



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of December 10, 2016

DATE: November 29, 2016

SUBJECT: Ordinance to amend, reenact, and recodify Chapter 14.2 (Motor Vehicles and Traffic) of the Arlington County Code by:

- A. Adding a new Article IX to authorize a permanent car-share program, and
- B. Amending Article I, Section 2 (Prohibition Against Parking of Vehicles under Certain Conditions); Article I, Section 3 (Removal and Disposition of Unattended or Abandoned Vehicle); Article I, Section 7.1 (Fines for Nonmoving Violations); Article I, Section 45 (Parking Beyond Legal Parking Time; Parking When Signal Indicates Overparking; Parking Across Lines; Depositing Slugs); Article VIII, Section 101, and Article VIII, Section 104, all relating to the design, management, and enforcement of car-share programs in the public right-of-way.

C. M. RECOMMENDATION:

Enact the proposed ordinance, as shown in Attachment A, to amend, reenact, and recodify Chapter 14.2 (Motor Vehicles and Traffic) of the Code of Arlington County, Virginia, to establish a permanent car-sharing program and amend related sections related to the design, management, and enforcement of the program.

ISSUES: The County Board has the authority to regulate the public right-of-way in the public interest with regard to providing a range of transportation options to the community. County Code revisions are necessary to enable the County Manager and staff to administer a permanent car-share program.

SUMMARY: The proposed code changes will allow for a permanent car-share program and define car-sharing in a way that is consistent with the definition in the Zoning Ordinance. The changes would allow for the establishment of two distinct types of car-share programs in Arlington County: “free-floating” and “reserved-space”. The code changes will also establish parameters for use of the right-of-way in terms of other code sections that govern duration of stay, fees and fines, and enforcement procedures. The code changes will authorize the County Manager to establish and administer these new car-share programs with qualified service providers in accordance with County procurement processes.

County Manager:

mga / cgm

County Attorney:

AM

JAM

20. A.

Staff: Melissa McMahon, DES; Lawrence Marcus, DES

BACKGROUND: The benefits of car-sharing support the County's Master Transportation Plan (MTP):

- Complementing and extending the reach of transit, paratransit, and non-motorized travel options, including increasing or maintaining use of public transit, walking, and biking to enhance the integrated transportation network
- Alleviating parking and traffic congestion
- Reducing greenhouse gases and particulate emissions
- Reducing personal vehicle ownership and household transportation costs
- Increasing travel convenience and mobility

There are two primary car-sharing service models available in the U.S. today:

- Reserved-Space, where trips start and end in parking stations reserved for the exclusive use of the car-sharing service, and
- Free-Floating, where trips can start and end in different locations throughout a community, and the parking space is not reserved for car-sharing but shared with other right-of-way users.

Both types of car-sharing are operating today in Arlington. Zipcar has been providing reserved-space service to the community under a pilot program since 2004. Enterprise Carshare entered the market in 2012, and has been providing their services in off-street locations.

In 2015, Arlington participated in a free-floating car-sharing demonstration study with car2go that closes out this winter. The final analysis and staff recommendations from that study are part of a separate action item before the Board at this meeting. Evaluation of the operations, community feedback, and, in particular, collaboration with the District of Columbia on cross-jurisdictional service suggest that Arlington should implement code changes that would allow for the administration of such a program in the future.

DISCUSSION: Car-sharing provides positive transportation, environmental, and economic impacts. Therefore, reserved-space and free-floating car-sharing service models should be administered and regulated by the County to achieve the greatest and most equitable distribution of community benefits. The proposed amendments to the County Code support the following:

- **Consistency with long-range plans:** Car-sharing services have been described and supported within the County's MTP for several years. These code changes further implement the intent of the MTP.
- **Enforcement:** The code changes provide for enforcement of legal access to curbside space, clarifying how permits, fees, and parking time restrictions are applied to authorized car-share program vehicles.
- **Competition:** The code changes mandate that the car-share providers be chosen through the County's competitive purchasing process.
- **Adaptability:** The code changes provide for the County Manager to administer the car-share program. This will allow flexibility for service agreements and models to respond to changes in technology and new knowledge gained from data collection and local experience with the programs.

Summary of Proposed Amendments to Chapter 14.2 (Motor Vehicles and Traffic):

Code Citation	Title	Purpose of Changes
NEW Article IX, Section 109	Free-Floating Car-share Program	Authorize the County Manager to establish a free-floating car-share program, allowing vehicles of a car-share fleet to be parked in any legal on-street parking space without payment at the time of parking
NEW Article IX, Section 110	Reserved-Space Car-share Program	Authorize the County Manager to establish a reserved-space car-share program, allowing public on-street space to be reserved for the exclusive use by authorized car-share vendors, and to determine the number of parking spaces assigned to each car-share parking station
14.2-2	Prohibition Against Parking of Vehicles under Certain Conditions	Permit police to enforce parking restrictions in car-share parking stations
14.2-3	Removal and Disposition of Unattended or Abandoned Vehicle	Permit the removal of unauthorized vehicles from car-share parking stations
14.2-7.1	Fines for Nonmoving Violations	Establish the corresponding fine for an unauthorized vehicle being parked in a car-share parking station
14.2-45	Parking Beyond Legal Parking Time; Parking When Signal Indicates Overparking; Parking Across Lines; Depositing Slugs	Exempt car-share vendors authorized by the free-floating and reserved-space car-share programs from adhering to parking time restrictions in legal parking spaces and from providing payment at metered spaces at the time of parking
14.2-101 and 104	Residential Permit Parking Program	Permit car-share vendors authorized by the free-floating and reserved-space car-share programs to park in RPP zones without adhering to time restrictions

Summary of Community Outreach:

Staff initially presented the proposed code change to the Transportation Commission at their September 29 meeting, receiving the commission’s endorsement for the request to advertise. The Commission suggested that the County restrict the maximum weight of car-share vehicles and require contact information be visible on the car-share vehicles. Rather than incorporating these features into the code (as recommended by the Commission), staff recommends keeping these items as administrative features of the program. This approach would provide the County Manager with more flexibility to adapt the program over time.

The County Board approved a request to advertise the proposed Ordinance at its November 5, 2016, meeting. Public notice of the proposed Ordinance was given in accordance with the Code of Virginia. A notice was placed in the November 15 and 27, 2016, issues of the Washington

Times for the December 10, 2016, County Board meeting. The proposed Ordinance was endorsed by the Transportation Commission on November 21, 2016.

FISCAL IMPACT: There is anticipated to be no fiscal impact to this program. The fees paid by authorized car-share vendors for access to on-street spaces are intended to be commensurate with the County's costs of administering the program.

ATTACHMENT A

AN ORDINANCE TO AMEND, REENACT AND RECODIFY CHAPTER 14.2 (MOTOR VEHICLES AND TRAFFIC) OF THE CODE OF ARLINGTON COUNTY, VIRGINIA TO ESTABLISH A PERMANENT CAR-SHARING PROGRAM

- I. **BE IT ORDAINED** by the County Board of Arlington County, Virginia that Chapter 14.2, Article I, Section 2 (Prohibition Against Parking of Vehicles under Certain Conditions); Article I, Section 3 (Removal and Disposition of Unattended or Abandoned Vehicle); Article I, Section 7.1 (Fines for Nonmoving Violations); Article I, Section 45 (Parking Beyond Legal Parking Time; Parking When Signal Indicates Overparking; Parking Across Lines; Depositing Slugs); Article VIII, Section 101; Article VIII, Section 104;, of the Arlington County Code are amended, reenacted and recodified, to read in pertinent part, as follows:

ARLINGTON COUNTY CODE

Chapter 14.2

MOTOR VEHICLES AND TRAFFIC*

* * *

Article I.

MOTOR VEHICLE CODE

DIVISION 1.

GENERALLY

§ 14.2-2. Prohibition Against Parking of Vehicles under Certain Conditions.

G. It shall be unlawful for any person to park, keep, or abandon, any motor vehicle, trailer or semitrailer that is not authorized by the reserved-space car-share program at a car-share parking station (§ 14.2-110). Unauthorized vehicles will be ticketed and towed.

§ 14.2-3. Removal and Disposition of Unattended or Abandoned Vehicle.

Whenever any motor vehicle, trailer, or semitrailer is found on the public streets or public grounds unattended by the owner or operator and constitutes a danger or hazard to pedestrian or motor vehicle traffic, or parked in a temporary "No Parking" zone in violation of § 14.2-2.D of this chapter, or parked at a car-share parking station in violation of § 14.2-2.G of this chapter, or left unattended for more than ten (10) days upon any public property or privately-owned property other than the property of the owner of such motor vehicle, trailer, or semitrailer, or abandoned upon such public property or privately-owned property without the permission of the owner, lessee, or occupant thereof, or stalled or rendered immobile as a result of adverse weather conditions or other emergency situations on any public roadway, any such motor vehicle, trailer, or semitrailer may be removed for safekeeping by or under the direction of a police officer or other uniformed employee to a storage garage or area, provided, however, that no such vehicle shall be so removed from privately-owned premises without the written request of the owner, lessee, or occupant thereof.

§ 14.2-7.1. Fines for Nonmoving Violations.

24. Fifty dollars (\$50) for unauthorized motor vehicles standing or parking in a designated car-share parking station (§ 14.2-110).

§ 14.2-45. Parking Beyond Legal Parking Time; Parking When Signal Indicates Overparking; Parking Across Lines; Depositing Slugs.

It shall be unlawful and a violation of the provisions of this subdivision for any person to:

A. Cause, allow, permit, or suffer any vehicle registered in the name of or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking meter zone or tour bus parking zone to deposit in any parking meter any coin, credit card, or other acceptable form of payment, or to designate a balance of parking time on an in-vehicle parking regulator for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone. Car-share vendors authorized by the free-floating car-share program as described in §14.2-109 and authorized vendors parked in car-share parking stations as set forth in §14.2-110 are exempt from this provision.

B. Permit any vehicle during the hours of parking meter operations to remain or be placed in any parking space adjacent to any single-space parking meter while the meter is displaying a signal or in the case of a multi-space meter when the receipt issued to the parker on payment or the payment record issued to parking meter enforcement personnel indicates that the vehicle occupying such parking space has already parked beyond the period prescribed for such parking space, unless there is an in-vehicle parking regulator attached to the vehicle in the manner described in § 14.2-43 and the display of such in-vehicle parking regulator indicates that a balance of legal parking time remains for such parking space or area. Car-share vendors authorized by the free-floating car-share program as described in §14.2-109 and authorized vendors parked in car-share parking stations as set forth in §14.2-110 are exempt from this provision.

* * *

Article VIII.

RESIDENTIAL PERMIT PARKING PROGRAM

§ 14.2-101.

C. The parking prohibitions of Article VIII shall not apply to service or delivery vehicles which are being used to provide services or make deliveries to dwellings or to car-share vendors authorized by the free-floating and reserved-space car-share program (§ 14.2-109; §14.2-110).

§ 14.2-104.

Wherever metered or other paid parking restrictions are in effect in any portion of a district that becomes subject to the restrictions of Article VIII, the parking spaces so restricted may be used by permit holders with properly displayed permits for that zone and are not required to pay for that parking. However, vehicles without properly displayed permits for that zone may park in the restricted spaces and must pay, with the exception of vendors authorized by the free-floating car-share program and authorized car-share vehicles parked at car-share parking stations as described in §14.2-109 and §14.2-110, respectively.

II. BE IT ORDAINED by the County Board of Arlington County, Virginia that a new Article IX is added to Chapter 14.2 to establish a permanent car-sharing program, to read in pertinent part, as follows:

Article IX.

CAR-SHARING

§ 14.2-107. Purpose

§ 14.2-108. Definitions.

§14.2-109. Free-Floating Car-share Program

§14.2-110. Reserved-Space Car-share Program

§ 14.2-107. Purpose

The creation of the car-share programs as set forth in this Article is intended to promote the long range transportation planning directives as described in the Arlington County Master Transportation Plan. Car-sharing has been shown to have positive transportation, environmental, and economic impacts on communities by improving the access to public transportation, extending and enhancing the integrated transportation network, increasing travel convenience and mobility, and reducing unnecessary personal motor vehicle travel and related environmental impacts, such as air pollution, congestion and/or hazardous traffic conditions in neighborhoods.

§ 14.2-108. Definitions.

The following words and terms, when used in this Article, shall have the following meanings unless the context clearly indicates otherwise:

"Car-sharing service" is a membership-based service available to the general public which provides access to a dispersed fleet of vehicles intended for short-term use, for which members are charged based on actual use as determined by time, mileage, or the like.

"Car-share vendor" is an organization that provides its members with access to a fleet of shared-use vehicles at geographically distributed locations.

"Car-share fleet" refers to the total amount of vehicles made accessible by a car-share vendor for the use of its members.

"Car-share vehicle" is a vehicle made accessible by a car-share vendor for use by its members.

"Car-share parking station" refers to one or more on-street spaces within Arlington County designated, reserved, and maintained by the County for the provision of car-sharing services.

"Free-floating car-share program" is a program that authorizes car-share vendors to provide car-sharing services in the public right of way throughout the County.

"Reserved-space car-share program" is a program that authorizes car-share vendor's to provide car-sharing services in car-share parking stations.

§ 14.2-109. Free-Floating Car-share Program

- A. The County Manager is authorized to establish a free-floating car-share program allowing vehicles of a car-share fleet to be parked in any legal on-street parking space, including residential permit zone and at parking meters without payment at the time of parking as described in § 14.2-44. Authorized car-share vendors must be chosen through a competitive process pursuant to the County's Purchasing Resolution and pay a fee for use of the street space in an amount designed to reasonably recover the County's costs of administering the program as determined by the County Manager.
- B. Car-share vendors authorized by the free-floating car-share program are exempt from depositing payment at a meter as described in § 14.2-44, and may park their vehicles in excess of a location's specific parking duration, as described in § 14.2-45.

- C. The authorized car-share vehicles shall clearly display the company's logo.
- D. Car-share vehicles are not allowed to park in tour bus parking zones.

§ 14.2-110. Reserved-Space Car-share Program

- A. The County Manager is authorized to establish a reserved-space car-share program allowing public on-street space to be reserved for the exclusive use by authorized car-share vendors. Authorized car-share vendors must be chosen through a competitive process pursuant to the County's Purchasing Resolution and pay a fee for use of the street space in an amount designed to reasonably recover the County's costs of administering the program as determined by the County Manager.
- B. The County Manager may identify areas within Arlington County where car-share parking stations may be located. The County Manager may determine the amount of parking spaces assigned to each car-share parking station.
- C. Car-share parking stations will be for the exclusive use of authorized car-share vendor(s) by the reserved-space car-share program.
- D. Car-share vendors authorized by the reserved-space car-share program are exempt from depositing payment at a meter as described in § 14.2-44 if the meter is located at a car-share parking station, and may park their vehicles in excess of a location's specific parking duration, as described in § 14.2-45.
- E. The authorized car-share vehicles shall clearly display the company's logo.

III. BE IT FURTHER ORDAINED that all other provisions of Chapter 14.2 of the Code not hereby amended shall remain as previously enacted.