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Nashville to Bird: Remove all scooters from city rights-of-way by end of Wednesday or face impounding

Joey Garrison, USA Today Network - Tennessee Published 5:33 p.m. CT June 6, 2018 | Updated 6:37 p.m. CT June 6, 2018



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(Photo: Duane W. Gang / The Tennessean)

Metro delivered an ultimatum Wednesday to the electronic scooter company Bird, demanding that it remove all scooters from public rights-of-way in Nashville by the end of the workday or the government will begin impounding them.

The city says it will begin impounding all scooters that it finds unattended on a greenway or other public area beginning Thursday morning.

The directive — the latest in a legal fight over the city's right-of-way rules — came from Metro attorney Theresa Costonis on Wednesday.

► **More:** [Nashville launches sweeps to remove all Bird scooters from public rights-of-way](http://www.tennessean.com/story/news/2018/05/31/bird-scooters-nashville-sweeps-remove-public-way/659745002/)

She pointed to a proposed ordinance to regulate scooters in Nashville, which passed the first of three votes on Tuesday night. Until it passes, the city says Bird cannot

"Bird riders must comply with applicable laws, and the parking of Bird scooters may not continue within the Metropolitan Nashville area until a regulatory scheme has been adopted by ordinance regarding the permitting and operation of such scooters,"

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"Thus, in the interim, you are directed to remove all Bird scooters from the streets, sidewalks, parks, greenways and put government by the end of the business day today."

► **More:** [Bird scooters should be regulated, some Nashville residents say \(/story/news/2018/06/04/bird-scooters-should-residents-say/669049002/\)](#)

The city has argued Birds — dockless electronic scooters that riders pay for with their cell phones — continue to represent a way and other public property in the city.

Nashville Mayor David Briley met with representatives of Bird on Tuesday,

"They requested a meeting and I agreed to meet with them," Briley said in a statement. "During the meeting I communicated regulation and that we are willing to work with anyone complying with the law. I reiterated that they need to comply with the law."

The company brought its scooters to Nashville on May 8. There's currently about 250 operating in the city, mostly in and around downtown.

The Metro Public Works Department last week confiscated around 150 Bird scooters that it deemed to be illegally parked. These scooters were returned to Bird.

If impounded, the city would be seeking to take legal custody of the scooters.

In court proceedings, the city has asked a judge to issue an injunction to force Bird to remove the scooters from public rights-of-way by June 13.

► **More:** [Metro Council to consider Bird scooter, dockless bike regulations \(/story/money/2018/05/31/metro-council-considering-bike-regulations/652450002/\)](#)

The regulatory legislation, if approved, would include fees per scooter or bike, consumer education on parking and safety, and access to a company's data on ridership.

Because they don't use docks, Bird users can park the scooters wherever they end their ride. At the end of the day, the scooters are returned to their "nests" to recharge. From there, riders can pick the scooters up in the morning.

Bird users are supposed to use streets and bike lanes, similar to cyclists, and not sidewalks. At the end of their rides, they like bikes "and not block sidewalks, doorways or ramps."

Reach Joey Garrison at 615-259-87236, jqarrison@tennessean.com and on Twitter @joeygarrison

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