

## **EXHIBIT A**

### **Chapter 74- Traffic and Vehicles**

#### **Article X.- PERSONAL DELIVERY DEVICES AND MOBILE CARRIERS**

##### **Sec. 74-392 Definitions**

The purpose and intent of this Article is to incorporate into the city code the accessibility requirements of the Americans with disability act of 1990, as amended, 42 U. S. C. Section 12101, et. seq. For the purposes of this Article, the terms “personal delivery device” and “mobile carrier” shall have the meanings provided in Section 316.003, Florida Statutes. As used in this section, the term “devices” shall be deemed to include both personal delivery devices and mobile carriers.

##### **Section 74-393. Safe operation of personal delivery devices and mobile carriers**

###### **(a) Visibility Enhancement Required**

- a. All personal delivery devices and mobile carriers operating on public sidewalks or crosswalks must be equipped with a reflective vertical safety flag or pennant mounted at least 36 inches above the top of the device to increase visibility to pedestrians and vehicles.
- b. All such devices must emit a period audible sound (e.g., swishing or occasional beeping) when in motion, sufficient to alert nearby pedestrians of their presence.
- c. All such devices must be equipped with forward- and rear-facing lights or reflectors that are clearly visible from a distance of at least 100 feet during low-light conditions.
- d. Device may not display any commercial advertisement except for the name of the owner of the device displayed once on the front, rear, and each side of each device and on the flag or pennant requires in this Section, or any other information required by Florida Statutes.

###### **(b) Active Monitoring and Insurance Documentation**

- a. Prior to operating within City limits, the operator of any personal delivery device or mobile carrier shall file with the City Manager or designee:
  - i. Documentation satisfactory to the City to demonstrate compliance with Section 316.2071(3)(b), Florida Statutes, requiring that the operator maintain active control or monitoring of the devices
  - ii. A 24-hour operator contact number
- b. Insurance and Liability.

- i. Operators must submit annually to the City a certificate of insurance demonstrating general liability coverage of not less than \$100,000 per occurrence, which policy shall name the city as an additional insured on a primary and non-contributory basis and contain a waiver of subrogation in favor of the city along with appropriate endorsements. These requirements may be amended from time to time by the City Manager.
- ii. Operators must execute a hold harmless and indemnification agreement in favor of the City.
- iii. No Operator shall operate such device in the City without first providing the City with sufficient documentation to comply with this subsection.

*(c) Operational Restrictions*

- a. Devices must comply with all requirements set forth in Section 316.2071, Florida Statutes, as may be amended.
- b. Devices shall not obstruct pedestrian movement or impede accessible routes or access to buildings, ADA ramps, fire hydrants, transit stops, or public infrastructure.
- c. Devices must yield the right-of-way to all pedestrians at all times and may not exceed a maximum speed of six (6) miles per hour on sidewalks or ten (10) miles per hour on crosswalks.
- d. No device may remain idle or stationary on a public sidewalk, swale, or right-of-way for longer than thirty (30) consecutive minutes unless actively engaged in delivery or retrieval.
- e. All efforts shall be made to operate these devices only on those sidewalks providing more than five (5) feet of clearance and free of any infrastructure or obstructions which may inhibit the use of sidewalks by pedestrians. The City will identify those sidewalks upon which operation is to be avoided.

**Section 74-394. Enforcement and Penalties**

Operators of devices regulated pursuant to this Article shall have an initial six (6) month period after its effective date to comply with its provisions during which the City will provide educational materials on these regulations to operators..

Violations of this Article, after the initial six (6) month education period, shall be subject to enforcement pursuant to Section 1-7 of the City Code and may result in fines, or impoundment of the device.