

ORDINANCE NO. _____

BILL NO. 133 (2022)

A BILL FOR AN ORDINANCE TO AMEND TITLE 10, MAUI COUNTY CODE,
RELATING TO DOCKLESS VEHICLES AND PENALTIES

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. The County of Maui has the authority and responsibility to protect public health, safety, and security and has the authority under state law to enact and enforce ordinances necessary to prevent or summarily remove public nuisances and to compel the removal of any public nuisance from streets, sidewalks, and public places. The Council finds that recent transportation and technology innovations in mobility options have created a demand for both privately-owned and on-demand dockless small vehicle systems, which include bicycles, scooters, electric bicycles, and electric scooters. The Council also finds that dockless vehicles, which may be operated on sidewalks, create hazards for pedestrians, create a parking nuisance, and have the potential for public endangerment. Dockless vehicles left on County sidewalks when users are done with them will create a tripping hazard, make sidewalks inaccessible to the disabled, and create a cluttered and unsafe environment. It is in the best interest of the County and the preservation of the public health and safety that the County prohibit the operations of shared on-demand dockless vehicle systems that operate in the public right-of-way or on public property.

SECTION 2. Chapter 10.04.030, Maui County Code, is amended by adding new definitions to be appropriately inserted and to read as follows:

“Dockless vehicle system” means a commercial system which provides bicycles, scooters, low-speed electric bicycles, electric foot scooters, or other small vehicles for short-term rentals for point-to-point trips and which may be locked and unlocked without the requirement of a bicycle rack or docking station.

“Dockless vehicle” means a bicycle, scooter, low-speed electric bicycle, electric foot scooter, and other small, wheeled vehicle designed specifically for shared use using global positioning system (“GPS”) or similar technology and can be deployed as part of a dockless vehicle system, but shall not include a motorized wheelchair, or other personal mobility device designed for use by a person with a disability.

“Electric foot scooter” has the same meaning as the term is defined in Section 249-1, Hawaii Revised Statutes.

“Low-speed electric bicycle” has the same meaning as the term is defined in 15 U.S. Code section 2085.”

SECTION 3. Title 10, Maui County Code, is amended by adding a new chapter to be appropriately designated and to read as follows:

“Chapter 10.73

DOCKLESS VEHICLES

Sections:

- 10.73.010 Prohibition.**
- 10.73.020 Parking of dockless vehicles.**
- 10.73.030 Operation of dockless vehicles.**

10.73.010 Prohibition. It is unlawful to offer for use or rent, or to rent, a dockless vehicle.

10.73.020 Parking of dockless vehicles. A. It is unlawful to park, leave standing, leave lying, abandon, or otherwise place a dockless vehicle on a sidewalk, street or highway, or on public property.

B. Members of the police department are authorized to remove dockless vehicles that are in violation of this subsection in accordance with the removal procedure set forth in section 10.48.210.

10.73.030 Operation of dockless vehicles. It is unlawful to operate a dockless vehicle on a sidewalk.”

SECTION 4. Chapter 10.72.020, Maui County Code, is amended as follows:

“10.72.020 [Violation—Penalty.] Violation—penalty. Any person convicted of a violation of any section or provision of this title shall be punished by a fine of not more than ~~[\$100]~~ \$200 for the first offense, and not more than ~~[\$250]~~ \$500 for every subsequent offense.”

SECTION 5. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:



KEOLA R. WHITTAKER
Deputy Corporation Counsel
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PAF 22-180 2022-08-25 Ord Amd Ch 10.04 & 10.73
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INTRODUCED BY:

Tamara A. M. Paltin

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