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MAYOR

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DEPARTMENT OF ADMINISTRATION

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MEMORANDUM

TO: Councilman Presinzano
Members of the Public Safety Subcommittee and
Transportation & Parking Subcommittee

CC: Ken Ferrante, Public Safety Director
Steven Aguiar, Police Chief
Ryan Sharp, Director of Transportation and Parking
Vijay Chaudhuri, Chief of Staff

FROM: Jason Freeman, Business Administrator

DATE: January 31, 2024

SUBJECT: Proposed Ordinance re Food Delivery by E-Bike in Hoboken

Dear Councilman Presinzano, Members of the Public Safety Subcommittee and Transportation and Parking Subcommittee,

I trust this letter finds you well. Following the recent subcommittee meeting on 1/29/24, I engaged in discussions with Mayor Bhalla, members of the Administration and the Hoboken Police Department to discuss your proposed ordinance related to food delivery by E-Bike in Hoboken. First, we want to make it clear that we support efforts to curb activities, such as e-delivery bikes riding on sidewalks, that cause a pedestrian safety hazard to residents and visitors. However, we share reservations that prevent us from endorsing the current proposal despite its well-intentioned nature.

Our concerns are nuanced and warrant a more detailed discussion.

After careful consideration, it is apparent that a considerable portion of our e-delivery driver community comprises undocumented individuals who are looking for work. Unfortunately, the fear of deportation acts as a significant deterrent, hindering these drivers from willingly entering a police station or municipal building, providing identification, or partaking in any mandatory tests. This raises serious questions about the practicality and enforceability of the proposed ordinance.

Moreover, the transient nature of e-delivery drivers poses another challenge. Many of these drivers operate on a freelance basis, engaging in one-off deliveries that may not necessitate familiarity with or adherence to Hoboken-specific regulations, similar to Uber or Lyft drivers.

**MEMO TO COUNCILMAN PRESINZANO,
MEMBERS OF THE PUBLIC SAFETY SUBCOMMITTEE, AND
TRANSPORTATION & PARKING SUBCOMMITTEE
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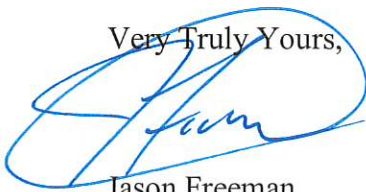
The employment structure of e-delivery drivers further complicates matters. A substantial number of them work for larger platforms such as Uber Eats, Seamless, or Grubhub. Attempting to issue a summons to an entity instead of an individual proves to be a logistical challenge, especially when faced with non-compliance and a lack of proper identification. This goes back to similar issues that the City has had when HOAs do not have a registered agent assigned to a specific property.

In conversations with Director Sharp and Director Ferrante, there is concern about the administrative burden being shifted to both the Hoboken Parking Utility and Hoboken Police Department. Paired with a seemingly nominal \$5 application fee, this creates a system that not only burdens law enforcement excessively but also raises doubts about its enforceability. Additionally, there is the potential for financial losses for the city under this proposed structure. While it may be possible in the future to rectify these concerns, at the present time, HPD has presented to the administration that it could not support the ordinance as currently written; however it is open to continuing the discussion with you and your committee on a mutual path forward and modified version of the ordinance.

Lastly, a few weeks ago, you met with Director Sharp, Chief Aguiar, and Lt. Rotondi and went over several different iterations of this ordinance and possible options. It is my understanding that you all left that meeting understanding that this was not yet ripe but were prepared to dig further into workable solutions. I would encourage you all to get back into that room and try to do just that. If I can be of any help to facilitate those meetings OR participate and share my views, I would be more than happy to.

We appreciate your attention to this matter and anticipate the opportunity to resume our dialogue. Before this gets introduced on first reading, we are requesting a meeting with you to discuss these concerns and hopefully make the necessary amendments to ensure its success.

Very Truly Yours,



Jason Freeman