



Council Memorandum

DATE: January 4, 2019

TO: Mayor and City Council

FROM: Daryl Grigsby, Director of Public Works

VIA: Derek Johnson, City Manager

ENC: NACTO Guidelines for the Regulation and Management of Shared Active Transportation (Version 1: July 2018)

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SUBJECT: SHARED ACTIVE TRANSPORTATION DEVICES

The purpose of this memorandum is to respond to inquiries about the proposed operation of shared active transportation devices, such as scooters and bicycles. This memo provides pertinent background information, an overview of relevant City ordinances, policy and safety considerations and potential next steps for City Council consideration.

Background

In September 2018, the City was informed that Bird, an electric scooter sharing company, had unannounced plans to launch in San Luis Obispo without the proper permits or licenses. City staff reached out to Bird representatives and invited them to take part in a dialogue before beginning a “rogue launch” similar to the company’s practice in other cities. Bird responded favorably, traveled to San Luis Obispo and met with City staff to discuss their business model and has so far agreed to follow City policy and procedures relating to their business. Since then, four other scooter share companies have also inquired about operating in the City. They include Lime, Spin, Gotcha, and Uscooter. Staff has been in discussion with these companies and has informed them that a memo would be distributed to the Council outlining issues and potential paths and that no City actions would take place until such time as Council provided direction on whether to proceed with any ordinance changes and provide input on outreach, vendor selection, etc.

Policy Context

The City of San Luis Obispo has had a bicycle transportation program since at least the early 1980s. Ever since that time, the program and transportation plans have included various policies which promote bicycling. Through these policies, the City has encouraged bicycle use and has heavily invested in bicycle facilities on every arterial and major collector street as well as numerous bike paths across the City.

In addition, since at least 1982, the City’s Circulation Element to the General Plan has mandated programs to reduce traffic congestion and encourage use of other modes of transportation to the single occupant vehicle (SOV) including transit, bicycling and walking. The City’s current Circulation Element sets ambitious goals such that by 2030 the City should increase mode share of bicycles to 20% and 18% for walking, car pools and other forms of transportation (policy 1.7.1). The Circulation Element also states that “the City shall evaluate a bike share program in coordination with Cal Poly and other education institutions” (policy 4.2.1).

When the Circulation Element was adopted in 2014, the only shared active transportation device program was bike sharing, which had a system in which the devices would be required to dock to a dedicated station. Since then, so called “dockless” bike sharing systems have emerged, which broadly expand the locations where bikes can be parked and freedom from confined locations. Like bike sharing, scooter sharing has emerged as a new shared mobility device concept, which can be dockless devices. Dockless systems have increased in use throughout the country in many cities, universities and college towns. They now comprise most of the growth for the bikeshare and scooter share industry and have helped meet first and last mile connections to transit for some systems.

However, these devices have not been without controversy. The growth of dockless systems and inability and/or difficulties for self-regulation has resulted in a number of negative consequences as usage increases. Failures of users to safely store and park used equipment often result in the parking of the devices in the public right of way. This includes blocking pedestrian sidewalks and ADA paths of travel, curb ramps, and walkways to businesses and residences. Many cities have reported the need for significant increases in enforcement and emergency response resources to address issues including device retrieval and storage, collisions and injury abatement/response all resulting in a general dilution of existing resources due to new service requirements.

Along with the safety and nuisance issues is the question of the use of the public right of way for commercial purposes. In addition, while the City has included bicycle collision data for at least the last ten years in its annual Traffic Safety Report, it is unknown what the impacts may be of increased scooter use, a device with smaller wheels and the ability to travel at higher speeds with electric motor propulsion.

Municipal Code and State Vehicle Code Regulations

Non-bicycle varieties of Shared Active Transportation Devices do pose conflicts with the Municipal Code that would require reevaluation should they be permitted. Current Municipal Code prohibits the devices upon any roadway in the city or upon any sidewalk in the downtown area. In addition, the California Vehicle Code prohibits the use of a motorized scooter upon a sidewalk, except as may be necessary to enter or leave adjacent property. This severely limits where scooters can be legally ridden in the City.

Municipal Code 10.76.010 Use of prohibited on streets and sidewalks in downtown area.

A. No person upon roller skates, including skateboards, or riding in or by means of any coaster, toy vehicle, or similar device shall go (1) upon any roadway in the city, or (2) upon any sidewalk in the downtown area, the outer boundaries of which area are described as follows:

From Santa Rosa Street along Palm Street to Broad Street, Broad to Monterey, Monterey to Nipomo, Nipomo to San Luis Creek, San Luis Creek to a point where Beach Street would intersect, from this intersection point to Beach and Marsh, Marsh to Nipomo, Nipomo to Pacific, Pacific to Santa Rosa, Santa Rosa to Palm.

B. The area shall include both sides of the boundary streets listed in subsection A of this section, and all four corners of the intersections of the boundary streets listed in subsection A of this section. (Prior code § 3220.14)

California Vehicle Code Article 5. Operation of Motorized Scooters 21235

The operator of a motorized scooter shall not do any of the following:

(g) Operate a motorized scooter upon a sidewalk, except as may be necessary to enter or leave adjacent property.

Since storage of these devices is often scattered in and throughout the public right of way, other municipal codes are also implicated in terms of unlawful encroachment.

Safety Considerations

With the growing popularity of Shared Active Transportation Devices, cities have seen an increase in calls for service for both Police and Fire, many related to injuries received while using these devices. According to the Washington Post¹, in Salt Lake City one hospital reported a 161% increase in the number of visits involving scooters over the three-month period after electric scooters were deployed as compared to the prior three-month period. Contributing factors to these safety concerns include lack of experience when operating these devices, mechanical failures, improper safety equipment, and the impact on pedestrian safety. Addressing many of these safety concerns have challenged city administrations.

Cities with Shared Active Transportation Devices have experienced a significant increase in the number of incidents police respond to related to the devices. For example, in September of 2017 Bird launched in the City of Santa Monica deploying 500 devices, which quickly grew to approximately 2,000 by March of 2018. The Santa Monica Police Department was able to provide some statistical data from January 1, 2018 to October 1, 2018. During this time period the police department responded to 691 calls for service related to scooter share devices. The calls for service included reports of disturbing the peace, erratic driving/speeding on scooters, traffic collisions involving injury, traffic hazards and injured pedestrians. During the same time period, the Santa Monica Traffic Division made 1,997 traffic stops that resulted in 1,186 citations issued for various violations. These violations included no helmets, riding on sidewalks, tandem riding and violations under California Vehicle Code 21235 which regulates the riding of scooters. This data does not include the number of calls the police department received related to scooters/bikes that have been abandoned, vandalized, stolen, or blocking the sidewalk right of way and/or business. All the mentioned impacts are predicted to have a significant impact on the City of SLO Police Department and Fire Department's current resources.

The San Luis Obispo Police Department has had an increase of 7,237 annual calls for service since 2010 (26,999 To 34,236). Santa Monica has a population of 92,000 people, nearly twice that of San Luis Obispo. If San Luis Obispo receives a similar number of calls for service as Santa Monica, it would result in an estimated additional 414 calls for service.

Cal Poly Coordination

The City has been in close coordination with Cal Poly on this issue. Shared transportation device companies often seek joint agreements with cities and universities as students can be primary users and the devices are used across jurisdictions. Cal Poly staff were included in the initial meeting with Bird and a follow up meeting with City staff.

Cal Poly faces similar issues as the City in that there are both potential benefits and drawbacks. There are some campus policies that could support the use of shared mobility devices, but as with the City,

¹ https://www.washingtonpost.com/technology/2018/09/24/hospital-er-reports-percent-spike-visits-involving-e-scooters/?utm_term=.dfad9aeb24d4

existing regulations would need to be modified. There are also safety concerns similar to those of the City.

Cal Poly has expressed that it may consider joining in a pilot program should the City choose to do so, but that it looks to the City, in general, to be the lead agency on this issue. There may ultimately be alignment between the City and Cal Poly on the regulation and use of these devices, but that would need to be informed by additional data and discussion. Cal Poly may also choose not to allow the use of these devices on campus for reasons specific to the University even if the City elects to move forward.

Potential Benefits

In addition to the safety considerations, policy issues, and other factors, there are potential benefits from the intersection of public mobility needs and shared active transportation devices. These include, and are not limited to:

1. Congestion relief through the provision of different modes of travel, which is both a Major City Goal and a goal of the Circulation Element.
2. Closing the 'First Mile, Last Mile' gap that is often a barrier to public transit and other modes of travel.
3. Providing new transportation options to sectors of the population who desire and could utilize these alternatives.
4. Providing a means of travel which could assist the city in meeting its multimodal goals following the models in other cities where usage has been more welcomed by the public and managed by the local government through lessons learned and collaboration with other municipalities, enabling the City to find the alternative that works best for our residents and visitors.
5. Promoting the local tourism industry.

Potential Next Steps

Option A – Schedule a Study Session

If the Council would like to pursue a fit for Shared Active Transportation Devices in the City, staff recommends placing a study session on the agenda to present and discuss formal policy issues on the topic. This would include an evaluation of General Plan goals as well as potential permitting, operating, and use issues of the public right of way, including safety aspects, and conflicts within the Municipal Code. At this study session, the Council could provide direction specifically on how to generally proceed with any regulatory changes, the type of devices that the City wants to authorize (bike and/or scooters) and any other factors or details related to selecting vendors and minimizing injury and risk to the community.

Staff proposes to utilize the process set forth by Eugene Bardach in his text, *A Practical Guide for Policy Analysis: The Eightfold path to More Effective Problem Solving* (5th edition, 2016):

1. Problem Definition
2. Assemble Evidence
3. Construct Policy Alternatives
4. Select Evaluative Criteria
5. Project Outcomes of Alternatives
6. Evaluate Trade-Offs

7. Make a Recommendation
8. Provide a Rationale for Recommendation

Santa Monica's recent experience with this issue could serve as a helpful example should the Council ultimately decide to move forward with implementing a shared active transportation device program.

On June 26, 2018 the Santa Monica City Council adopted Ordinance 2578 and gave staff direction to proceed with the implementation of a 16-month Shared Mobility Pilot Program to forge a model for regulating new companies and technologies. The City released a Request for Applications seeking to select up to four operators of e-bike and e-scooter sharing devices – two e-bike and two e-scooter – to provide citywide services during the pilot program. The City received 18 applications from 13 different operators and ultimately approved the applications of four private companies (Bird, Jump, Lime, and Lyft) to provide shared mobility services in the public-right-of-way. The RFP process included an optional applicant conference, public posting of recommendations, public comment, and the selection committee's recommendations to the Director of Planning and Community Development who made the final selection determination. The selection committee consisted of the following City Staff members: one Police Lieutenant, a Principal Transportation Planner, the Transit Planning Manager, the Economic Development Administrator, and the Assistant Director of Planning and Community Development.

Goals for the 16-month pilot program include:

- Diversity mobility options for residents, employees, and visitors to Santa Monica.
- Protect public health and safety.
- Reduce sidewalk, pathway and ADA blockages.
- Reduce emissions from short trips and connections to transit.
- Maximize user awareness of safe and legal behaviors for operating shared mobility devices.
- Create an enforceable framework for managing shared mobility services.
- Ensure use of Public Right of way benefits public mobility.
- Ensure private operator response to pervasive issues and service complaints.

The pilot program began on September 17, 2018 and formal evaluation of the pilot will begin at the 9-month mark of the program, ending with a report and recommendation to the Santa Monica City Council for a permit system or other next steps to occur within the 16 months.

Option B – Take No Action At This Time

A second option would be to not address mobility issues at this time and instead monitor other jurisdictions, states and the private market to allow trends and legal issues to evolve and then pursue legislative actions at a later time. While this option might allow for a more seamless (and less problematic) start for the City by allowing others to resolve conflicts, there is a general concern that remaining in a reactionary mode may not result in intended results primarily due to the private market "pushing" the issue both from an economic as well as demand standpoint. Even if a sanctioned public program were to be deferred until a future time, it is likely that individual ownership of electronic devices, particularly electric scooters², will likely become more prevalent and require regulatory changes.

² Electric scooters are becoming more available in the public marketplace with speeds that are faster than offered by shared mobility companies and with shorter charge times and longer travel ranges.

Option C-Active Transportation Plan Update

The decision about how to address Shared Active Transportation Devices could be included as part of the update of the Bicycle Transportation Plan and its transformation to an Active Transportation Plan. This additional scope was not contemplated in the original budget and would likely add cost and time to the overall schedule. The budget for this project is \$40,000 and is currently estimated to be completed by spring of 2020.

Potential Tradeoffs

No formal budget or funding has been identified for this work, or to implement any subsequent direction from the City Council. Given the complexity of the issue and the staff resources necessary for coordination with city departments, outside agencies, and the general public, the Active Transportation Plan effort would likely be delayed by at least three months to bring this forward to the Council for a study session. Further delays would be expected should there be direction to implement a program outside of the City's Financial Plan process.

The City Council may provide additional direction on this issue during the communications portion of the agenda at a future City Council meeting.

Please contact Adam Fukushima or Greg Hermann with any questions.



Guidelines for the Regulation and Management of Shared Active Transportation

Version 1: July 2018

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Introduction

Shared Active Transportation

Over the past decade, **Shared Active Transportation** systems have become a common sight on North American public streets and rights-of-way, creating new mobility opportunities and changing the way people move around their cities. To create these systems, cities, local governments, and trusted civic partners (e.g. downtown alliances, community-based development organizations) have typically followed a careful, coordinated process; developing structured public-private partnerships, vetting companies through competitive bidding, and managing and regulating systems through binding contracts, to ensure the best outcomes for the public.

Over the past decade, the long-term public-private-civic/non-profit partnerships developed for, by, and along with bike share systems in the U.S. have helped this new transportation option to thrive. In many places, this coordination between cities, operators, and other community stakeholders has allowed bike share practitioners to grapple with complex issues around access and equity, expanding transportation options for low-income people, and focusing investments in communities with histories of chronic disinvestment.

What is Shared Active Transportation?

Companies rent small, shared-use-specific, vehicles to the public from multiple locations within the right-of-way. To date, these small vehicles include: bikes, e-bikes, scooters, and e-scooters, but other vehicles may be under development. Typically, Shared Active Transportation small vehicles are stored in the public right-of-way.

In the initial (also known as “station-based” or “docked”) bike share systems, customers picked and returned bikes at stations placed strategically throughout the right-of-way and adjacent public and private property. In the new (also known as “dockless”) systems, stations are eliminated, small vehicles can be picked up or left anywhere absent regulation, and small vehicle rental is facilitated through an app. As the technology advances, most companies are moving toward hybrid options, where systems can be station-based, or dockless, or both depending on need.

- **Shared Active Transportation** – a network or system of small vehicles, placed in the public right-of-way and for rent in short time increments, that provides increased mobility options over short distances in urban areas
- **Small Vehicles** – bikes, scooters, e-bikes, e-scooters, and other small, wheeled vehicles designed specifically for shared- use and deployed by Shared Active Transportation companies

In January 2017, a new breed of Shared Active Transportation companies began operating on North American public streets and rights-of-way. Many of these companies initially launched absent contracts, permits, or business licenses, often completely independent of municipal knowledge, policy making, or existing partnerships and community programs. In response, cities have developed new permitting and licensing structures to manage them and to ensure that public needs stay at the forefront of new mobility advances. These companies and their operations typically differ from the initial systems in three ways:

- They are not selected by the municipality or approved civic partner via a competitive bidding process.
- They are not managed or regulated through a contract or legal partnership agreement.
- To date they exclusively use the “dockless” technology model.

This document provides guidance for cities and public entities as they look to manage and regulate Shared Active Transportation Companies that are not otherwise managed through competitive procurement processes or contracts. It focuses on clearer and more formal management of public-use mobility options that are not created under the auspices of a public entity. The regulatory focus of this document is not based on the technology or the business plan. Rather, as businesses operating on city streets, Shared Active Transportation Companies need to be overseen and regulated by public entities when they are not otherwise managed through existing processes.

The guidance is divided into broad categories: policy areas where cities should be in alignment and places where policy should be decided at a local level. In addition, this guidance provides a state of the practice overview for key issues such as determining allowable fleet sizes, ensuring engagement and equity-focus programming, setting permit fees, and vehicle distribution. This overview is meant to provide an at-a-glance look at how different cities are approaching the same issues, providing cities with the best possible information as they decide how to manage and regulate Shared Active Transportation Companies in their jurisdictions.

As the landscape of Shared Active Transportation is rapidly changing, this document will be reviewed and updated approximately 6 months after release, and updated as needed after that.

The Public Authority

Codified in city charters, state constitutions, and laws across North America, is the fundamental responsibility of cities and public entities to ensure safe passage on public rights-of-way, to protect public health, safety and welfare, and govern commerce in the public right-of-way and on private property. From this responsibility comes government's authority to regulate and manage activity and commerce in the public street, such as Shared Active Transportation companies.

If and why cities choose to allow Shared Active Transportation companies to operate on their streets is a local decision. Some cities may find that allowing Shared Active Transportation companies to operate in their jurisdictions in a managed and orderly fashion meets and supports city goals. Others may equally conclude that, such companies impede or detract from local policy goals and should be limited or banned from operating. In many places, cities have intentionally procured and promoted bike share systems as key tools in larger sustainability and mobility plans, conceiving of bike share as part of a package of services provided to the public. In other places, bike share has been a stand-alone addition to the landscape, largely divorced from municipal mobility planning and policy. Demonstrations or pilots may provide useful information on how Shared Active Transportation can best serve a specific city but only if the city is explicit about what it hopes to test and learn.

As cities look to manage Shared Active Transportation, they need to be clear on where and when company goals align with public benefits and to carefully define the terms of success. In thinking through regulation, incentive-based tools may become increasingly important to ensure that the public benefits. In particular, introducing or expanding Shared Active Transportation options provides cities with opportunities to develop, require, and fund necessary equity and engagement programming that can increase ridership and help meet mobility needs. For example, in St. Louis, companies can only expand past 2,500 bikes if they develop and implement a social equity plan and meet other ridership requirements.

Many of the newer small vehicles in the Shared Active Transportation arena—e-bikes, scooters, e-scooters—exist in a regulatory grey area, regulated in a limited fashion on an individual or recreational level but not envisioned en masse or in an automated rental scenario. For example, rules are inconsistent from city to city on where e-scooters or e-bikes allowed to operate or even how they are defined. This murky equipment landscape further complicates regulation. Part of the success of bike share over the past decade has come from the high quality of bike share bikes which need to meet different and often higher safety standards than bikes developed for personal use because they are intended for shared-use and remain in the public realm at all times (examples of shared-use equipment standards include: always-on front and rear lights that remain illuminated after the bike stops, or fully-enclosed and tamper-proof brake cables).

When and where governments choose to exercise their authority varies from city to city. However, the mechanisms for how and why cities can regulate generally fall into similar categories:

Commerce on the public right-of-way

The small vehicles deployed by Shared Active Transportation Companies are commercial equipment. In most places, business cannot be conducted in the public right-of-way without an appropriate permit. Though cash or credit payments are conducted through an app, the transaction is completed within the right-of-way. Shared Active Transportation rentals should be regulated similarly to other businesses.

Zoning regulations

In places where Shared Active Transportation companies propose to conduct some or all of their business from private property, local zoning may apply. Most zoning codes designate what kinds of businesses are permitted where. There is wide variation in how local zoning codes are promulgated, so using zoning as a mechanism to regulate Shared Active Transportation Companies is a local decision. For example, in at least one community, public bike share is explicitly defined and permitted in the zoning code but private bike share is not. Therefore, renting out bikes is not permitted on private property, because it is not an allowed use under zoning.

Regulating where small vehicles are permitted

Regulations about how small vehicles are parked on public property also falls under the general framework of health and safety. If a municipality permits an operation – whether it be an ice cream stand, outdoor dining, or a parked bike/scooter – it can designate the area where the activity is permitted to be.

Existing Contracts

Municipalities with existing contracts with vendors to run local bikeshare systems may have exclusivity or other provisions which limit the municipalities' ability to permit additional vendors/operators of bikeshare to operate or do business within the municipality. The specific language of the contract dictates how much the municipality has to do to actively discourage these operations and may range from simple notifications to removal of unauthorized bicycles. These contracts may or may not apply to other small vehicles such as scooters, one wheels, e-bikes or others depending on the contract language.

Managing Shared Active Transportation

Policy areas where all cities should be in alignment

All cities and local governments should ensure that their contracts, permits, and licenses address the following core issues in substantively similar ways in order to comprehensively manage and protect the public right-of-way and provide a level playing field for this new and evolving industry.

In this section:

Oversight & Authority

General Provisions

Operations Oversight

Public Communications Oversight

Data Standards

Provision & Access

Quality & Accuracy

Privacy

Small Vehicle Standards for the Shared-Use Context

Oversight & Authority

General Provisions

1. Bike share companies and other mobility service providers are only allowed to operate in the public right-of-way with legal permission (e.g. license, permit, contract) from the City or relevant local government.
2. Cities should reserve the right to limit the number of companies operating (e.g. cap the number of permits or licenses issued, issue exclusive contracts, permits, or licenses).
3. Cities should reserve the right to revoke permits, licenses, or contracts from specific companies (e.g. when a company fails to comply with permit, contract, or license terms, or fails to meet national accreditation standards if applicable).
4. Cities should reserve the right to prohibit specific companies from operating in the public-right-of-way based on conduct or prior conduct (e.g. when a company deploys equipment prior to applying for a permit, license or contract, or fails to comply with permit, contract, or license terms).
 - *Note:* Cities may want to consider accreditation by, or conduct code violations recorded by, national organizations such as NABSA (US/Canada) or BikePlus (UK), in addition to examples and experiences in other North American cities, when issuing permits, licenses, or contracts.
5. Cities should reserve the right to establish operating zones and fine companies for bikes and equipment found outside of those designated areas.
6. Cities should limit the duration of licenses and permits to a fixed time period (e.g. 6-12 months) and require all companies to re-apply for each renewal. Contracts developed as the result of competitive bidding processes may have a longer duration. Companies should be aware that cities may update permits terms over time.
7. Cities should charge fees that accurately reflect the cost of regulating, overseeing, and managing bike share and assess penalties or recoup costs to the city for non-compliance with contract, license, or permit terms. (See State of Practice: Permit Fees Table)
8. Cities should require companies to hold insurance and indemnify the city.

Operations Oversight

1. Cities should require companies to remove small vehicles (e.g. damaged, abandoned, improperly placed etc) within contractually agreed-upon time frames and assess penalties for failure to do so.
2. Cities should require companies to come to agreement with the city on procedures and protocol for:
 - extreme weather (e.g. blizzards, hurricanes, floods)
 - emergencies (e.g. earthquakes, fires, etc)
 - special events (e.g. marathons, events, parades, film shoots, etc)
 - maintenance (e.g. snow and trash removal) for small vehicle parking zones.
3. Cities should require companies to provide 24-7 contact information (name, phone number, and email) of a locally-based manager/operations staff with decision-making power who can respond to city requests, emergencies, and other issues at any time.
4. At the city's request, provide staffing and operations plans.

Public Communications Oversight

1. Require all companies to create and maintain a city-specific website and/or social media platform that explains the terms of service, including user instructions, privacy policies, and all fees, costs, penalties, and unexpected charges, in all languages required by the City.
2. Companies shall place a customer service contact phone number, answered 24 hours a day, 7 days a week, on all small vehicles and other equipment (e.g. signage, racks etc), which connects the public to local management and operations teams.

Data Standards

Companies operating in the public right of way must provide cities and local governments with accurate, complete, and timely data about how Shared Active Transportation services are used and, in an appropriately anonymized fashion, who is riding.

Data Provision & Access

Format:

1. At a minimum, all data should be provided to the city in the General Bike Share Feed Specification (GBFS) format. In addition to GBFS, cities ensure that additional data fields that record small vehicle location are also required. Cities should be aware that GBFS cannot measure maintenance status, small vehicle condition, or record customer complaint reports. In developing data standards and adding small vehicle field(s), cities should look to the data requirements created by Los Angeles, Chicago, and Washington DC.
 - Los Angeles: <https://github.com/CityOfLosAngeles/mobility-data-specification>
 - Washington DC: *To be released—contact DDOT directly.*
 - Chicago: <https://chicago.github.io/dockless-bikeshare-reporting-manual/>
 - GBFS: <https://github.com/NABSA/gbfs>
2. Additionally, cities should retain the right to request aggregated reports on system use, compliance, and other aspects of operations (e.g. parking complaints, crashes, damaged or lost small vehicles). Cities should request the data in any reports to be provided in .csv, .exls, .exlsm, or similar format, in addition to the report format.
3. Cities shall require that companies make anonymized trip data available to the public for use in creating apps that are not affiliated with the companies or city.

Process:

1. All data shall be provided directly to the city, or to a city-approved 3rd party data aggregator such as Shared Streets, or university/academic institution.
2. Cities should retain the right to require that companies send an opt-in user survey to all users and to provide input into survey questions.
3. At a minimum, aggregated data shall be provided to the city on a weekly basis, or at a timeframe specified by the city.
4. Cities should require companies to retain all records in full accordance with local and state records retention policies.

Data Quality and Accuracy

1. In order to accurately convey small vehicle location, use patterns, and other information, all small vehicles shall ping, at a minimum every 90 seconds while in use.
2. In order to ensure that small vehicle locations are known even when the small vehicle is not in use, all data shall be provided by GPS equipment that is affixed to the company's small vehicle (e.g. not customer phones). This does not include phone-based location services information, used by customers, to locate a small vehicle or track their own personal route.

Data Privacy

1. All companies must ensure customer data privacy and that company policies are in accordance with city data privacy policies.
2. Cities should require companies to provide a clear, written justification for why they need access to each type of customer files (e.g. contacts, camera, photos, location, other apps etc.)

3. Customers shall not be required to share personal data with 3rd parties (e.g. advertisers, investors etc.) in order to use the mobility services.
4. Customers shall not be required to provide access to their contacts, camera, photos, files and other private data to use the mobility service. Location services may be required to use the service for the purpose of locating nearby vehicles, but not for providing trip-level data. For camera and photo access, cities should encourage companies to work with phone software companies to develop “only-open-when-app-is-running” options.
5. Companies must provide customers with clear, prominent notification about what data will be accessed (e.g. location services, camera, contacts, photos etc.) and explain how and why data will be used. Notification must be active (e.g. affirmative confirmation-required to continue) and should not be buried in larger terms-of-service notifications.
6. Customers may opt-in (not opt-out) to providing access to their contacts, camera, photos, files, other private data and 3rd party data sharing.

Small Vehicle Standards for the Shared-Use Context

Companies must provide small vehicles and other equipment that is safe for public use and developed for the shared-use context.

1. All small vehicles must comply with safety standards established by the CPSC and all other federal, state, and city safety standards:
 - For **regular bikes**, refer to ISO 43.150
 - For **e-bikes/electric-assist bikes**, refer to CPSC Public Law 107-309 for Low Speed Electric Bicycles for maximum engine wattage. Please note that these standards are evolving.
 - For **scooters**, refer to CPSC in Public Law 107-309 for standards around for weight bearing. Please note that these standards are evolving.
2. In addition to safety standards established by the CPSC, companies must provide small vehicles that meets all state and local safety standards.
3. For all electric-assist small vehicles (e.g. e-bikes, e-scooters), the maximum motor-assist speed shall be 15mph.
4. All small vehicles must have always-on front and back lights that are visible from a distance of at least 300 feet under normal atmospheric conditions at night. Front and rear lights must stay illuminated for at least 90 seconds after the bike has stopped.
5. All small vehicles must have, and clearly display, a unique, permanent identification number that is provided to the city.
6. Companies must ensure that all small vehicles are inspected, maintained, and/or replaced on a mutually agreed-upon schedule with the city.
7. Companies have the ability to remotely lock-down individual small vehicles (e.g. when they are deemed/reported unsafe.)

Policy areas where issues should be evaluated at a local level

In developing regulatory frameworks for managing Shared Active Transportation on city streets, cities and municipalities should also address key questions around space in the right-of-way and how to best provide engagement and equity focused programming. Reconciling these question in ways that best meets local needs and context is essential to the success of any Shared Active Transportation program. This section outlines current known strategies and provides examples that cities should consider in developing permits, licenses, contracts, and pilots.

In this section:

Small Vehicle Parking

Locking Options

Where in the Right of Way?

How can space be provided or marked?

Community Engagement and Equity Programs

Discount Programs

Engagement Programs

Small Vehicle Parking

Despite being “dockless,” allowing Shared Active Transportation companies and customers to leave small vehicles on public property requires cities and local governments to designate places where those small vehicles may be parked. In some cities, Shared Active Transportation parking is unrestricted or “free floating,” meaning that customers can leave bikes and scooters anywhere. In other cities, companies are required to tell their customers to only leave bikes and scooters in the curb strip or furniture zone, although enforcement abilities are limited. Most recently, a few cities have required that all dockless bike share bikes include a “lock-to” option in order to create a more orderly system.

Currently, the limitations of GPS and geo-fencing technologies means that there is not a comprehensive, remote/data-based way to enforce small vehicle parking locations. Typically, GPS can determine locations within about 5'-10' but not to the finer degree of accuracy needed for enforcement. Most cities rely on reported problems and spot-checks to assess compliance. As geofencing technologies are improved and refined, it may be possible to use it to ensure parking locations.

Locking Options

Unrestricted

Small vehicles (e.g. bikes and scooters) can be left anywhere that doesn't block ADA-required sidewalk space.

Pros

- Small vehicles can be left anywhere which makes point to point trips easier.
- The program is simple to understand.

Cons

- Parked small vehicles can easily end up blocking sidewalks, driveways, crosswalks which can reduce space and impede access for pedestrians, especially people with disabilities.
- Reports of “clutter” can impact the image of the program.

Other considerations

- If small vehicles are often parked incorrectly and block accessible travel paths space and access in the public ROW, this may also open the government to potential lawsuits.

Encouraged Placement

Small vehicles can be left most places with some limitations and can depend on the geographic area (e.g. only in the “furniture zone,” or more restrictions in crowded pedestrian areas like CBDs)

Pros

- Small vehicles can be left in most places which makes point to point trips easier. The program is relatively simple to understand.

Cons

- Can be difficult to inform and explain to all customers where small vehicles can be left.

Other considerations

- Cannot enforce remotely or via data, must rely on reports or inspections.

Lock-to

Small vehicles are required to be locked to a fixed object.

Pros

- Small vehicles are left in orderly fashion and do not block pedestrian access.

Cons

- Small vehicle parking opportunities may be limited. Using existing racks for shared-use small vehicles may limit supply for personal bikes.

Other considerations

- Cities may need to increase overall bike parking options, or require companies to provide small vehicle parking, in order to accommodate increased demand.



Where in the Right-of-Way?

No matter how a city chooses to regulate parking for Shared Active Transportation small vehicles, they have many options for where that parking can go.

In the Street

Small vehicles are parked within a demarcated space on the street, such as in a car-parking spot. Some cities have repurposed no-parking zones near intersections for bike and bike share parking, as they have a lower profile and do not interfere with the line of sight for pedestrians or drivers.

Pros

- Keeps small vehicles away from pedestrian movement and does not impact ADA access.
- Can improve or preserve sightlines for crossings (especially if an area where cars frequently illegally park). When considered in light of traffic safety plans, on-street bike parking can help to calm traffic (see [NACTO: Bike Share Siting Guide](#))

Cons

- May get pushback on actual or perceived removal of parking.
- If using fixed racks, companies and/or cities will need to develop maintenance agreements with local/private entities to address typical issues like trash and snow removal.

Other considerations

- Many cities choose to demarcate on-street bike parking with signage, planters, or flexible delineators to increase visibility and provide some protection from moving vehicles. (See Corrals)

On the Sidewalk

Small vehicles are parked anywhere on the sidewalk or pedestrian plazas.

Pros

- People are used to racks on sidewalks.
- Does not take car parking.

Cons

- Takes space away from pedestrians and can impede pedestrian and ADA access.
- Small vehicles can easily fall and begin to block the pedestrian clear path. Improper small vehicle parking, even by a few inches, can significantly degrade pedestrian access.
- Many sidewalks are too narrow for provide bike parking and retain 6' pedestrian clear path. (see NACTO: Bike Share Siting Guide)

Other considerations

- Bike parking on the sidewalk may encourage sidewalk riding, which is illegal for adults in many cities. A potential unintended consequence is that minor infractions, such as sidewalk riding, are often disproportionately enforced in communities of color.
- Companies will need to develop and actively publicize clear, multi-language instructions to explain to people which parts of the sidewalk are acceptable for small vehicle parking. E.g. many cities only allow small vehicles to park in the “furniture zone” (the portion of sidewalk between where people walk and the curb, often where you’ll find other street signs, street furniture, trees, parking meters, etc.) but this concept is not widely understood.

How can space be provided or marked?

Providing clarity around where small vehicles can or should be left is essential to a successful program.

Painted Boxes

Pros

- Inexpensive and quick to install with in-house crews, can put many throughout a city or district.
- Unique/interesting sidewalk treatment that provides an opportunity for branding and creativity.
- Offers some predictability to Shared Active Transportation systems. Multiple companies can and should share the same space.

Cons

- Paint will wear out over time and boxes may be less clearly understood as small vehicle parking.
- May not fully address “clutter” issue as small vehicles are not locked to anything and may easily fall over or be parked outside the box.
- Some cities may find it challenging to align contractors for small jobs.
- If on the sidewalk, boxes should only be considered on wide sidewalks or places with very limited pedestrian activity.

Other considerations

- Since these will only be useful to Shared Active Transportation vehicles (as opposed to personal bikes or scooters), cities may want to require that the companies to pay the planning and materials associated with this treatment.
- Cities will have to allocate staff time to identify locations and conduct necessary outreach with communities.
- For signage, consider having a neutral color/design, or having multiple logos on each sign.
- If requiring that small vehicles only be left in boxes and/or other designated areas, follow [NACTO station density guidelines](#).



Street Corrals

Pros

- Relatively inexpensive and quick to install with in-house crews, can put many throughout a city or district.
- Easy to understand as Shared Active Transportation parking and can serve as additional parking for personal bikes as well.
- Offers predictability. Multiple companies can and should share the same racks.
- Ensures that Shared Active Transportation vehicles do not impede pedestrian clear-path or sidewalk.
- Addresses “clutter” issue.

Cons

- Typically takes parking (when placed in the street).

Other considerations

- Cities should not repurpose existing bike corrals (and racks) for Shared Active Transportation as that significantly limits bike parking availability for people using their own personal bikes.
- Cities will have to allocate staff time to identify locations and conduct necessary outreach with communities.
- Cities should consider rack costs when determining permit or license fees.
- Companies will need to guarantee maintenance or enter into a maintenance agreement with other private entity (typical issues include trash and snow removal). Cities using Street Corrals should ensure that maintenance responsibilities are spelled out in permits and licenses.
- If requiring that small vehicles only be left in corrals and/or other designated areas, follow [NACTO station density guidelines](#).



Signed Sidewalk Racks

Pros

- Relatively inexpensive and quick to install with in-house crews, can put many throughout a city or district.
- Easy to understand as Shared Active Transportation parking and can serve as additional parking for personal bikes as well.
- Offers predictability. Multiple companies can and should share the same racks.
- Addresses “clutter” issue.

Cons

- Only viable on wide sidewalks or places with very limited pedestrian activity.

Other considerations

- Cities should not repurpose existing bike corrals (and racks) for Shared Active Transportation as that significantly limits bike parking availability for people using their own personal bikes.
- Cities will have to allocate staff time to identify locations and conduct necessary outreach with communities.
- If racks are only meant for Shared Active Transportation vehicles (as opposed to personal bikes or scooters), cities may want to require that the companies pay for the planning and materials associated with this treatment.
- Cities should consider rack costs when determining permit or license fees.
- For signage, consider having a neutral color/design, or having multiple logos on each sign.
- If requiring that small vehicles only be left at racks and/or other designated areas, follow [NACTO station density guidelines](#).



Geo-Fencing

Pros

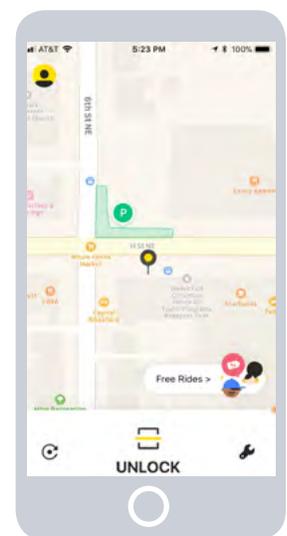
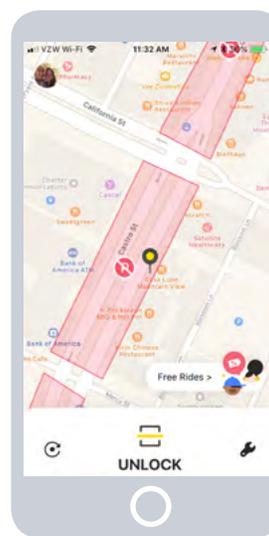
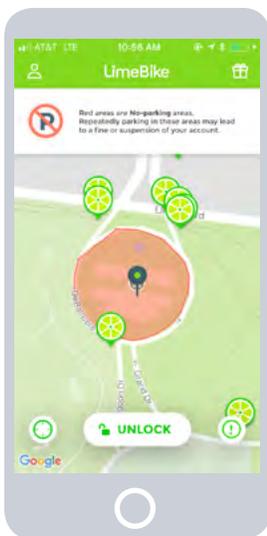
- Requires no physical installation of equipment
- Provides some control over parking where conflicts are likely to occur (i.e. high pedestrian traffic areas, aesthetically-focused landmarks)
- Can easily designate large areas where small vehicles are not allowed (e.g., neighboring municipalities, campuses)

Cons

- Accuracy is limited and insufficient to assess compliance on a street level. There have been numerous issues reported with app and data accuracy – “ghost” or missing bikes, more bikes than shown on the app, bikes not where the app shows them to be etc.
- User must open app when ending ride to look for geo-fenced areas. Opening the app is not currently required to end the ride, so user may not do this.
- Does not address “clutter” concerns.

Other considerations

- The accuracy limitations make geo-fencing a better tool for assessing neighborhood-level behavior, not exact street location.
- Companies must explain to users how and where geo-fencing is used (e.g., via app notifications, in-app map, email/text notification, language on bikes, signage on streets)
- If requiring that small vehicles only be left at geo-fenced areas and/or other designated areas, follow [NACTO station density guidelines](#).



Community Engagement and Equity Programs

In order to meet the mobility needs of their residents, cities with Shared Active Transportation systems must also focus policies and programs that ensure that these transportation systems are understood and can be used by all. Today, most cities and local governments require Shared Active Transportation companies operating in the public right-of-way to participate in public engagement efforts and provide pricing options that address the needs of low-income residents. This focus on equity, and developing appropriate programs and policies, make it possible for Shared Active Transportation to provide real transportation options to all residents.

Regardless of technology or operator, introducing or expanding Shared Active Transportation options provides cities with opportunities to develop, require, and fund necessary equity and engagement programming that can increase ridership and help meet mobility needs. In contract-based systems and those developed through competitive procurement processes, meaningful engagement programming can be achieved through contract language or agreements within a robust public-private partnership. In permit or license-based systems, milestones and incentives may be an effective mechanism. For example, the St. Louis permit does not allow Shared Active Transportation companies to expand their fleets unless certain equity-focused programming is developed and implemented.

This section provides an overview of discount and engagement programs and policies that cities should consider as they manage Shared Active Transportation companies operating in their jurisdictions. More information is available in publications produced by the [Better Bike Share Partnership](#).

Discount Programs

While there are many kinds of price discounts (e.g. student discounts, employee discounts etc.), equity-focused discounts are designed to reduce prices for low-income individuals. **Verification of who is low-income may be done in a variety of ways but all require strong coordination between government and the private sector.**

Tips for Income Verification

- Verification should be done in a fashion that is easy and fair (e.g. minimal steps, not subjective, does not take longer than a few minutes) for both the applicant and administrator.
- Verification should not require individuals to share personal information via unsecure methods, such as sending personal information or documents via email.
- The presence of income-based discounts, and what information is needed to qualify for them should be clear, well publicized, and available in, at a minimum, all languages required by the city.

Examples of Income-Based Discount Program Mechanisms:

- **Government Benefit ID (e.g. SNAP, TANF, WIC)**
Examples:
[Philadelphia Indego AccessPass](#)
[Detroit MoGo AccessPass](#)
[Metro-Boston Blue Bikes Income-Eligible Program](#)
[SFMTA Muni Lifeline Transit Pass for GoBike](#)
- **Proof of Public Housing residence**
Examples:
[New York and Jersey City Citi Bike NYCHA and JCHA discount](#)
- **Community Development Credit Union membership**
Examples:
[Washington DC Capital Bike Share Bank on DC program](#)
[NYC Citi Bike CDCU discount program](#)
- **Discount code distributed via designated community groups or service providers**
Examples:
[Portland OR's Biketown for All](#)
[Capital Bikeshare Community Partners Program](#)
- **In-person or phone verification**
Examples:
[Metro-Boston Blue Bikes Guided Enrollment](#)
[Bay Area Ford GoBike Bike Share for All Program](#)

In addition to providing reduce fares, some station-based systems, such as Philadelphia's Indego Bike Share and Detroit's MoGo Bike Share have developed [cash-payment options](#) via [PayNearMe](#) to address disparities in credit card access. Some "dockless" systems have also developed a cash-payment option for their services but, to date, they require income verification processes that put customers' personal information at risk (e.g. require customers to email copies of their photo ID, name, and proof of low income status, such as EBT card).

For systems that rely on smartphones to locate and unlock bikes, cities may want to require companies to develop options for people who do not have smartphones.

Engagement Programs

As new mobility options emerge, cities may want to require companies to provide community engagement and education programming to offset the burden to the city of explaining what is going on. Cities should also ensure that education and engagement efforts are provided in all the languages commonly spoken in the area.

Examples of education and engagement programming include:

- Company participation or attendance at public events and meetings
- Company participation or attendance at community-led events or gatherings
- Company participation or provision of bike education classes, distributed equitably throughout all neighborhoods
- Companies partner with job-training programs, youth programs
- Multilingual mobile app and/or other interfaces, as applicable
- Companies pursue grants with municipal and/or non-profit organizations to develop ambassador programs

State of Practice

Fleet Size and Service Area

In order to ensure that Shared Active Transportation Companies provide a reliable, convenient transportation option for citizens, cities should consider how many small vehicles should be made available. Unfortunately, Shared Active Transportation is still too new for there to be a set standard for determining the appropriate number. This section provides an at-a-glance look at how different cities are approaching fleet sizes as of early summer 2018. It will be updated and expanded into explicit guidance as this field develops.

To date, cities have employed a variety of metrics to determine appropriate small vehicle fleet sizes, including bikes per 1,000 residents, bikes per 100 residents, or total number of small vehicles that can be effectively managed by city staff. In determining fleet sizes and coverage areas, cities should consider what geographic areas they want to serve, what number of small vehicles would be necessary to provide a meaningful transportation service, and their internal staffing and oversight capacity.

In addition, many cities have developed permits that phase in Shared Active Transportation small vehicle fleets, either over time to allow cities and companies to adjust (x bikes allowed in month one, y bikes allowed in month 2) or by requiring companies to meet basic service thresholds (e.g. 2 rides/bike/day, or development of community engagement programming) in order to expand.

Allowed Fleet Sizes in the US as of June 2018

City	Type	Status	Min # bikes/ Company	Max # bikes/ Company	Phasing & Expansion	Equity Programming	Notes
Austin	License	Approved	n/a	500	Companies must begin with 500 bikes. Can increase by increments of 250 bikes, upon City approval, if they operate outside of downtown core and the insurance bond is increased. Must reach 2 rbd per zone by August 1, 2018 or reduce fleet size.	n/a	Dockless units must be able to be locked to a fixed object or have a haptic (sensory) response indicating compliance with parking regulations.

Allowed Fleet Sizes in the US as of June 2018

City	Type	Status	Min # bikes/ Company	Max # bikes/ Company	Phasing & Expansion	Equity Programming	Notes
Boulder	Permit	Approved (pilot)	n/a	100 initial deployment. 150 if e-bikes or adaptive bikes are included in fleet.	Fleet size may increase by 10-20% on a quarterly basis if operator meets key performance indicators. Demand based cap of each fleet at 2 r/b/d.	n/a	“Lock To” bikes only - must be (un)locked to a bike rack before and after each use.
Charlotte	Permit	Approved (pilot)	200 bikes and/or 50 e-scooters	500 and/or 300 e-scooters	CDOT will evaluate the ability to phase-in an expanded fleet throughout the term of the pilot.	n/a	Should a permitted operator chose to deploy bikes and e-scooters, they can have maximum fleet of 100 e-scooters. If a permitted operator only deploys e-scooters, they can have maximum fleet of 300 e-scooters.
Chicago	Pilot	Approved (pilot)	n/a	350	350	n/a	Current wheel-lock vendors - up to 50 bikes for the duration of the pilot. Lock-to vendors - up to 350 bikes for duration of pilot.
Dallas	Ordinance	Pending	n/a	n/a	n/a	n/a	n/a

Allowed Fleet Sizes in the US as of June 2018

City	Type	Status	Min # bikes/ Company	Max # bikes/ Company	Phasing & Expansion	Equity Programming	Notes
Denver	Pilot	Approved	n/a	Up to 400 (bikes/e-bikes) Up to 250 (e-scooters and others)	Possibility of scaling fleet size to be determined by the Department of Public Works, based on utilization data, performance and operational outcomes.	Bikes/e-bikes: operators can increase to 500 if they guarantee that 100 will stay within designated "opportunity areas." E-scooters/ other approved: operators can increase to 350 if they guarantee that 100 will stay within designated "opportunity areas."	Painted dockless parking zones will be required to be installed and maintained by permitted operators.
Durham		Approved	n/a	n/a	n/a	n/a	Operators allowed to determine fleet size at application. Director has right to limit if needed.

Allowed Fleet Sizes in the US as of June 2018

City	Type	Status	Min # bikes/ Company	Max # bikes/ Company	Phasing & Expansion	Equity Programming	Notes
Los Angeles	Permit	Pending	500	3000	Companies must provide a minimum of 500 bikes within 4 weeks of permit issuance. Justification and approval required for increase fleet size.	Operators are allowed up to 2,500 additional vehicles in disadvantaged communities; operators may be allowed up to 5,000 additional vehicles in disadvantaged communities in the San Fernando Valley.	If fleet is 100% non-electric adaptive bikes, there is no minimum fleet size. If fleet is mixed (bikes, e-bikes, e-scooters + adaptive bikes), 500-vehicle minimum applies. At least 50% of fleet shall be e-bikes.
Minneapolis	Contract	Approved	1,500 in 2018	n/a	Licensee must give City at least 14 day written notice of any fleet size change. Can add 1,500 bikes in 2019, plus potential 1-for-1 replacement of docked bikes above and beyond that 1,500. If performance targets are met, can add 1,500 in 2020 and 2021.	n/a	The first site planned dockless system, using geo-fencing and a combination of signage/striping/safety devices. The City is coordinating with Nice Ride regarding station placement options in right of way and on private property.

Allowed Fleet Sizes in the US as of June 2018

City	Type	Status	Min # bikes/ Company	Max # bikes/ Company	Phasing & Expansion	Equity Programming	Notes
New York City	Demonstration	Approved (Demonstration)	n/a	n/a	Bikes must be placed in 1 of 4 city-defined zones, companies are limited to a specific zone.	n/a	n/a
Palo Alto	Permit	Approved	100	City Manager to designate	n/a	n/a	n/a
Philadelphia	n/a	Pending	n/a	n/a	n/a	n/a	n/a
Sacramento	Permit	Approved	n/a	n/a	Allowed through an expansion permit process (and fee)	n/a	n/a
San Francisco	Permit	Approved	n/a	n/a	The permit allows Jump to roll out 250 e-bikes initially and 250 more after nine months if the city approves.	n/a	Permit requires JUMP bikes to be locked to bike racks (not signs) and no more than one bike per rack.
Seattle	Permit	Approved	500	no cap	Companies may provide up to 500 bicycles first month of the pilot, 1,000 second month of the pilot, and 2,000 the third month. Beyond 3 months, companies can expand beyond 2,000 bikes assuming all other requirements are met.	Fleets over 2,000 bicycles must include Tier 1 Priority Hire neighborhoods in 20% or more of their service area.	n/a

Allowed Fleet Sizes in the US as of June 2018

City	Type	Status	Min # bikes/ Company	Max # bikes/ Company	Phasing & Expansion	Equity Programming	Notes
St. Louis	Permit	Approved	500	2,500	Companies may provide a maximum of 750 bikes in month one, then an increase of 350 each month thereafter until the cap of 2,500	With City approval, may go above 2,500 if rbd is increasing and education and social equity plan is implemented	n/a
Washington DC	Pilot	Approved (pilot)	50	400	n/a	n/a	n/a

Small Vehicle Distribution

In order to provide reliable service, companies must ensure that small vehicles are appropriately distributed across the service area. There is not currently a regulatory standard for cities to use to ensure that companies provide a minimum level of service. This section provides an at-a-glance look at how different cities are approaching small vehicle distribution and rebalancing as of early summer 2018. It will be updated and expanded into explicit guidance as this field develops.

To date, cities have employed a variety of metrics to determine how small vehicles are distributed throughout service areas. These include limiting the number of small vehicles/company that can be located on any block face, requiring that small vehicles that have not moved in 7 days be relocated, requiring that companies deploy more staff at peak hours, defining geographic zones with maximum and minimum numbers of small vehicles, and requiring a certain number of percentage of the fleet that must be maintained in neighborhoods targeted for social equity needs.

Because Shared Active Transportation small vehicles move around cities and app data is not fully reliable, distribution enforcement is difficult. Many cities have taken a manual, spot-check approach, tasking community advocates, staff, and interns to do “spot checks” on a regular weekly or monthly basis to count all the small vehicles and identify where they are on the app. Some cities also use customer or citizen complaints.

Approaches to Small Vehicle Distribution in the US as of June 2018

City	Status	Distribution	Damaged or Stagnant Vehicles
Austin	Approved	Licensee must monitor distribution of available vehicles according to the City parameters. City may reduce allowed # of vehicles based on the overall number of vehicles concentrated within a specific area.	Operators must remove unsafe/inoperable vehicle within 4 hours of notification.
Boulder	Approved	Operators must distribute bikes throughout the city - specific locations are identified in City Manager Rules, which include transit stops. Operators shall relocate or rebalance shared bicycles within 2 hours of receiving a request from the city.	Operators must remove unsafe/inoperable vehicle within 24 hours of notification by any means to the operator by any individual or entity.
Charlotte	Approved (pilot)	When deploying or rebalancing, operators shall not place more than three bicycles and two e-scooters on a block face	Operators must address improperly parked vehicles within 2 hours of notification at all times. City has the right to remove any and all such bikes that are not remedied in accordance with the provisions outlined. Operators are responsible for all costs to the City for improper parking, bike removal, public safety or property damage.

Approaches to Small Vehicle Distribution in the US as of June 2018

City	Status	Distribution	Damaged or Stagnant Vehicles
Chicago	Approved (pilot)	Goal of redistribution is to ensure customers have reasonable and consistent access to vehicles throughout the service area. Rebalancing must ensure that at least 15% of a vendor's fleet is available in each quarter of the pilot service area, according to the Equitable Distribution Map.	Vendors are required to remedy any bikes that are not parked lawfully or in accordance with the conditions attached to the issuance of the emerging business permit within 2 hours of the report, 24 hours a day, 7 days a week. The City has the right to remove any and all such bikes that are not remedied in accordance with the provisions outlined. Vendors incur all costs to the City for improper parking, bike removal, public safety or property damage.
Dallas	Pending	n/a	Operators must remove unsafe/inoperable vehicle within 24 hours of notification from the director. Vehicles in a residential areas may remain in the same location for up to 48 hours if correctly parked. Operators must remove vehicle parked in a residential area after receiving a citizen request or complaint within 2 hours weekdays 6AM - 6PM, and within 12 hours all other times.
Denver	Approved	<p>City has created map with 3 zones to guide vehicle placement and distribution - City Core, Opportunity Areas, High Opportunity Areas. City Core - Operators can place vehicles in painted parking zones.</p> <p>Opportunity Areas - Operators participating in pilot incentive program must place bikes in these areas to meet incentive requirements and increase fleet size.</p> <p>High Opportunity Areas (subset of Opportunity Areas) - highest need areas; vehicles placed here will also meet incentive requirements for increased fleet size.</p> <p>Operators must "rebalance" vehicles back to transit and bus stops throughout the day and "reset" the vehicles back to these locations no later than 7AM daily. Operators participating in Opportunity Area incentive must relocate vehicles back to designated Opportunity Areas at least once per day.</p>	Operators must remove unsafe/inoperable vehicle within 24 hours of notification. Failure to do so may result in the revocation of a permit.

Approaches to Small Vehicle Distribution in the US as of June 2018

City	Status	Distribution	Damaged or Stagnant Vehicles
Durham	Approved	Operators must rebalance bikes daily and may not discriminate against low and moderate income residents. Operators must deploy and maintain a sufficient number of bicycles to satisfy customer demand within census tracts of low median income areas of the city as defined in their permit and determined by the director. At least 20% of bikes will be located on a daily average in the following census tracts: (designated in permit).	Operators must remove unsafe/inoperable vehicle within 24 hours of notification. Vehicles must be repaired before being put back into service. Bicycles will not be parked in one location for more than 7 consecutive days.
Los Angeles	Pending	n/a	Operators must remove unsafe/inoperable vehicle within 24 hours of notification. Failure to do so may result in the revocation of a permit. Vehicles must be repaired before being put back into service.
Minneapolis	Approved	The goal of rebalancing is to maintain a reasonable minimum share of the fleet distributed throughout the City taking into account residential density, employment density, visitor activity level, and equity; The Public Works Director, in their sole discretion, may request Licensee to rebalance the distribution of the Bicycle Fleet in specified areas if deemed too dense or too sparse, or if doing so will help promote equitable access to and from traditionally underserved areas within the City. Licensee will use best efforts to comply with such requests within 24 hours.	Operators must remove unsafe/inoperable vehicle within 24 hours of notification. Vehicles must be repaired before being put back into service. Bicycles will not be parked in one location for more than 7 consecutive days.
New York City	Approved (pilot)	Companies are restricted to one of 4 city defined zones. Bikes must stay in designated service area.	n/a

Approaches to Small Vehicle Distribution in the US as of June 2018

City	Status	Distribution	Damaged or Stagnant Vehicles
Palo Alto	Approved	At no time shall more than fifty percent (50%) of a permittee's free-floating bicycles be located in the Downtown or California Avenue business districts, as defined in Exhibit A. Permittees shall provide City staff with a direct contact to a representative who is capable of rebalancing the locations of free-floating bicycles within the City of Palo Alto.	In the event a bicycle, electric-assist bicycle, and/or electric scooter is parked in one location for more than 72 hours without moving, it may be removed by City and taken to a City facility for storage at the expense of the Permittee. In the event a safety or maintenance issue is reported for a specific bicycle, that bicycle shall immediately be made unavailable to users and shall be removed within the timeframes provided herein and shall be repaired before it is put back into service.
Philadelphia	Pending	n/a	n/a
Sacramento	Approved	Applicants must submit a Rebalancing and Relocation Plan including how the provider will redistribute bicycles to high use areas within peak operating hours	Operators must remove any vehicle that is unsafe/inoperable, improperly parked, not at a bike rack, or blocking pedestrian access within 2 hours of notification.
San Francisco	Approved	Operator must monitor distribution of bicycles available to customers according to parameters required by the SFMTA. At a minimum, the density of bicycles in the designated service area shall not fall below at least 3 bicycles per square mile for more than 10 consecutive minutes between the hours of 6:00 am and 10:00 pm, 7 days a week. At least 20% of overall bicycle availability shall be maintained within groups of census tracts designated as "communities of concern" (CoCs) by the Metropolitan Transportation Commission, calculated by the total number of bicycles located in CoCs multiplied by the minutes they are available for hire between the hours of 6:00 am and 10:00 pm, divided by the total number of bicycles in service times minutes available throughout the service area.	Operators must remove unsafe/inoperable vehicle within 24 hours of notification. Vehicles must be repaired before being put back into service.

Approaches to Small Vehicle Distribution in the US as of June 2018

City	Status	Distribution	Damaged or Stagnant Vehicles
Seattle	Approved	Companies may not exceed 340 bikes/sq mile. Fleets geater than 2,000 bicycles must include Tier 1 Priority Hire neighborhoods in 20% or more of their service area.	Operators must remove unsafe/inoperable vehicle within 24 hours of notification. Bicycles will not be parked in one location for more than 7 consecutive days. Companies shall relocate or rebalance bikes within 2 hours of notification from 6am-6pm on weekdays, and 10 hours of notification all other times.
St. Louis	Approved	Operators will rebalance bikes to improve usage and spread/social equity outcomes. At least 20% of bikes will be located on a daily average in the Bike Share Social Equity and Inclusion Target Neighborhoods. At least 1.5% of bikes will be located on a daily average in each of these neighborhood groupings.	Operators must evaluate and/or remove any vehicle that is parked in one location for more than 7 consecutive days upon notice. If the vehicle is not removed by the Operator, the City may remove it and take it to a City facility for storage at Operator's expense.
Washington DC	Approved (pilot)	Permit holder will relocate dockless sharing vehicles to eliminate an over-concentration of dockless sharing vehicles within 2 hours if notified by the District of public access and safety concerns.	Permit holder will remove improperly parked dockless sharing vehicles in accordance with local law and without prior notice from the District of Columbia, within 2 hours of notification, including notification.

Fees and Pricing

Cities should ensure that the full cost of regulating and managing Shared Active Transportation companies is considered when setting fees.

Cities may choose to waive aspects of the permit fee as applicable. Some permit fees may not be applicable when systems are developed a part of a formal public-private partnership, a city-initiated RFP or public process, or when other cost-sharing or equipment ownership or service agreements are in place.

Cities typically incur the following costs in managing or regulating Shared Active Transportation:

Administration & Oversight Costs

- Reviewing application
- Ensuring permit compliance
- Analyzing and assessing data
- Responding to public complaints
- City liability insurance

Direct Costs

- Removing broken, damaged, and/or incorrectly parked small vehicles if the companies can't/won't
- Purchase and installation of physical infrastructure related to the system (e.g., racks, thermoplastic markings)
- Potential reduction of available bike racks for private bikes
- Loss of public right-of-way space, especially sidewalk space

Planning and Engagement

- Planning
- Advertising/outreach/encouragement
- Assessing Compliance

Permit Fees in the US as of June 2018

City	Status	Permit/ License Fee	Application Review	Per Bike Fee	Performance Bond	Relocation /Removal	Required Infrastructure	ROW Mainte- nance & Repair	Permit Duration
Austin	Approved	\$0	\$0	\$0	\$100/bike	All costs	n/a	Included in Performance Bond	6 months

Permit Fees in the US as of June 2018

City	Status	Permit/ License Fee	Application Review	Per Bike Fee	Performance Bond	Relocation /Removal	Required Infrastructure	ROW Mainte- nance & Repair	Permit Duration
Boulder	Approved	\$3,300 (Renewal: \$1,800)	\$0	\$100	\$0	\$80/bike	1 space/bike	Included in the Relocation/ Removal guarantee	Annual
Charlotte	Approved (pilot)	\$0	\$0	\$0	\$0	All costs	n/a	All costs	Pilot ends November 1, 2018
Chicago	Approved (pilot)	\$250	\$0	\$50	\$0	\$0	n/a	Included in Insurance Policy	Pilot ends November 1, 2018
Dallas	Pending	\$1,620 - \$48,600 (Renewal Fee: \$404)	\$808	\$21	\$10,000	All costs	n/a	All costs	6 months
Denver	Approved (pilot)	\$15,000 (bikes/e- bikes) \$15,000 (e-scooters and other)	\$150 per permit application	n/a	\$20 per bike/e-bikes \$30 e-scoot- ers and other vehicles	Inlcuded in Perfor- mance Bond	n/a	Inlcuded in Performance Bond	1 year
Durham	Approved	\$250	\$0	\$10/bike	\$0	\$50/bike	n/a	All costs	

Permit Fees in the US as of June 2018

City	Status	Permit/ License Fee	Application Review	Per Bike Fee	Performance Bond	Relocation /Removal	Required Infrastructure	ROW Mainte- nance & Repair	Permit Duration
Los Angeles	Pending	\$500	\$0	\$50	\$80/Vehicle	All costs at city crew rate plus any additional storage/impound fees	All costs	All costs	Annual
Minneapolis	Approved	\$0	\$0	\$5	\$0	\$0	n/a	n/a	n/a
New York City	Approved (pilot)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Pilot ends September 2018
Palo Alto	Approved	\$0	\$0	\$0	\$0	\$0	n/a	n/a	12 months
Philadelphia	Pending	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Sacramento	Approved	\$14,480 - \$28,440 (Renewal Fee: \$12,380 - \$26,340)	n/a	\$0	\$0	All costs	1.5 spaces/bike	n/a	Annual
San Francisco (see further permit fee details)	Approved	Initial Permit Fee: \$12,208 - \$19,558 (Renewal Fee: \$9,725 - \$17,704)	\$0	\$4-\$20/bike depending on total number of bikes	\$0	All costs	1 rack/2 bikes	\$2,500/yr (10 years)	18 months (Jan 2018- June 2019)

Permit Fees in the US as of June 2018

City	Status	Permit/ License Fee	Application Review	Per Bike Fee	Performance Bond	Relocation /Removal	Required Infrastructure	ROW Mainte- nance & Repair	Permit Duration
Seattle (see further permit fee details)	Approved	\$146	\$209/hr (est. 8 hours)	\$15/bike	\$80/bike, capped at \$10,000	All costs at city crew pay rate plus 15%	n/a	n/a	12 months
St. Louis	Approved	\$500	\$0	\$10/bike	\$0	All costs	n/a	All Costs	Annual
Washington DC	Approved (pilot)	\$0	\$0	\$0	\$0	\$0	n/a	\$0	Pilot ends August 31, 2018

Equity Programming

In order to meet the mobility needs of their residents, cities with Shared Active Transportation systems must also focus policies and programs that ensure that these transportation systems are understood and can be used by all. This includes developing permit or license requirements and programming to address:

- Outreach and engagement
- Financial access
- Employment
- Access and reliability (see Allowed Fleet Size and Small Vehicle Distribution tables)

Equity Programming as of June 2018

City	Employment	Financial Access	Outreach + Engagement
Austin	n/a	<ul style="list-style-type: none"> • Licensee shall offer an affordable non-smart phone option for any customer with an income level at or below 200% of the federal poverty guidelines. 	<ul style="list-style-type: none"> • Licensee shall prepare and implement a marketing and outreach plan at its own cost to promote the use of dockless mobility in neighborhoods currently underserved by dockless mobility options.
Chicago	<ul style="list-style-type: none"> • Vendors are encouraged to hire/ use MWBE local firms, and provide a hiring plan. • The hiring plan must also include planned work with workforce development programs. 	<ul style="list-style-type: none"> • Vendors must provide a cash payment option. 	<ul style="list-style-type: none"> • Vendors are required to meet with monthly and provide reports to the Mayor's Office for People with Disabilities and other City of Chicago Staff. • Vendors must educate dockless bike users on rules of the road and proper parking. • Vendors shall implement a marketing and targeted community outreach plan at it's own cost by distributing education and outreach materials to communities in the Pilot Area. • Vendors must host one community event in the Pilot Area for education and outreach, and or present at local alderman's ward night.

Equity Programming as of June 2018

City	Employment	Financial Access	Outreach + Engagement
Denver	n/a	<ul style="list-style-type: none"> Program applicants must submit a plan outlining how their services will be available to those without smart phones or those who are under-banked/un-banked. They must also submit information regarding the rate structures that will be offered to all users. This information should include any discount programs. 	<ul style="list-style-type: none"> Permitted operators will be expected to participate in meetings with DPW staff. The meetings will discuss topics such as operations, usage, fleet size, community concerns, safety concerns and data reviews.
Durham	n/a	<ul style="list-style-type: none"> All permitted bike share operators shall provide an option for users without a smart phone and or credit card to use the bike share system. 	n/a
Los Angeles	n/a	<ul style="list-style-type: none"> Operators are required to provide a non-smart phone and non-credit card option Operators will offer a one-year low-income customer plan that waives any bicycle/e-scooter deposit and offers an affordable cash payment option and unlimited trips under 30 minutes to any customer with an income level at or below 200% of the federal poverty guideline. 	<ul style="list-style-type: none"> Operators must attend meetings with surrounding municipalities and community-based organizations as stipulated by the City to introduce the operators to them and make these communities aware of the program and how it may affect the communities.

Equity Programming as of June 2018

City	Employment	Financial Access	Outreach + Engagement
Minneapolis	<ul style="list-style-type: none"> NRM/Motivate must provide hiring goals for percentage of hours worked by people of color. The goal for each group should be at minimum proportional to the population in the service area. 	<ul style="list-style-type: none"> NRM/Motivate will offer discounted memberships to low-income individuals, non-smart-phone options such as integration with Go-To cards and cash options, geographically-based pricing capacity, and integration of other innovations as they become available. 	<ul style="list-style-type: none"> NRM/Motivate will use local ambassadors, community events, and group rides as part of their efforts to make bikeshare a resource. These programs will be evaluated annually, and representatives of local communities will be consulted in an ongoing effort to improve ridership among communities of concern.
Palo Alto	n/a	<ul style="list-style-type: none"> Permittee will offer a one-year plan that waives any program deposit and offers an affordable cash payment option and unlimited trips under 30 minutes to any customer with an income level at or below 200% of the federal poverty guidelines. 	<ul style="list-style-type: none"> Permittee will implement a marketing and targeted community outreach plan at its own cost or pay an in-lieu fee to the City of Palo Alto to provide these services and promote the use of shared mobility vehicles, particularly among low-income communities. Permittee will maintain a multilingual website with languages determined by the City of Palo Alto, call center, and mobile application that is available twenty-four hours a day, seven days a week.
San Francisco	n/a	<ul style="list-style-type: none"> Permittee will offer a one year low-income customer plan that waives any applicable bicycle deposit and offers an affordable cash payment option and unlimited trips under 30 minutes to any customer with an income level at or below 200% of the federal poverty guidelines. 	<ul style="list-style-type: none"> Permittee will implement a marketing and targeted outreach plan at its own cost or pay an in-lieu fee to the SFMTA to provide these services and promote the use of bike share citywide, particularly among low income communities. Permittee will maintain a multilingual website with languages determined by the SFMTA, call center, and app customer interface that is available twenty-four hours a day, seven days a week.

Equity Programming as of June 2018

City	Employment	Financial Access	Outreach + Engagement
St. Louis	n/a	<ul style="list-style-type: none"> • Bike Share operators are required to have a non-smart phone option to use the bike share system. • Bike Share operators are required to have a non-credit card option to use the bike share system. 	<ul style="list-style-type: none"> • Bike Share operators must meet with surrounding municipalities to make them aware of our Bike Share program and how it may affect them. • Bike Share Operators will attend an onsite meeting with the City of St. Louis staff to discuss the program and demo their bikes before a permit is to be approved.

Permit Overview

Shared Active Transportation Permits in the US as of June 2018

City & Permit URL	Status	Permit Duration
Austin	Approved	6 months
Boulder	Approved	Ordinance Sunsets Aug 2020
Charlotte	Approved (pilot)	Pilot ends November 1, 2018
Chicago	Approved (pilot)	Pilot ends November 1, 2018
Dallas	Pending	Pilot ends
Denver	Approved (pilot)	1 year
Durham	Approved	1 year
Los Angeles	Pending	Annual
Minneapolis	Approved	n/a
New York City	Approved (pilot)	Pilot ends September 2018
Palo Alto	Approved	n/a
Philadelphia	Pending	n/a
Sacramento	Approved	Annual
San Francisco (bike)	Approved	18 months (Jan 2018- June 2019)
San Francisco (scooter)	Approved	18 months (Jan 2018- June 2019)
Seattle	Approved	1 year
St. Louis	Approved	Annual
Washington DC	Approved (pilot)	Pilot ends August 31, 2018



This Guidance is made possible by the Better Bike Share Partnership. The Better Bike Share Partnership is a collaboration funded by The JPB Foundation to build equitable and replicable bike share systems. The partners include The City of Philadelphia, the Bicycle Coalition of Greater Philadelphia, the National Association of City Transportation Officials (NACTO) and the PeopleForBikes Foundation.



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Published July 2018