



Legislation Details (With Text)

**File #:** 18-1776      **Version:** 1      **Name:** 11/8/18 Bird License Agreement  
**Type:** Resolution      **Status:** Passed  
**File created:** 11/8/2018      **In control:** City Council  
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**Title:** Resolution to Approve an Interim Right-of-way License Agreement with Bird Rides, Inc., for the Operation of Electric Scooters in the City of Ann Arbor

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Final Agreement with Bird.pdf

Date	Ver.	Action By	Action	Result
11/8/2018	1	City Council	Approved	Pass

Resolution to Approve an Interim Right-of-way License Agreement with Bird Rides, Inc., for the Operation of Electric Scooters in the City of Ann Arbor  
 Bird Rides, Inc. (Bird) is the owner and operator of the Bird e-scooter service that launched in the City of Ann Arbor in early September. Shortly after launch, the City contacted Bird and informed it that it would need to be licensed by the City to use the City’s rights-of-way as Bird’s business model requires.

Over the ensuing month, a successful negotiation took place and Bird has agreed to an interim operating license, a copy of which is included with this resolution. The interim license is good for three months, and may be terminated by the city with three days’ notice. Among other things, the license requires Bird to make a one time \$5,000 payment to the City, plus a \$1 per day per scooter charge. Bird is also required to provide safety and instructional videos to users that are approved for content by the City. The license obligates Bird to assume some liability for the illegal operation and placement of scooters by their users and to give the City approval power over deployment locations for the scooters. The license also entitles the City to seize improperly used or parked scooters and to charge Bird accordingly. Finally, the license obligates Bird to provide the City with Scooter-use data, to carry liability insurance that names the City as an additional insured.

Budget and Fiscal Impact: This license agreement will result in a minimum \$23,400 payment plus impoundment charges to the City’s General Fund.

Prepared by: John Fournier, Assistant City Administrator  
 Reviewed by: Matt Rechten, Senior Assistant City Attorney  
 Approved by: Howard S. Lazarus, City Administrator

Whereas, The City of Ann Arbor is one of the leading communities in the state in terms of multi-modal transportation with the most recent census showing that only 52% of Ann Arbor residents drive a single-occupant vehicle to work, much lower than the state-wide average of 83%;

Whereas, Providing new mobility options to Ann Arbor residents is an important and necessary

function of this government to help foster the continued adoption of transportation alternatives;

Whereas, Encouraging multi-modal transportation is a necessary and important tool for decreasing traffic congestion on our roads and increasing the viability of our downtown retail district;

Whereas, While encouraging multi-modal transportation it is critically important to make every reasonable effort to ensure the proper and safe operation of scooters and other similar equipment on the public right-of-way; and

Whereas, It is also a necessary function of local government to permit use of the right-of-way to ensure that all commercial uses are not obstructive and contribute positively to the public's wellbeing;

RESOLVED, That the City Administrator and City Attorney may execute the interim operating license agreement with Bird Rides, Inc. that is included with this resolution, with the City Attorney approving only as to form, may renew said license up to three times in the City Administrator's discretion, and may take such other actions and do such other things as is needed for or consistent with this resolution or the performance of the license.