

1 ENGROSSED SENATE  
2 BILL NO. 1374

By: Smalley of the Senate

3 and

4 Cockroft of the House

5  
6 [ dockless bicycles - definitions - insurance  
7 requirements - codification - ~~effective date~~ -  
8 emergency ]

9  
10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 12-710 of Title 47, unless there  
13 is created a duplication in numbering, reads as follows:

14 A. As used in this section:

15 1. "Dockless bicycle sharing company" means an entity that  
16 makes dockless bicycles available for private use by reservation  
17 through an online application, software or website;

18 2. "Dockless bicycle" means a bicycle, including an electric  
19 bicycle, that is self-locking and that is not connected to a docking  
20 station;

21 3. "Local governmental entity" means a county, municipality or  
22 other local governmental entity or subdivision; and

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1       4. "User" means a person who reserves a dockless bicycle  
2 through a dockless bicycle sharing company's online application,  
3 software or website.

4       B. A person or entity may not operate a bicycle sharing company  
5 in this state unless the person or entity maintains a current and  
6 valid combined single-limit policy of commercial general liability  
7 insurance coverage in the amount of at least Five Hundred Thousand  
8 Dollars (\$500,000.00) per occurrence for bodily injury and property  
9 damage.

10       C. Each dockless bicycle made available for reservation by a  
11 dockless bicycle sharing company must:

12       1. Meet the requirements for bicycles set forth in this  
13 article;

14       2. Be available for reservation twenty-four (24) hours a day,  
15 seven (7) days a week;

16       3. Meet the requirements for bicycles set forth in 16 C.F.R.  
17 part 1512;

18       4. Prominently display the bicycle company's trade address;

19       5. Display an e-mail address or a telephone number at which a  
20 user may contact the bicycle sharing company for customer support;  
21 and

22       6. Be lawfully parked when not in use.

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1 D. A bicycle sharing company, user or operator must comply with  
2 the requirements of Article 12 of Chapter 11 of Title 47 of the  
3 Oklahoma Statutes.

4 E. A bicycle sharing company is responsible for the maintenance  
5 and rebalancing of each bicycle made available for rental or lease  
6 and for the removal of any such bicycle that is for any reason  
7 inoperable or does not comply with subsection C of this section.

8 F. A dockless bicycle sharing company must register with the  
9 Oklahoma Secretary of State.

10 G. A dockless bicycle sharing company must provide through its  
11 online application, software or website:

12 1. Notification that a rider of a dockless bicycle must operate  
13 the dockless bicycle in compliance with state and local law; and

14 2. An interface that enables a user to notify the dockless  
15 bicycle sharing company of an issue relating to the safety or  
16 maintenance of a dockless bicycle.

17 SECTION 2. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 12-711 of Title 47, unless there  
19 is created a duplication in numbering, reads as follows:

20 A local governmental entity may not take any action or adopt any  
21 local ordinance, policy or regulation that is designed to limit or  
22 prevent a bicycle sharing company or any company engaged in the  
23 rental of bicycles from operating within its jurisdiction, provided  
24 that the company has demonstrated compliance with all local laws and

1 regulations applicable to other similar businesses seeking to do  
2 business or presently doing business within that jurisdiction.

3 ~~SECTION 3. This act shall become effective July 1, 2018.~~

4 ~~SECTION 4. It being immediately necessary for the preservation~~  
5 ~~of the public peace, health or safety, an emergency is hereby~~  
6 ~~declared to exist, by reason whereof this act shall take effect and~~  
7 ~~be in full force from and after its passage and approval.~~

8 Passed the Senate the 13th day of March, 2018.

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Presiding Officer of the Senate

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12 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
13 2018.

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Presiding Officer of the House  
of Representatives

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