



A BILL FOR AN ORDINANCE

RELATING TO BICYCLES.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to mandate certain requirements for bicycle docking stations installed on City property.

SECTION 2. Chapter 15, Article 2, Revised Ordinances of Honolulu 1990 ("Definitions"), is amended by adding a new section to be appropriately designated by the Revisor of Ordinances and to read as follows:

"Sec. 15-2. Bicycle and related terms.

"Bicycle" means the same as defined in HRS Section 291C-1.

"Bicycle docking station" means a facility that is used for the parking, securing, dispensing, and return of bicycles, and is owned or operated, or both, by a bicycle sharing company.

"Bicycle sharing company" means a company, subject to a contract or formal agreement with the city, which provides docked bicycles for use by the public."

SECTION 3. Section 15-18.6, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Sec. 15-18.6 Parking.

No person shall park a bicycle upon a street other than upon the roadway against the curb, or upon the sidewalk in a rack to support the bicycle, or against a building; and in such manner as to afford the least obstruction to pedestrian traffic, or ~~in parking-meter spaces~~ as ~~authorized~~ allowed under Section 15-22.2, Chapter 15, Article , and Chapter 14, Article 33, including complete streets features such as parklets and bicycle corrals~~[-]~~, or in bicycle docking stations that have met the requirements of Section 15-18. ."



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SECTION 4. Chapter 15, Article 18, Revised Ordinances of Honolulu 1990 ("Operation of Bicycles and Play Vehicles"), is amended by adding a new section to be appropriately designated by the Revisor of Ordinances and to read as follows:

"Sec. 15-18. Bicycle docking stations.

(a) Notwithstanding any ordinance to the contrary, the city may not install or allow a bicycle sharing company to install a bicycle docking station on city property unless notice, an opportunity for public input, and an offer made by the bicycle sharing company to the chair of the affected neighborhood board to make a presentation before the affected neighborhood board are provided in accordance with this section. The opportunity for public input must be provided during the department of transportation services' planning process for the installation of the bicycle docking station or as soon thereafter as is practicable. Written notice must be transmitted to the chair of the affected neighborhood board prior to the scheduled date of installation. The notice, at a minimum, must include the following information:

- (1) The proposed date and location of the installation of the bicycle docking station;
- (2) The public's right to provide input relating to the scheduled installation of the bicycle docking station; and
- (3) The form, method, and procedure for providing public input.

In addition, the written notice transmitted to the chair of the affected neighborhood board must include but not be limited to the rationale and justification for the proposed installation, alternate locations considered, and steps incorporated to address potential motorist and pedestrian safety issues.

(b) The offer to the chair of the affected neighborhood board must, when possible, specify that the bicycle sharing company is available to make a presentation before the affected neighborhood board within 60 days of the transmittal of the offer. If a presentation cannot be made within 60 days of the transmittal of the offer, the reasoning and justification for a delayed presentation, along with a proposed subsequent time period for the presentation, shall be provided in writing to the chair of the affected neighborhood board. The presentation must include but not be limited to the rationale and justification for the proposed installation, alternate locations considered, and steps incorporated to address potential motorist and pedestrian safety issues. The offer will be deemed satisfied if:



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- (1) The bicycle sharing company makes a presentation including the required elements before the affected neighborhood board within 60 days of the transmittal of the offer;
 - (2) The neighborhood board fails to provide the bicycle sharing company with an opportunity to provide a presentation at a meeting held within 60 days of the transmittal of the offer;
 - (3) The neighborhood board provides the bicycle sharing company with written notice that it has no objection to the proposed installation, or that no presentation of the project is necessary, or both; or
 - (4) The bicycle sharing company, having previously provided written reasoning and justification for a delayed presentation to the chair of the affected neighborhood board, makes a presentation including the required elements before the affected neighborhood board at an agreed-upon date subsequent to the 60-day deadline of the transmittal of the offer.
- (c) This section shall not apply to temporary relocations of bicycle docking stations on city property for periods not to exceed six months."

SECTION 5. This ordinance shall not affect or impair any interest, right, benefit, obligation, or entitlement of any party to any contract, agreement, or permit with the City and County of Honolulu ("City") that exists or is in full force and effect, as of the effective date of this ordinance, for the provision of shared bicycles; provided, however, that upon the completion or termination of such contract, agreement, or permit with the City, any new contract, agreement, or permit with such party shall be subject to Chapter 15, Revised Ordinances of Honolulu, as amended by this ordinance.

SECTION 6. Ordinance material to be repealed is bracketed and stricken. New material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the bracketed material, or the underscoring. Consistent with Ordinance 19-29, in SECTION 3 of this ordinance the Revisor of Ordinances shall insert the appropriate article number, in ROH Section 15-18.6, for the new article created in ROH Chapter 15 in SECTION 2 of Ordinance 19-29 upon the codification of that article.



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SECTION 7. This ordinance takes effect upon its approval.

INTRODUCED BY:

Tommy Waters

DATE OF INTRODUCTION:

March 10, 2021
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Kathleen A. Kelly
Deputy Corporation Counsel
KATHLEEN A. KELLY

APPROVED this 14th day of May, 20 21.

Rick Blangiardi
RICK BLANGIARDI, Mayor
City and County of Honolulu

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

BILL 16 (2021), CD1

Introduced: 03/10/21 By: TOMMY WATERS Committee: TRANSPORTATION,
SUSTAINABILITY AND HEALTH
(TSH)

Title: RELATING TO BICYCLES.

Voting Legend: * = Aye w/Reservations

03/10/21	INTRO	Introduced.
03/17/21	CCL	Passed first reading. 9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS
03/22/21	TSH	Reported out for passage on second reading and scheduling of a public hearing. CR-89 4 AYES: CORDERO, ELEFANTE, KIA'ĀINA, TULBA
04/02/21	PUBLISH	Public hearing notice published in the Honolulu Star-Advertiser.
04/14/21	CCL/PH	Committee report adopted. Bill passed second reading, public hearing closed and referred to committee. 9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS
04/20/21	TSH	Reported out for passage on third reading as amended in CD1 form. CR-120 4 AYES: CORDERO, ELEFANTE, KIA'ĀINA, TULBA
04/21/21	PUBLISH	Second reading notice published in the Honolulu Star-Advertiser.
05/05/21	CCL	Committee report adopted and Bill passed third reading as amended. 9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.



GLEN I. TAKAHASHI, CITY CLERK



TOMMY WATERS, CHAIR AND PRESIDING OFFICER