

1 A bill to be entitled
 2 An act relating to dockless bicycle sharing; creating
 3 s. 341.851, F.S.; providing legislative intent;
 4 providing definitions; providing insurance
 5 requirements for a dockless bicycle sharing company;
 6 providing requirements for dockless bicycles made
 7 available for reservation by such company; providing
 8 company responsibilities; providing for preemption;
 9 providing construction; providing an effective date.

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 11 Be It Enacted by the Legislature of the State of Florida:

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 13 Section 1. Section 341.851, Florida Statutes, is created
 14 to read:

15 341.851 Dockless bicycle sharing.—

16 (1) LEGISLATIVE INTENT.—It is the intent of the
 17 Legislature to provide Florida residents with access to
 18 innovative, environmentally friendly transportation options and
 19 to ensure the safety and reliability of dockless bicycle sharing
 20 services within the state.

21 (2) DEFINITIONS.—As used in this section:

22 (a) "Dockless bicycle" means a bicycle, including an
 23 electric bicycle, that is self-locking and that is not connected
 24 to a docking station.

25 (b) "Dockless bicycle sharing company" means an entity

26 that makes dockless bicycles available for private use by
27 reservation through an online application, software, or website.

28 (c) "Local governmental entity" means a county,
29 municipality, special district, airport authority, port
30 authority, or other local governmental entity or subdivision.

31 (d) "User" means a person who reserves a dockless bicycle
32 through a dockless bicycle sharing company's online application,
33 software, or website.

34 (3) INSURANCE REQUIRED.—A person or entity may not operate
35 a dockless bicycle sharing company in this state unless the
36 person or entity maintains a current and valid combined single-
37 limit policy of commercial general liability insurance coverage
38 in the amount of at least \$500,000 per occurrence for bodily
39 injury and property damage.

40 (4) DOCKLESS BICYCLE REQUIREMENTS.—Each dockless bicycle
41 made available for reservation by a dockless bicycle sharing
42 company must:

43 (a) Meet the requirements for bicycles set forth in 16
44 C.F.R. part 1512.

45 (b) Be available for reservation 24 hours a day, 7 days a
46 week.

47 (c) Prominently display the dockless bicycle company's
48 trade dress.

49 (d) Display an e-mail address and telephone number at
50 which a user may contact the dockless bicycle sharing company

51 for customer support.

52 (e) Be lawfully parked when not in use.

53 (5) COMPANY RESPONSIBILITIES.—

54 (a) A dockless bicycle sharing company must provide
55 through its online application, software, or website:

56 1. Notification that a rider of a dockless bicycle must
57 operate the dockless bicycle in compliance with state and local
58 law.

59 2. An interface that enables a user to notify the dockless
60 bicycle sharing company of an issue relating to the safety or
61 maintenance of a dockless bicycle.

62 (b) A dockless bicycle sharing company is responsible for
63 the maintenance and rebalancing of each dockless bicycle made
64 available for reservation and for the removal of any such
65 dockless bicycle that is for any reason inoperable.

66 (6) PREEMPTION.—

67 (a) It is the intent of the Legislature to provide for
68 uniformity of laws governing dockless bicycles and dockless
69 bicycle sharing companies throughout the state. Dockless
70 bicycles and dockless bicycle sharing companies shall be
71 governed exclusively by state law. A local governmental entity
72 may not:

73 1. Impose a tax on, or require a license for, a dockless
74 bicycle or a dockless bicycle sharing company relating to
75 reserving a dockless bicycle;

76 2. Subject a dockless bicycle or a dockless bicycle
 77 sharing company to any rate, entry, operation, or other
 78 requirement of the local governmental entity;

79 3. Require a dockless bicycle sharing company to obtain a
 80 business license or any other type of authorization to operate
 81 within the jurisdiction of the local governmental entity; or

82 4. Enter into a private agreement containing a provision
 83 that prohibits a dockless bicycle sharing company from operating
 84 within the jurisdiction of the local governmental entity or that
 85 limits the operation of a dockless bicycle sharing company
 86 within such jurisdiction. To the extent that a local
 87 governmental entity entered into an agreement containing such a
 88 provision before July 1, 2018, such provision is unenforceable.

89 (b) This subsection does not prohibit an airport or
 90 seaport from designating locations for staging, pickup, and
 91 other similar operations relating to dockless bicycles at the
 92 airport or seaport.

93 Section 2. This act shall take effect July 1, 2018.