Bill No. HB 1033 (2018)

Amendment No. 1

COMMITTEE/SUBCOMMITT	TEE ACTION
ADOPTED	(Y/N)
ADOPTED AS AMENDED	(Y/N)
ADOPTED W/O OBJECTION	(Y/N)
FAILED TO ADOPT	(Y/N)
WITHDRAWN	(Y/N)
OTHER	
Committee/Subcommittee he	earing bill: Careers & Competition
Subcommittee	
Representative Fine offer	red the following:
Amendment (with tit)	Le amendment)
Remove everything af	fter the enacting clause and insert:
Section 1. Section 341.8	351, Florida Statutes, is created to
read:	
341.851 Dockless bi	icycle sharing.—
(1) LEGISLATIVE INT	TENTIt is the intent of the
Legislature to provide Fl	lorida residents with access to
innovative, environmental	lly friendly transportation options and
to ensure the safety and	reliability of dockless bicycle sharing
services within the state	<u>e.</u>
(2) DEFINITIONS.—As	s used in this section:
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Published On: 1/16/2018 7:	06:55 PM
	ADOPTED ADOPTED AS AMENDED ADOPTED W/O OBJECTION FAILED TO ADOPT WITHDRAWN OTHER Committee/Subcommittee he Subcommittee Representative Fine offer Amendment (with tit: Remove everything a: Section 1. Section 341.8 read: <u>341.851 Dockless b:</u> (1) LEGISLATIVE INT Legislature to provide Find innovative, environmentation to ensure the safety and services within the state (2) DEFINITIONSAs

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16	(a) "Dockless bicycle sharing company" means an entity	
17	that makes dockless bicycles available for private use by	
18	reservation through an online application, software, or website.	
19	(b) "Dockless bicycle" means a bicycle, including an	
20	electric bicycle, that is self-locking and that is not connected	
21	to a docking station.	
22	(c) "Local governmental entity" means a county,	
23	municipality, special district, airport authority, port	
24	authority, or other local governmental entity or subdivision.	
25	(d) "User" means a person who reserves a dockless bicycle	
26	through a dockless bicycle sharing company's online application,	
27	software, or website.	
28	(3) INSURANCE REQUIREDA person or entity may not operate	
29	a dockless bicycle sharing company in this state unless the	
30	person or entity maintains a current and valid combined single-	
31	limit policy of commercial general liability insurance coverage	
32	in the amount of at least \$500,000 per occurrence for bodily	
33	injury and property damage.	
34	(4) DOCKLESS BICYCLE REQUIREMENTSEach dockless bicycle	
35	made available for reservation by a dockless bicycle sharing	
36	company must:	
37	(a) Meet the requirements for bicycles set forth in 16	
38	<u>C.F.R. part 1512.</u>	
39	(b) Be available for reservation 24 hours a day, 7 days a	
40	week.	
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41	(c) Prominently display the dockless bicycle company's
42	trade dress.
43	(d) Display an e-mail address and telephone number at
44	which a user may contact the dockless bicycle sharing company
45	for customer support.
46	(e) Be lawfully parked when not in use.
47	(5) COMPANY RESPONSIBILITIES.—
48	(a) A dockless bicycle sharing company must provide
49	through its online application, software, or website:
50	1. Notification that a rider of a dockless bicycle must
51	operate the dockless bicycle in compliance with state and local
52	law.
53	2. An interface that enables a user to notify the dockless
54	bicycle sharing company of an issue relating to the safety or
55	maintenance of a dockless bicycle.
56	(b) A dockless bicycle sharing company is responsible for
57	the maintenance and rebalancing of each dockless bicycle made
58	available for reservation and for the removal of any such
59	dockless bicycle that is for any reason inoperable.
60	(6) PREEMPTION
61	(a) It is the intent of the Legislature to provide for
62	uniformity of laws governing dockless bicycles and dockless
63	bicycle sharing companies throughout the state. Dockless
64	bicycles and dockless bicycle sharing companies shall be
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65	governed exclusively by state law. A local governmental entity
66	may not:
67	1. Impose a tax on, or require a license for, a dockless
68	bicycle or a dockless bicycle sharing company relating to
69	reserving a dockless bicycle;
70	2. Subject a dockless bicycle or a dockless bicycle
71	sharing company to any rate, entry, operation, or other
72	requirement of the local governmental entity;
73	3. Require a dockless bicycle sharing company to obtain a
74	business license or any other type of authorization to operate
75	within the jurisdiction of the local governmental entity; or
76	4. Enter into a private agreement containing a provision
77	that prohibits a dockless bicycle sharing company from operating
78	within the jurisdiction of the local governmental entity or that
79	limits the operation of a dockless bicycle sharing company
80	within such jurisdiction. To the extent that a local
81	governmental entity entered into an agreement containing such a
82	provision before July 1, 2018, such provision is unenforceable.
83	(b) This subsection does not prohibit an airport or
84	seaport from designating locations for staging, pickup, and
85	other similar operations relating to dockless bicycles at the
86	airport or seaport.
87	
88	
89	TITLE AMENDMENT
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90 Remove everything before the enacting clause and insert: An act relating to dockless bicycle sharing; creating s. 91 92 341.851, F.S.; providing legislative intent; providing definitions; providing insurance requirements for a 93 dockless bicycle sharing company; providing requirements 94 for dockless bicycles made available for reservation by 95 such company; providing company responsibilities; providing 96 for preemption; providing construction; providing an 97 effective date. 98

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