



TRAFFIC SAFETY COMMISSION AGENDA

Monday, April 4, 2022, 10:00 a.m.

This meeting includes in-person and virtual participation.

Periwinkle Room, Albany City Hall

333 Broadalbin Street SW

Or join the meeting from your computer, tablet, or smartphone

by clicking the link below:

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

You can use your microphone or dial in using your phone.

[+1 \(253\) 215-8782](tel:+12532158782)

Access Code/Meeting Id: 889 2245 9888

Please be respectful and help the meeting to proceed efficiently by refraining from applause, cheering, displaying signs, or other disruptions. Presenters and members of the public participating virtually will keep microphones muted and cameras off. If a participant disrupts the meeting, the participant's microphone and camera will be turned off. If disruption continues, the participant will be removed from the meeting

1. Call to Order
2. Roll Call
3. Approval of Minutes
March 7, 2022

4. Business from the Public
Public Comments:

Submit written comments in advance of this meeting to Ron.Irish@cityofalbany.net by 8:00 a.m. on the day of the meeting.

Register to speak during this meeting by emailing PW.Quotes@cityofalbany.net by 8:00 a.m. on the day of the meeting.

5. Scheduled Business
 - a. Electric Scooter MOU
6. Business from the Commission

cityofalbany.net



7. Next Meeting Date
Monday, May 2, 2022
8. Adjournment

*PENDING AGENDA TOPICS:

- Presentation on remaining mid- and long-term capacity projects in the TSP
- Street maintenance and funding prioritization issues to present to council (prior to the adoption of a new CIP, setting a new 5-year plan, or adopting the next year's budget)

This meeting is accessible to the public via video connection. The location for in-person attendance is accessible to people with disabilities. If you have a disability that requires accommodation, please notify city staff at least 48 hours in advance of the meeting at: PW.Quotes@cityofalbany.net or 541-917-7517.

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.



TRAFFIC SAFETY COMMISSION

MINUTES

Monday, March 7, 2022

10:00 a.m.

Virtual Meeting

Approved: DRAFT

Members present: Steph Nappa, Chuck Kratch, Nolan Streitberger, Peter de Carteret

Members absent: Cyndi Wiggins

Staff present: Transportation Systems Analyst Ronald G. Irish, Contracting Assistant Shelley Shultz

Others present: Tim Gruver, Albany Democrat Herald

Call to Order

10:00 a.m.

Steph Nappa called the meeting to order at 10:00 a.m.

Business from the Commission

10:00 a.m.

Steph Nappa volunteered to serve as chairperson; motion passed unanimously. Chuck Kratch volunteered to serve as vice chair; motion passed unanimously.

Approval of December 6, 2021, Minutes

10:03 a.m.

Chuck Kratch moved to approve the December 6, 2021, minutes as presented, Nolan Streitberger seconded; motion approved.

Scheduled Business

a. Council Referral – Hill and 13th Crosswalk Discussion **10:03 a.m.**
Ron Irish referenced a letter he received from Mr. Stephen Hodges and gave brief overview. Mr. Hodges has concerns with pedestrian crossing and visibility. Irish shared RRFB criteria/requirements and current locations throughout the city, as well as a list of previous recommendations TSC prepared a few years ago. Council is asking the TSC for a recommendation as to what action to take with this location. Kratch said he met with City Manager Peter Troedsson and was told there was no money available for these types of projects; he felt it should be on the lowest tier. Nappa agreed given the traffic volume on the street and the fact that there is an existing RRFB approximately 300 feet away. She feels that too many RRFBs desensitize drivers, making them less likely to notice them. Nolan Streitberger agreed, saying there were many areas more concerning than this location. He asked about the estimated cost of an RRFB; Ron Irish said approximately \$25,000 but could be much higher. Peter De Carteret agreed with group and felt it either needed to be added to the lowest tier or left off the list. Irish said he had enough info to report back to council and Mr. Hodges. Irish gave brief update on the status of the remaining locations on the list, saying some had been done, some are still in process. Kratch wondered if we could schedule a "field trip" to look at locations on list. Irish was concerned about doing it as a group because of public meeting restrictions. He will look at some options.

Business from the Commission (continued)

10:36 a.m.

Nappa shared concerns about e-scooters potentially coming to town. The company that provides the service is in discussions with city council. Irish said council had concerns as well but seemed to have

some interest. They asked the company to provide information at the next council meeting this Wednesday, 3/9/22. If council moves forward with this request, Irish is sure that they will have a representative come talk to TSC about the proposal. Discussion ensued. Irish suggested Nappa contact the mayor with her concerns and ask that this be presented to TSC/Bike Ped Commissions for their input.

Scheduled Business (continued)

b. Discussion of Meeting Schedule **10:53 a.m.**
Irish said City Councilor Bessie Johnson asked if TSC was interested in changing to an evening meeting schedule in order to attract more members. He also shared that the state restrictions on in-person meetings and wearing masks is being lifted March 12. He wanted input from TSC as to whether they are in favor of in-person or virtual/hybrid meetings. Consensus of the group is that they are open to evening meetings and in favor of a hybrid approach. Irish will check meeting room schedule for availability. He will send a doodle poll to see what works best for the group.

Business from the Public **11:00 a.m.**
None.

Next Meeting Date **11:00 a.m.**
The next meeting is scheduled for Monday, April 4, 2022.

Adjournment **11:00 a.m.**
Hearing no further business, meeting adjourned at 11:00 a.m.

Respectfully submitted,

Reviewed by,

Shelley Shultz
Contracting Assistant

Ronald G. Irish
Transportation System Analyst

**Documents discussed at the meeting that are not in the agenda packet are archived in the record. The documents are available by emailing cityclerk@cityofalbany.net.*

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
 SEGWAY	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>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>														
 ELECTRIC ASSISTED BICYCLE	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>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>														
 BICYCLE	—	NO	NO	NO	YES UNDER 16	RESTRICTED	YES	—	—	YES	YES	YES	YES	801.150 814.400 814.410 814.420 815.280
<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>														

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