

EXHIBIT B

NOTE: The following language establishes Article V “Shared Mobility Operation”, which is a new article to Chapter 26 of the Code of Ordinances of the City of Lee’s Summit. No other language is intended to be amended or deleted except as specifically shown on this Exhibit. The numbering of Sections and Subsections shall be as shown on this Exhibit unless the codifier of the City’s Code shall, in the exercise of its expert opinion, renumber same.

CHAPTER 26; ARTICLE V SHARED MOBILITY OPERATION

Sec. 26-401. Definitions.

As used in this Article, the following terms shall have the meanings ascribed to them in this section:

Bike (or Scooter) Share Station or Hub means a fixed location consisting of several docking devices where bicycles or scooters may be returned, rented, or retrieved.

Company means the person or entity owning the Shared Mobility Operation, its agents and contractors (including independent contractors), and every person or entity retained by the Company to maintain the Company’s Shared Mobility Devices.

Deploy means the placement of Shared Mobility Devices by the Company or a representative or agent of the Company.

Designated Area means any part of the public right-of-way designated by the Director of Public Works, or his/her designee, for the placement of Dockless or Lock-to Shared Mobility Devices.

Dockless means a Shared Mobility Operation which allows for Shared Mobility Devices to be parked without being fastened or locked to a bicycle rack or similar fixture.

Fleet means all of Company’s Shared Mobility Devices in operation within the City’s corporate boundaries at any one time.

Frontage Zone means the area of right of way adjacent to the property line where transitions between sidewalk and the building or space within buildings occurs.

Furnishing Zone means that portion of sidewalk located beyond the “Throughway Zone” (i.e. pedestrian way and accessible route) and other hardscape area within the right of way used for street trees, landscaping, trash receptacles, transit stops, street lights, signing, and other furnishings placed by the City or approved by the City as allowed or licensed by the City in compliance with City Encroachment Policy and right of way ordinance(s).

Geo-Fencing means the use of a virtual perimeter within which use of a Shared Mobility Device is restricted.

Good Standing means the status of an applicant or licensee, which is compliant with the payment of all required fees, fines and the filing of required data, statistics and reports and all requirements of the Shared Mobility Operation License.

Licensee means a Company or person(s) who holds a license issued by the City to operate a city-wide service. The term includes any employee, agent or independent contractor hired by the Shared Mobility Operation license holder.

Lock-to means a Shared Mobility Operation which requires that Shared Mobility Device be parked by being fasted or locked to a bicycle rack, hub or similar fixture.

Restricted Area means any part of the public right-of-way restricted by the Director of Public Works or his/her designee for the placement of Shared Mobility Devices.

Shared Mobility Device means a singular Dockless or Lock-to device specifically for shared-use and Deployed as part of a Shared Mobility Operation for the transportation or conveyance of people including, but is not limited to, any of the following devices used in a Shared Mobility System:

1. A bicycle or tricycle, as that term is defined in Section 29-1;
2. An electric bicycle or electric tricycle, as that term is defined in Section 29-1;
3. A scooter, as that term is defined in Section 29-1;
4. Any micro-mobility device, as that term is defined in Section 29-1, approved by the Director of Public Works or his/her designee.

Shared mobility device does not include any other type of motor vehicle or specifically designed device used to aid a person with disability, including but not limited to a motorized wheel chair as defined in Section 29-1.

Shared Mobility Operation or *Shared Active Transportation Operation* means a Shared Mobility System or service provided by or licensed by the City comprised of the Company's Dockless or Lock-to Shared Mobility Devices or patronage thereof, placed in public right of way and for use in short term increments for transportation or conveyance.

Shared Mobility Operation License a non-exclusive, limited permission to use certain parts of the City of Lee's Summit right-of-way as set forth in City of Lee's Summit's Standard Terms and Conditions for the Deployment and Operation of Shared Mobility Devices in the Right-of-Way.

Shared Mobility System means a system which provides a shared mobility device for short-term rentals for trips and which may be Lock-to or Dockless.

Throughway Zone means the portion of sidewalk for pedestrian travel within the right of way or applicable easement.

User or *Rider* means a person who rents and uses, or allows another person to use a Shared Mobility Device from a Company.

Sec. 26-402. License required; fee.

(a) It shall be unlawful for a person to operate, or cause to be operated, a shared mobility system in the right-of-way in the city, unless the operator first obtains a shared mobility operation license from the Director of Public Works or his/her designee and registers each shared mobility device as provided in this Chapter.

(b) The fee for a shared mobility operation license and the registration fee for each shared mobility device shall be set forth in the city's Schedule of Fees and Charges in effect on the date the license application is received.

(c) A license issued under this Section shall expire one (1) year after the date of issuance, and to continue operating a shared mobility system a Company shall apply for a new license or renewal at least thirty (30) days prior to the expiration of its license. The license and registration fees established by this section shall apply to an application for a new license and renewal.

(d) Upon receipt of a completed license application, the Director of Public Works or his/her designee shall issue or deny a shared mobility operation license. In making this determination, the Director of Public Works or his/her designee may consider, among other factors, the extent to which the applicant's operations or the use of the applicant's shared mobility devices have complied with current law, codes and terms and conditions of license.

Sec. 26-403. License application; information

(a) Applications for a license under this article shall be made on forms provided by the Director of Public Works or his/her designee, and shall be signed by an authorized representative of the applicant who is an officer or employee of the applicant with authority to legally bind the applicant, who shall verify under oath that the information contained in the application is true and accurate.

(b) In addition to the information required by application, the applicant shall provide any other information, data, or documents required by terms and conditions of the shared mobility operation license.

Sec. 26-404. Restrictions on operation imposed by regulation.

The Director of Public Works or his/her designee may, through license terms and conditions, impose appropriate conditions on the operation of shared mobility systems in order to further the purposes of this chapter, including but not limited to, the following:

- (1) Limits on the locations in which a shared mobility system may operate;
- (2) Prescribe the locations where shared mobility devices may be stored or parked when not in use;
- (3) Limits on the number of shared mobility devices permitted in the shared mobility system;
- (4) Standards for the use and maintenance of shared mobility devices;
- (5) Any other regulations necessary to further the purposes of this chapter.

Sec. 26-405. Enforcement, removal from the public right-of-way; penalties.

(a) During the hours of 6:00 a.m. through 9:00 p.m. a shared mobility device that is unsafe to operate or is inoperable shall be removed from the right-of-way by the Company within two (2) hours of notice made to the Company. During the hours of 9:01 p.m. through 5:59 a.m., a shared mobility device that is unsafe to operate or is inoperable shall be removed from the right-of-way by the Company within six (6) hours of notice made to the Company. Notice may be given to the Company by any person through the twenty-four-hour phone number, website, email, or mobile application.

(b) The Director of Public Works or his/her designee reserves the right to prohibit the use of any shared mobility device in the area surrounding any special event and the area affected by any public safety emergency.

(c) Shared mobility devices that are not removed pursuant to this Article, or any shared mobility device that is not parked in accordance with Chapter 29 of the Code of Ordinances and the Company's shared mobility operation license may have a penalty assessed to the Company pursuant to the Code of Ordinances.

(d) Any shared mobility device that poses a hazard to the public health and safety may be removed by the city at the cost of the Company.

(e) In addition to enforcement procedures and penalties set forth in Section 1-13 of the Code of Ordinances, a Company's first violation of any provision of this chapter in a twelve-month period, including, but not limited to, the operation of a shared mobility system that is not licensed, or not in compliance with the requirements of this Article, shall be subject to admission of violation and payment of the designated civil penalty. A Company's second and subsequent violations in the twelve-month period are subject to the enforcement procedures and penalties provided in the Code of Ordinances.

(F) A Company shall be jointly and severally liable for all violations of this Chapter, including the violation of any traffic laws and parking restrictions, relating to a user's use of a Shared Mobility Device.