

CITY OF CORAL GABLES, FLORIDA

RESOLUTION 2018-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, DIRECTING THE CITY'S ADMINISTRATION TO MAKE OPPOSITION OF SENATE BILL 1304/HOUSE BILL 1033 PART OF THE CITY'S LEGISLATIVE AGENDA AND URGING THE FLORIDA HOUSE OF REPRESENTATIVES AND SENATE NOT TO ADOPT SENATE BILL 1304/HOUSE BILL 1033 OR SIMILAR LEGISLATION

WHEREAS, on December 18, 2017, Representative Jackie Toledo introduced House Bill 1033 – Dockless Bicycle Sharing; and

WHEREAS, on December 19, 2017, Senator Dana Young introduced the same bill as Senate Bill 1304; and

WHEREAS, the full title of Senate Bill 1304 and House Bill 1033 is: “An act relating to dockless bicycle sharing; creating s. 341.851, F.S.; providing legislative intent; providing definitions; providing insurance requirements for a bicycle sharing company; providing requirements for dockless bicycles made available for reservation by such company; providing company responsibilities; providing for preemption; providing construction; providing an effective date;” and

WHEREAS, the text of Senate Bill 1304 and House Bill 1033 purport to expressly preempt all regulation of dockless bicycles or bicycle sharing companies and prohibit a municipality, county or other political subdivision from imposing a tax on or requiring a license for a dockless bicycle or bicycle sharing company; subjecting a dockless bicycle or bicycle sharing company to any rate, entry, operation or other requirement; requiring a bicycle sharing company to obtain a business license; or entering into a private agreement that prohibits a bicycle sharing company from operating within the jurisdiction of the municipality, county or political subdivision; and

WHEREAS, the protection of Home Rule powers is of utmost importance to the City of Coral Gables as Home Rule ensure the efficacy of local government in exercising governmental powers to address and protect the health, safety, and welfare of its residents and address matters of local concern; and

WHEREAS, the City Commission may wish to regulate dockless bicycles or bicycle sharing companies in order to protect the health, safety, and welfare of the City's residents, businesses and visitors in their best interest; and

WHEREAS, the decision on whether and how to regulate dockless bicycles or bicycle sharing companies should be left to the municipality, county or political subdivision affected by these bicycles or companies as they are best equipped to know and understand the needs of their community; and

WHEREAS, the City of Coral Gables Commission directs that the opposition to Senate Bill 1304 and House Bill 1033 be made part of the City’s legislative agenda; and

WHEREAS, the City of Coral Gables urges the Senate and the House of Representatives not to adopt Senate Bill 1304/House Bill 1033 or similar legislation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the City Commission directs that opposition to Senate Bill 1304/House Bill 1033 or similar legislation be made part of the City’s legislative agenda.

SECTION 3. That the City Commission urges the Senate and House of Representatives not to adopt Senate Bill 1304 or House Bill 1033 as they are not good public policy.

SECTION 4. That the City Clerk is directed to send a certified copy of this resolution to the Florida League of Cities, Miami-Dade League of Cities, Miami-Dade County, the City’s legislative delegation, and neighboring municipalities.

That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF JANUARY 23RD, A.D., 2018.

(Moved:)

(Yeas:

(Majority : Vote:)

APPROVED:

RAÚLVALDÉS-FAULI
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY