

Sharable Dockless Mobility Devices

2nd Council Work Session

December 6, 2018

Background

National Context:

- Late 2017 - Dockless Operators begin launching in select U.S. markets
- Early 2018 - Dockless Operators began to expand their systems nationally
- In response, Cities have either developed pilot programs, passed legislation regulating devices, or otherwise restricted operations
- Nationally, these regulatory frameworks are less than one year old



Photo Credit: The Indianapolis Star

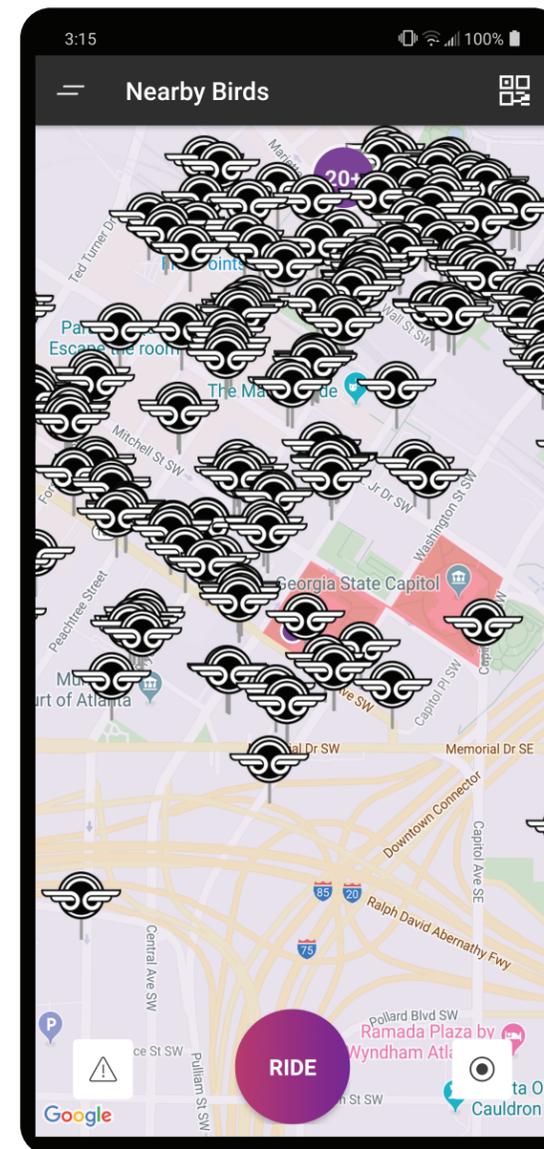
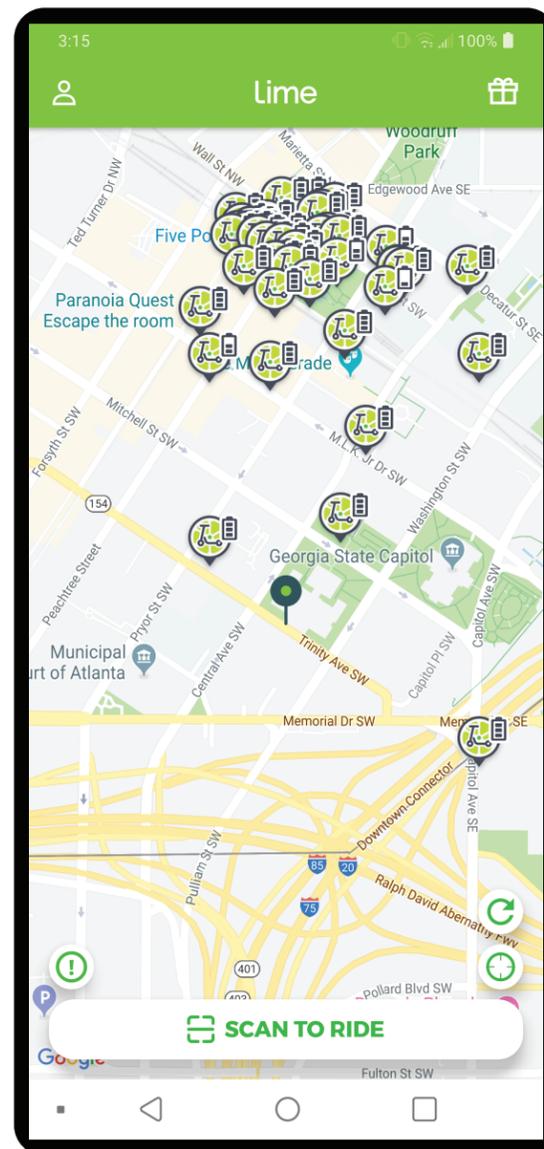
Atlanta Dockless Environment:

- Bird Scooters, Lime Scooters, and Ofo launched in May/June 2018
- Ofo withdrew from North America in July 2018
- Other companies expected to launch in Atlanta imminently

Background

How Do Shareable Dockless Mobility Systems Work?

- Step 1 - Download an app to see where nearby devices are located
- Step 2 - Devices are unlocked through the app
- Step 3 – Ride to your destination using bike lanes, shared paths, or the street
- Step 4 – Park the device carefully so that it doesn't block the sidewalk
- Step 5 – Lock the device through the app by ending the trip



Background

How Do Shareable Dockless Mobility Work?

- **5/21/2018 Draft legislation introduced by CM Bond**
DCP circulated draft legislation to broad stakeholder group
- **6/8/2018 Operator meeting at City Hall**
DCP invited operators to City Hall to proactively solicit feedback
- **7/13/2018 Council work session (w/ PSLA & Transportation Committees)**
DCP presented draft legislation to Council and public comment was documented
- **8/1/2018 Council redlining session**
DCP recommended revisions based on public feedback and national best practices
- **9/25/2018 Substitute legislation introduced**
DCP revised draft based on public and operator feedback and national best practices
DCP conducted fee study to establish the new Permit Fee for companies
- **9/25 – 11/9/2018**
Forty-five day public comment period
Fee Study and Draft Ordinance Circulating through NPUs for 45 days
- **11/5/2018 2nd Operator meeting at City Hall**
DCP invited operators to City Hall to proactively solicit feedback on substitute legislation
- **11/13/2018 Public Hearing - draft held in committee pending 12/6 work session**

Safety & Operations *Enforcement agency – APD and DCP*

Stakeholder Feedback & Public Comment

- Devices should not be operated on sidewalks
- Users should wear helmets
- Riders need to be educated on how and where to ride
- The speed of devices should be limited
- Riders need to obey traffic laws (red lights, maintaining correct lane, etc.)
- Mixed feedback on allowing devices in parks and along the BeltLine

Treatment in Draft Ordinance

- Sidewalk riding is prohibited
- Operators must encourage helmet use. This is an arena in which the State legislates.
- Operators must educate users as a condition of the permit; City will also conduct education effort with APD
- Devices must not be capable of exceeding a motor driven speed of 15 mph
- Riders are required to obey vehicular traffic laws similar to the requirements incumbent on bicycles
- Mobility should be encouraged and difficult-to-enforce requirements should be minimized wherever possible; Devices permitted on the Beltline and in Parks.

Safety & Operations *Enforcement agency – APD and DCP*

Stakeholder Feedback & Public Comment

- Riders must not have passengers
- Riders must be 18 years old and have a valid drivers license

Treatment in Draft Ordinance

- Although currently these devices are designed for a single person, explicitly adding to the ordinance would prevent any 2-person devices
- The City cannot legally make a driver's license requirement. Without requiring a driver's license, age enforcement is difficult. This would also be inconsistent with how personally owned devices of identical technology would be governed. The onus falls on Operators to establish age requirements

Potential Additional Changes to legislation under operations

- Clarify definition to exclude devices requiring registration through the state?
- Add language to clarify that these devices cannot be used by 3rd party advertisers?
- Empower City to identify no-ride zones on a temporary or semi-permanent basis through administrative regulations?
- Empower the City to establish requirements related to Operator's use of emerging technological innovations?

Parking *Enforcement agency – DPW and DCP*

Stakeholder Feedback & Public Comment

- Mixed feedback on requiring devices to lock to a fixed object (e.g. bike rack)
- The City needs to remove improperly parked devices
- Sidewalks, ADA ramps, etc. must not be blocked by parked devices

Treatment in Draft Ordinance

- Sidewalks and property need to be kept clear and placing an undue burden on Operator's whose devices do not have locking capabilities should be avoided; No lock-to-fixed-object requirement at this time
- The City is empowered to impound devices, fine companies, and suspend or revoke permits
- Operators and users must park devices upright and in a way that maintains a minimum of 5' of clear pedestrian passage (consistent with ADA req's)

Parking *Enforcement agency – DPW and DCP*

Stakeholder Feedback & Public Comment

- The City should establish parking/no-parking areas
- Operators need to be held accountable for improperly parked devices

Treatment in Draft Ordinance

- The City has retained the right to do so through administrative regulations
- Parking violations can result in citation, impounding, permit suspension, or permit revocation.

Potential Additional Changes to legislation under operations

- Clarify language “The City reserves the right to **cite**, impound, ~~and~~ store, **and dispose of** improperly parked devices at the operator’s expense.”

Fleet Capping *Enforcement agency – DCP*

Stakeholder Feedback & Public Comment

- Maximum number of permitted devices (fleet cap) should be flexible
- Fleet caps should be per operator based on device utilization
- The proposed permitting fees should be increased

Treatment in Draft Ordinance

- The ordinance does not include a maximum fleet size. The administrative regulations are empowered to determine a maximum cap as necessary
- This has been identified as problematic from a legal standpoint. The City can establish a single cap to ensure equal treatment amongst operators. This cap can be adjusted per the administrative regulations.
- A fee study was conducted to evaluate the costs of the program and the permit fees are set based on that cost recovery. DCP will monitor the program closely and report back to council after one year to recommend any updates to the ordinance or fee structure.

Equity Enforcement agency – DCP

Stakeholder Feedback & Public Comment

- Devices should be distributed equitably across the City
- Operators need to provide non-credit card and non-smart phone options

Treatment in Draft Ordinance

- The City is requiring a portion of the fleet be distributed in City-defined Equity Zones
- The city is requiring non-credit card and non-smart phone options.

Data Sharing *Enforcement agency – DCP*

Stakeholder Feedback & Public Comment

- Operators should provide city with an anonymized trip-level data feed
- The City's data requirements should adhere to the Mobility Data Standard (MDS)
- The City should require Operators to provide summary statistics for parking complaints, relocations, problematic user behavior, etc.

Treatment in Draft Ordinance

- The City is requiring anonymized data feeds and monthly data reporting from Operators
- The MDS has emerged as the national best practice in mobility data reporting, providing cities with robust data for planning and compliance enforcement, while benefitting Operators by providing them only one standard with which to conform. The administrative regulations will establish the MDS as the required data feed specification.
- The City is empowered to request this type of information through monthly reports

Potential Additional Changes to legislation under operations

- Continue to require monthly reporting, but establish monthly deadline through administrative regulations

Conclusion

- These devices have entered Cities incredibly quickly and have forced Cities across the country - including Atlanta - to be very reactive
- Bird/Lime have been operating in Atlanta for over six months with no real regulations or enforcement mechanisms
- The proposed legislation has been circulated for public comment and:
 - Mirrors national best practices
 - Received and responds to robust operator feedback and public comment
 - Empowers administrative regulations to allow the flexibility needed to respond to the rapidly evolving marketplace
 - Requires DCP to present program evaluation to Council after 1-year
- Staff recommendation to have active permit process in place before the Super Bowl due to enforcement concerns