



BICYCLE AND PEDESTRIAN ADVISORY COMMISSION

AGENDA

Tuesday, March 22, 2022

7:00 p.m.

This meeting is virtual participation only.

<https://council.cityofalbany.net/groups/bpa/zoom>

Call in +1 253 215 8782

Meeting ID: 853 0860 3591 Passcode: 713588

Virtual attendance: Microphones will be muted and webcams will be turned off for presenters and members of the public unless called upon to speak.

If a participant disrupts the meeting, the participant's microphone and webcam will be turned off. If disruption continues, the participant will be removed from the meeting.

Virtual meetings are now being held on Zoom

1. Call to order
2. Roll call
3. Approval of February 22, 2022, minutes.
4. Business from the Public

Persons wanting to provide comments may:

- 1- *Email written comments to the staff contact, listed below, including your name, before **noon on March 22, 2022.***
- 2- *To comment virtually during the meeting, register with your name by emailing the staff contact, listed below, before **noon on March 22, 2022.** The chair will call upon those who have registered to speak.*

5. Scheduled Business
 - a. Farmers' Market Bike Event
 - b. Electric Scooter MOU
6. Business from the Commission
7. Next Meeting Date
 - a. Tuesday, April 19, 2022
 - b. Virtual, In-person, or Hybrid

8. Adjournment
9. Pending Agenda Item:
 - a. Bike Event at the Farmers' Market

Due to the COVID-19 pandemic, the Bicycle and Pedestrian Advisory Commission will meet virtually. This meeting is accessible to the public via video connection. If you have a disability that requires accommodation, please notify city staff at least 48 hours in advance of the meeting at: ron.irish@cityofalbany.net or 541-917-7656

Testimony provided at the meeting is part of the public record. Meetings are recorded, capturing both in-person and virtual participation, and are posted on the City website.



BICYCLE AND PEDESTRIAN ADVISORY COMMISSION

MINUTES

Tuesday, February 22, 2022, at 7:00 p.m.

Virtual

Approved: DRAFT

Call to Order

Chair Justin Peterson called the meeting to order at 7:01 p.m.

Roll Call

- Members present: Kristen Andrews, Becky Lippmann, Justin Peterson, and Mark Siddall
- Members absent: Ann Ketter, and Terry Virnig
- Staff present: Transportation Systems Analyst Ron Irish and PW Contracting Coordinator Paul Jacobson
- Others present: Hasso Herring joined the meeting at 7:30 p.m.

Approval of January 25, 2022, Minutes

7:02 p.m.

Becky Lippman made the motion to approve the January 25, 2022, minutes as presented and Mark Siddall seconded; motion carried.

Business from the Staff

7:03 p.m.

Ron Irish reported that the City has been approached by an electric scooter company. They will be presenting at Council meeting next week.

Scheduled Business

7:03 p.m.

- Bicycle Boulevards – Discussion centered on 38th Avenue, 12th Avenue, 39th Avenue, and Third Avenue from the Main Street roundabout to downtown. Bike lanes are good on Geary Street from Salem Avenue to Queen Avenue. First and Second Avenues would be good bike lane connectors.

Irish asked the commissioners what they thought were good ideas for promoting these. Farmers' Market was suggested. When Covid restrictions lift.

First and Second from Main to Geary, 38th Avenue in south Albany both have potential. Irish asked what the commission thought were good ideas for promoting these. When Covid restrictions lift, Farmers' Market would be a good place to get feedback do surveys, etc. One suggestion was a bike tour from Farmers Market east to Main Street then north to Water Avenue; generating interest by a show and tell. A letter to First and Second Avenue neighborhoods would be a good thing in preparation for a Farmers' Market event. Lippmann volunteered to host a table.

Action Item: Irish will contact Farmers' Market to find a date and report at the next Commission meeting.

River Rhythms would be another way to reach the community.

- Safe Routes to School Project Update – There are two projects currently in the design/construction phase. Periwinkle path extension in the Queen Avenue/Geary Street intersection. Construction is scheduled for this summer. There is an upgrade to that intersection in the plans; working toward an unbroken path.

Second project – 34th Avenue/Geary Street sidewalk infill. Sidewalk construction will require right-of-way acquisition, and that could delay construction. It is possible construction could possibly happen by next summer.

Action Item: Irish will send an email to the commissioners with a link to the ODOT Safe Routes to School interactive map.

Another round of grants is coming. Irish talked about what kinds of projects and locations score the best for the grant proposals. Part one of the application is due March 18. Elementary schools with a high percentage of low-income students are a priority since they score better on the grant application. Staff thinks the most viability is a sidewalk infill project on Geary Street from Grand Prairie Road to Queen Avenue.

Business from the Commission

8:22 p.m.

Siddall reported that the Highway 20 path project is moving along. Irish suggested a status update at a future meeting.

Next Meeting Date

The next regularly scheduled meeting is on Tuesday, March 22, 2022.

Adjournment

Hearing no further business, Chair Peterson adjourned the meeting at 8:25 p.m.

Respectfully submitted,

Reviewed by,

Paul Jacobson
Public Works Contracting Coordinator

Ronald G. Irish
Transportation Systems Analyst

Memorandum of Understanding

Albany Oregon will permit Bird Rides, Inc. to provide services under the following terms and limitations. This agreement shall remain in effect until January 2023 unless terminated as set forth below.

AGREEMENT

- 1) **Scope:** This Agreement and its terms apply to any proposed deployment of Stand-up electric scooter sharing systems within City / County's jurisdictional boundaries. No person shall deploy a Stand-up electric scooter sharing system in the City / County in violation of this Agreement.
- 2) **Stand-up electric scooters** shall be governed by the rules applying to bicycles and are to be ridden on streets, and where available, in bike lanes and bike paths. Stand-up electric scooters are to stay to the right of street lanes and to offer the right of way to bicycles in bike lanes and on bike paths. Users of Stand-up electric scooters shall be 18 or older. Users of Stand-up electric scooters who violate these provisions may be fined by City / County consistent with fines for cyclists.
- 3) **Bird Rides, Inc.** shall provide easily visible contact information, including toll-free phone number and/or e-mail address on each Stand-up electric scooter for members of the public to make relocation requests or to report other issues with devices.
- 4) **Hours of operation:** Stand-up electric scooters will be made available to rent from 4 a.m. to midnight (local time)
- 5) **Bird Rides, Inc.** shall provide a minimum of 50 / 100 vehicles at launch.
- 6) **Safety Education:** Bird Rides will provide materials, videos, signage to promote safe riding and educate riders on rider responsibilities and encourage safe and courteous riding and parking.
- 7) **Data sharing:** Bird Rides, Inc. will provide data to the City/County as necessary to assist with monitoring program usage.
- 8) **Indemnification:** Bird Rides, Inc. agrees to indemnify, defend and hold harmless City / County (and City's/ County's employees, agents and affiliates) from and against all actions, damages or claims brought against City / County arising out of Bird Rides, Inc.'s negligence or willful misconduct, except that Bird Rides, Inc.'s indemnification obligation shall not extend to claims of City's / County's (or City's / County's employees', agents' or affiliates') negligence or willful misconduct. City/County expressly acknowledges that in no event shall Bird Rides, Inc., be liable for any exemplary or punitive damages that are awarded against the City/County as a result of the City or County's fraud or willful or wanton misconduct. Bird Rides, Inc.'s indemnification obligations shall survive for a period of one (1) year after expiration of this Agreement. Bird Rides, Inc. shall be released from its indemnification obligations under this section if the loss or damage was caused by the City's / County's negligent construction or maintenance of public infrastructure. City's / County's right to indemnification shall be contingent on City / County notifying Bird Rides, Inc. promptly following receipt or notice of any claim; Bird Ride, Inc. shall have sole control of any defense where Bird Ride, Inc. is indemnifying and holding City harmless. City shall not consent to the entry of a judgment or enter into any

settlement without the prior written consent of Bird Ride, Inc. in any matter in which Bird Ride Inc. is defending/indemnifying City.

9) Insurance: Bird Rides, Inc. shall provide City / County with proof of insurance coverage exclusively for the operation of Stand-up electric scooters including: (a) Commercial General Liability insurance coverage with a limit of no less than \$1,000,000.00 each occurrence and \$2,000,000.00 aggregate; (b) Automobile Insurance coverage with a limit of no less than \$1,000,000.00 each occurrence and \$1,000,000.00 aggregate; and (c) where Bird Rides, Inc. employs persons within the City / County, Workers' Compensation coverage of no less than the statutory requirement.

10) Notices: All notices and communications to the City/County from Bird Rides, Inc. shall be made in writing (includes electronic communications) and sent to the address below.

11) Either party may terminate this agreement at any time and without cause upon (30) days prior written notice.

12) In carrying out their responsibilities, the parties shall remain independent contractors, and nothing herein shall be interpreted or intended to create a partnership, joint venture, employment, agency, franchise or other form of agreement or relationship.

13) The parties acknowledge that Bird Rides, Inc. may utilize independent business logistics providers to facilitate local operations. Bird's use of these logistics providers does not constitute a transfer or assignment of this Agreement, and Bird Rides, Inc. remains responsible for all obligations and requirements under this Agreement.

14) This agreement shall be governed by and construed in accordance with the laws of the Oregon.

Albany Oregon

Bird Rides, Inc.

Signed By:

Signature: _____

Print Name: _____





Title: _____




Signature: _____

Print Name: _____

Title: _____

OREGON MOPED, MOTORIZED SCOOTER, POCKET BIKE GUIDE

DESCRIPTION	MIN. AGE	LICENSE	REGISTRATION	INSURANCE	HELMET	PASSENGER	LIGHTS	MAX CAPABLE SPEED	MAX ALLOWED SPEED	RIDE ON SIDEWALK	RIDE ON BIKE PATH/ LANE	RIDE IN CROSSWALK	POSSIBLE DUII	OREGON VEHICLE CODE
ELECTRIC SCOOTER GAS SCOOTER  Gas – Maximum displacement = 35cc Electric – Maximum output = 1000 watts Approved lighting must be used when operating under limited visibility. Not capable of going faster than 24 mph on level ground. Use may be restricted by local jurisdictions.	16	NO	NO	NO	YES	NO	YES	24 MPH	15 MPH	NO	YES	NO	YES	801.348 811.440 814.510 814.512 814.518 814.520 814.524 814.534
MOTOR ASSISTED SCOOTER  Exempt from helmet requirement if wearing headgear violates religious beliefs. May ride on sidewalk to enter or leave adjacent property, or see 814.524 (a)(b)(c)(d) for additional exceptions Local ordinance may prohibit operation of a motor assisted scooter on bicycle lane or path/ state park paths may also be prohibited, must give audible warning when passing a pedestrian and must yield right of way. Must walk motor assisted scooter in crosswalk, does not apply to person with a disability.	16	NO	NO	NO	YES	NO	YES	24 MPH	15 MPH	NO	YES	NO	YES	801.348 814.534 814.530 811.440 814.524 (a)(b)(c) (d) 807.020 814.512 814.528 814.526 815.283
POCKET BIKE MINI MOTORCYCLE  Can operate only on private property with owner’s permission. No regulations are listed as these are not legal to operate on highways or premises open to the public. Since they are considered a motor vehicle you will be subject to any number of violations if you operate on public roadways or premises open to the public. These are not motor assisted scooters because the engine is more than 35 cc and can go faster than 24 mph on level ground. They do not meet federal safety standards so they can not be a motorcycle or moped.	–	–	–	–	–	–	–	–	–	–	–	–	YES	801.360 814.200 814.260 814.269 814.310 814.320
MOPED  If it has a combustion engine , the engine must be 35.01 to 50cc . Must be unable to travel more than 30 mph on a level road surface. Must not require clutching or shifting by the operator after the power drive system is engaged. Requires a driver license to operate (but not a motorcycle endorsement). Requires registration and insurance to operate on public roadways and premises open to the public. If the vehicle exceeds either maximum capable speed or engine size, it is a motorcycle.	16	YES	YES	YES	YES DOT	NO	YES	30 MPH	–	NO	ONLY UNDER HUMAN POWER	NO	YES	801.345 811.440 814.200 814.260 814.310 814.320

DESCRIPTION	MIN. AGE	LICENSE	REGISTRATION	INSURANCE	HELMET	PASSENGER	LIGHTS	MAX CAPABLE SPEED	MAX ALLOWED SPEED	RIDE ON SIDEWALK	RIDE ON BIKE PATH/LANE	RIDE IN CROSSWALK	POSSIBLE DUII	OREGON VEHICLE CODE
 <p>SEGWAY</p> <p>Is an electric personal assistive mobility device. Can operate in bicycle lanes and paths, sidewalks and highways with speed limits of 35 mph or less, unless local laws limit uses. (Subject to any applicable provisions.) Maximum speed is 15 mph. Approved lighting must be used when operating under limited visibility.</p>	16	NO	NO	NO	NO	NO	YES	15 MPH	15 MPH	YES	YES	YES	YES	801.259 811.440 814.550 814.552 814.554
 <p>ELECTRIC ASSISTED BICYCLE</p> <p>Is considered a bicycle, rather than a motor vehicle, for purposes of the Oregon Vehicle Code, except when otherwise specifically provided by statute. Has fully operative pedals for human propulsion and an electric motor with power output not more than 1,000 watts. Not capable of going faster than 20mph on level ground. Approved lighting must be used when operating under limited visibility.</p>	16	NO	NO	NO	NO	RESTRICTED	YES	20 MPH	—	NO	YES	YES	YES	801.258 807.020 814.400 814.405 814.410 815.280
 <p>BICYCLE</p> <p>Every person riding a bicycle upon a public way is subject to the provisions applicable to and has the same rights and duties as the driver of any other vehicle concerning operating on highways, vehicle equipment and abandoned vehicles—with limited exceptions. Approved lighting must be used when operating under limited visibility.</p>	—	NO	NO	NO	YES UNDER 16	RESTRICTED	YES	—	—	YES	YES	YES	YES	801.150 814.400 814.410 814.420 815.280

For questions regarding operator traffic violations and operation of one of these types of vehicles with a suspended driving privilege, contact law enforcement.