachella. The program will consist of a 12-month period in which Bound Corporation will launch 100 electric scooters and 50 electric bikes in strategic locations identified by Bound Corporation and City Staff based on various factors, such as population density, access to bike lanes and pedestrian pathways, commercial and retail accessibility, etc. The Company will be responsible for all maintenance, operations and will indemnify the City of any liability. The Company will provide 24-hour customer service for safety concerns and complaints, along with some general ride activity data to improve our Active Transportation Plan (ATP).

**ALTERNATIVES:**

1. Recommend no action
2. Provide alternative direction

**FISCAL IMPACT:**

If the City Council approves the recommendation, there is no fiscal impact to the General Fund.

**ATTACHMENT(S):**

Operating Agreement with the City of Coachella and Bound Corporation