

ATTACHMENT A

BILL: ASSEMBLY BILL 1112
AS AMENDED JUNE 3, 2019

AUTHOR: ASSEMBLYMEMBER LAURA FRIEDMAN (D-BURBANK)

SUBJECT: SHARED MOBILITY DEVICES: LOCAL REGULATION

STATUS: SENATE TRANSPORTATION COMMITTEE
HEARING SCHEDULED: JUNE 11, 2019

ACTION: OPPOSE UNLESS AMENDED

RECOMMENDATION

Staff recommends that the Board of Directors adopt an OPPOSE UNLESS AMENDED position on Assembly Bill 1112 (Friedman) as amended on June 3, 2019.

ISSUE

This bill was amended on June 3, 2019 to add and clarify provisions in the California State Vehicle Code related to the local regulation of shared mobility devices.

Specifically the bill would:

- Define a “shared mobility device” as a bicycle, electric bicycle, motorized scooter, electrically motorized board or other similar personal transportation device that is made available to the public for shared use and transportation, as provided.
- Require shared mobility providers to include a visible, single unique alphanumeric ID on every shared mobility device.
- Allow a local authority to require a shared mobility device provider to provide the local authority with deidentified and aggregated trip data as a condition for operating a shared mobility device program within its jurisdiction.
- Prohibit the sharing of individual trip data, except as provided by the Electronic Communications Privacy Act.
- Prohibit a local authority from imposing unduly restrictive requirements on mobility device providers that would prevent these providers from operating within its jurisdiction.
- Allow a local authority to require shared mobility device providers to deploy shared mobility devices in a manner that addresses geographic equity, capacity, insurance, access and indemnification.
- Prohibit a local authority from subjecting users of shared mobility devices to adhere to more restrictive requirements than those applicable to users of personally owned similar transportation devices.
- Includes findings that shared mobility device regulation is a matter of statewide concern rather than a local/municipal issue, with applicability to all cities and counties, including charter cities and counties.

DISCUSSION

Assembly Bill 1112 (Friedman) was introduced as a measure that seeks to provide minimum standards for regulating shared mobility devices across the state.

Existing law provides local authority for regulation of vehicles and mobility devices for purposes of maintaining public safety and levying fees for operation within a particular jurisdiction. Existing consumer privacy law related to the use of electronic data provides certain protections for users with respect to the use of their data for criminal cases, warrants, etc. The Consumer Privacy Act of 2018 provides for protections for consumers interacting and providing their personal data with businesses. The Consumer Privacy Act goes into effect January 1, 2020.

Metro currently does not have the authority to regulate or levy fees on transportation network companies or shared mobility device providers; however LA County's Board of Supervisors and the 88 cities within its boundaries currently have this authority. A number of cities within Los Angeles County and LA County Board of Supervisors have established pilot programs and other regulatory frameworks for the deployment and operation of shared mobility devices within their jurisdictions. The provisions of AB 1112 (Friedman) seem to run counter to the efforts put forward by the cities and County of LA and undermine the authority and goals of local entities. Cities have worked with shared mobility device providers to establish pilot programs that outline regulations and specified fees to address a number of issues related to safety, equity, and traffic congestion management the deployment and use of shared mobility devices.

Metro's primary concerns with AB 1112 are shared by the cities that have written in opposition to the measure, including the City of Los Angeles Mayor, City of Santa Monica, League of California Cities and Los Angeles Department of Transportation.

- The provisions outlined in the legislation would limit cities and local entities ability to provide a regulatory framework that addresses the needs and safety of users and traffic congestion within their jurisdictions.
- The timing of the legislation is problematic. Many of the regulatory programs that are currently being established in Los Angeles County and parts of Northern California that are being implemented have been created within the last year. This bill does not allow ample time for cities and local agencies to really assess the impacts of the regulations and fees imposed under their respective programs.
- The legislation would roll back various elements of agreements previously entered into by a number of shared mobility providers and local jurisdictions.
- Access to trip data is paramount to be able to fully understand the impact of the shared mobility devices on congestion and transit use.

Metro's Vision 2028 strategic plan Goal 1.3 sets forth the Board's intentions to manage transportation demand in a fair and equitable manner. It outlines the goals of studying the impact of shared mobility on transportation in LA County, building a coalition of support and exploring how fees and regulations can be incorporated into an overall county-wide system.

For these reasons, staff recommends that the Board adopt an OPPOSE UNLESS AMENDED position on the measure AB 1112 (Friedman).

DETERMINATION OF SAFETY IMPACT

There is no determined safety impact due to the enactment of the proposed legislation.

FINANCIAL IMPACT

The estimated financial impact of this action is still being evaluated.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Staff recommendation supports strategic plan goal # 4.2: Metro will help drive mobility agendas, discussions and policies at the state, regional and national levels.

ALTERNATIVES CONSIDERED

Staff has considered adopting either a support or neutral position on the bill. An oppose or neutral position would be inconsistent with Metro's Board approved 2019 State Legislative Program Goal #8: Support legislative and regulatory actions that enhance and protect Metro's ability to deliver innovative transportation projects and services in Los Angeles County.

NEXT STEPS

Should the Board decide to adopt an OPPOSE UNLESS AMENDED position on this legislation; staff will communicate the Board's position to the author and work to ensure inclusion of the Board's priorities in the final version of the bill. Staff will continue to keep the Board informed as this issue is addressed throughout the legislative session.