

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: May 19, 2022

CALENDAR NO. 33,745

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBERS HARRIS, GIARRUSSO AND MORENO

AN ORDINANCE to amend and reordain Sections 146-493, 154-2, 154-1401, 154-1409, 154-1421, and 154-1423, and to ordain Sections 154-1751, 154-1752, and 154-1753 of the Code of the City of New Orleans, to distinguish bicycles and electric scooters, and to provide for prohibitions and regulation relative to electric scooters; and otherwise to provide with respect thereto.

SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That Section 146-493 of the Code of the City of New Orleans is hereby amended and reordained to read as follows:

“Sec. 146-493. – Obstruction of public rights-of-way, public places prohibited.

*** * ***

(2) Unsecured bicycles, electric-assisted bicycles, motorized bicycles, motor-driven cycles, mobility aids, electric scooters, and other similar devices whose placement prevents the free and proper use as stated herein, may be immediately removed from the rights-of-way and stored accordingly. This subsection shall be enforced by the director of safety and permits or his/her authorized designee.

i. For the purposes of this Section, the definitions of bicycles, electric-assisted bicycles, motorized bicycles, motor-driven cycles, mobility aids, and electric scooters shall be as provided in Section 154-2 of this Code.

* * *

SECTION 2. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That Sections 154-2, 154-1401, 154-1409, 154-1421, and 154-1423 of the Code of the City of New Orleans are hereby amended and reordained to read as follows:

“Sec. 154-2. – Definitions.

* * *

Electric scooter means any motorized propulsion device, with or without a seat, that weighs less than one hundred pounds; that has handlebars; that is designed for outdoor use; and that operates at a maximum speed of 20 miles per hour on a paved level surface when powered solely by an electric motor. An electric scooter shall not be considered a motor-driven cycle, a motor vehicle, or a vehicle.

* * *

ARTICLE XII. – BICYCLES

Sec. 154-1401. – Purpose and effect of regulations.

The purpose of this article is to facilitate the recovery of lost and stolen bicycles through a system of identification numbers and also to govern the rental and use of bicycles.

* * *

Sec. 154-1409. – Rental of bicycles.

* * *

(b) The preceding subsection shall not prohibit the rental of an electric scooter from a scooter rental facility that has registered with the department and that maintains a physical office location from which the scooter is retrieved at the commencement of any rental and to which the scooter is returned at the conclusion of any rental.

Sec. 154-1752. – Parking of electric scooters.

No person shall deposit, place, or store any electric scooter or other similar device upon the right-of-way other than at or on a proper bike rack or other designated storage area. Any such device that is improperly deposited, placed, or stored on the right-of-way shall be deemed an encumbrance or obstruction, pursuant to Section 146-493, and subject to immediate removal.

Sec. 154-1753. – Disposition of unclaimed electric scooters.

All unclaimed, unidentified, or abandoned electric scooters and similar devices in the possession or custody of the department shall be held for a period of not less than 45 days.

24 Storage fees may be assessed at a rate of up to \$100.00 per day. Thereafter, such electric
25 scooters and similar devices may be sold at a fair price or may be donated to a nonprofit
26 organization or agency serving the children of the parish, as permitted by law.”

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS _____

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON _____

APPROVED:
DISAPPROVED: _____

MAYOR

RETURNED BY THE MAYOR ON _____ **AT** _____

CLERK OF COUNCIL

ROLL CALL VOTE:

YEAS:

NAYS:

ABSENT:

RECUSED: