



## Administrative Regulations for Shareable Dockless Mobility Device 2020 Annual Permit Holders

Effective for all Permits issued on or after June 1, 2020.

### I. Introduction

The purpose of the Administrative Regulations is to provide a set of rules and regulations to be adhered to by all Shareable Dockless Mobility Device Permit holders per City of Atlanta Code of Ordinances (City Code) Sections 150-400, et seq. These regulations are designed to provide the flexibility needed to respond and quickly adapt to the changing mobility environment.

These regulations are subject to amendment as the City works with Operators to make data-driven decisions prioritizing public safety and accessibility. A key to the success of the Shareable Dockless Mobility Device Permit is an open dialogue between the City and Operators in which Operators are responsive to concerns relating to public safety and accessibility of the public-right-of-way.

The Guiding Principles of the Shareable Dockless Mobility Program will be posted online.

### II. Definitions

- a. "Administrator" shall mean the Commissioner of the Department of Transportation or their designee.
- b. "Operator(s)" shall mean any person or business meeting the definition of "Dockless Mobility Device System Operator" as established in City Code Section 150-400.
- c. "Permit(s)" & "Permitting" shall refer to the "Shareable Dockless Mobility Device Permit" as defined in City Code Section 150-400.
- d. "Device(s)" shall mean any permitted transportation device defined as a "Shareable Dockless Mobility Device" in City Code Section 150-400.

### III. Shareable Dockless Mobility Device Permit

- a. Annual Permit. A limited number of Annual Permits will be issued by the Administrator. Limited numbers of permits are necessary due to the limited right-of-way in the city, Atlanta's unique density and land use patterns, and the ability of operators and the city to manage the program. Approved Annual Permits will be valid for a period of one year from the date of issuance.
  1. Application Process.
    - i. Annual Permit Applications and the Scoring Criteria will be posted online. Interested Operators will submit an application to the Administrator. Completed applications will be reviewed to determine if they meet all permit qualifications. All qualified applicants will be scored by the Application Review Panel according to the scoring criteria posted online with the permit application.
    - ii. Awarding of Annual Permits will be at the discretion of the Administrator based on alignment with guiding principles and overall application score. The two Operators with the highest scoring applications will be selected to receive annual permits. Up to two additional Operators may be selected based on permit score, unique device type, innovative offerings, or other operational elements that strongly support the program's Guiding Principles.
    - iii. Annual Permits will only be awarded to one member of a subsidiary family or franchising collaborative.



- iv. Application Submission Period. The Annual Permit Application Schedule will be posted online.
- 2. Awarded Operators. After notification of the Permit awards, selected Operators must provide the following before a valid permit may be issued.
  - i. Performance Bond.
    - 1. A \$10,000 performance bond per the form posted online.
    - 2. Bond Fund Deductions. The Administrator shall provide written notice to Operator prior to making a deduction from any bonds stating the reasons for and the amount of the deduction and advising the Operator that any objection must be submitted, in writing, no later than seven (7) business days after the date of the written notice. Any decision adverse to the Operator shall be in writing and shall set forth the reasons for denying the objection and shall be sent to the Operator three (3) days before a deduction is made.
  - ii. Insurance & Indemnification. Operators shall procure and maintain insurance against claims for which the Operator has indemnified the City for the duration of the Permit. Operator shall maintain General Liability limits no less than One Million Dollars (\$1,000,000.00) per occurrence for bodily injury, personal injury and property damage, and with an aggregate limit not less than Two Million Dollars (\$2,000,000.00). Each insurance policy shall name the City as an additional insured and it shall be endorsed to state that: (i) coverage shall not be suspended, voided, or cancelled by either party, or reduced in coverage or in limits except after thirty (30) calendar days prior written notice by certified mail, return receipt requested, has been given to City; and (ii) for any covered claims, the Operator's insurance coverage shall be primary insurance as respects the City and any insurance or self-insurance maintained by the City shall not contribute with it. The insurance required to be provided herein, shall have an A.M. Best Rating not less than A- and not less than Class VII.
  - iii. Annual Permit Fee.
  - iv. Official relinquishment of any previous Shareable Dockless Mobility Device permits held in the City of Atlanta.
- 3. Permit Denials. Where the Administrator denies an application for a permit or issues a permit with modifications, the Administrator shall issue a notice of denial to the applicant by email, which shall include a statement of the grounds for denial, or a notice of a permit granted with modifications, which shall include the grounds for the modification.
- 4. Annual Permit Fee. Unless an alternate payment arrangement is made by the Administrator in writing, Operators must pay all permit fees prior to the issuance of a valid permit. The City will not refund any fees for Devices that are required to be removed from deployment. The Permit costs include the following:
  - i. Permit Application Fee is \$100
  - ii. Shareable Dockless Mobility Device Permit fee is \$12,000 annually for up to 500 Devices
  - iii. Additional per Device fee for Devices over 500 is \$50 per Device annually

For example, the fee for Permitting 750 Devices would be:

\$100	Application Fee
+ \$12,000	Permit Fee for first 500 Devices
+ \$50 x 250	Additional Devices
<hr style="width: 100%;"/>	
= \$24,600	to Permit 750 Devices
- 5. Changes to Permit Assumptions. Operators will be responsible for informing the City within 48 hours of any operational changes or technology modifications that may differ from what was



presented as part of the Annual Permit Application. This includes changes to new fleet models, fleet specification or logo modifications, changes to software technology that affect compliance, pricing or incentive structures, service area, membership options, critical staff additions or losses, changes to insurance, and other changes.

- 6. Launch Deadline. Operators awarded an annual permit are required to launch 350 of each permitted device type within 30 days of receiving a valid permit. Operators that have not launched the minimum fleet size by the deadline may have their annual permits suspended or revoked.
  
- b. Sub-Permit. The Administrator may establish Sub-Permits to expand Operator fleet sizes for a specific number of devices, device types, and time period. This will allow the City to monitor public safety while also allowing Operators to increase the size of their fleets over time to meet demand. The Administrator will heavily consider market needs, overall utilization rates, overall performance and regulatory compliance, capacity of the right-of-way, and other factors in establishing any Sub-Permits. Prior to any Sub-Permit expiration, the Administrator may establish any subsequent sub-permits as appropriate. Annual Permit holders are responsible for removing any temporarily permitted Devices from the City’s ROW prior to the expiration of any sub-permits.
  - 1. Application. Applications shall be approved or denied by the Administrator. The Sub-Permit Application and process will be posted online, and all Annual Permit holders will be notified directly and instructed on how to apply. Review and approval of Sub-Permit applications may be based on prior operational performance and compliance. Operators with a valid Sub-Permit may deploy their fleet based on Sub-Permit specifications.
  - 2. Sub-Permit Fee.
    - i. Per Device fees for any Devices permitted through a Sub-Permit will be prorated at a rate of \$4.17 per Device per month
    - ii. Fees must be paid in full prior to the issuance of the Sub-Permit for additional devices.
    - iii. The City will not refund any fees for Devices that are required to be removed from deployment.

#### IV. Device and Mobile Application Standards

All Devices shall comply with all applicable state law and design standards described in the Code of Federal Regulations and by the International Organization for Standardization.

- a. Lighting
  - 1. All permitted shareable dockless mobility devices shall be equipped with lighting equipment that meets the below requirements:
    - i. A minimum of one white headlight or headlamp visible from at least 500 feet to the front of the shareable dockless mobility device,
    - ii. A minimum of one red rear reflector visible from at least 600 feet from the rear when directly in front of lawful lower beams of headlights on a motor vehicle
    - iii. A minimum of one rear red light visible from at least 500 feet from the rear
    - iv. All lights shall be illuminated in a solid state without flashing for the entire duration of the rental regardless of whether the device is in motion.
- b. Wheel size. Wheels shall be no less than ~~10~~ 9 inches in diameter.
- c. Motor Driven Speed. All motor driven devices must be equipped with a device that ensure the motor of a Device is incapable of propelling the vehicle at a motor driven speed in excess of the mandated speed limit set by the



City of Atlanta. Motor driven speeds must be able to be limited to comply with any reduced speed zones or no riding areas designated by the City of Atlanta.

- d. Geo-fencing. All Devices must be equipped with GPS technology that allows the Operator to apply specialized rules created by Administrative Zones to specific geographies. (e.g. reduced speed zones, no parking areas, no riding areas).
- e. Operators shall ensure that all permitted devices are painted the same color, such color to be chosen by the operator and approved by the department and shall have all of its devices marked with a uniform logo or insignia. Operators shall submit as part of the Annual Permit application a company logo and identification scheme. The Administrator shall approve such logos and identification scheme which are not be the same or substantially similar to any other permitted Operator's logo and identification scheme.
- f. Signage.
  1. All Devices shall have vendor contact information, including a phone number and email address, and have a unique identifier affixed to the Device per City Code Section 150-404 (f). Contact information shall be printed in an easy to read font no less than one-quarter inch in height per line of text and shall be located as near as possible to the top of the stem near the handlebars.
  2. The City of Atlanta requires Operators to include visible signage on Devices to inform users and non-users of the City regulation that devices may not be ridden on sidewalks. Information shall be printed in an easy to read font no less than one-inch (1") height per line of text.
  3. The City of Atlanta encourages Operators to include visible signage on Devices to inform users and non-users of parking and riding regulations. This could include clearly stating the following:
    - i. Follow traffic rules
    - ii. Park responsibly
  4. Operators must work with the Administrator to display temporary or semi-permanent messaging on their Devices as developed and requested by the Administrator to provide standardized City issued information to users. Operators will fabricate and display any City issued messaging at their own expense.
- g. In-App Messaging. Operators must work with the Administrator to display temporary messaging through their mobile application as developed and requested by the Administrator.

## V. Operation Standards

- a. Operational Fleet Size. Operators shall maintain a minimum fleet size of 350 devices to ensure a minimum service level.
- b. Operators shall maintain staffing and operational commitments made in the application
  1. Staffing. Permitted operators shall provide sufficient local staff to manage Atlanta program and fleet. The Administrator will review job descriptions and determine alignment with the following:
    - i. Operator provides sufficient staffing levels to proactively manage safety and organization of the public right of way.
    - ii. Operator provides sufficient management level staff to administrate a successful local program. Management level staff should be located in the Atlanta metro region.
    - iii. Operators are encouraged to work with local employment agencies to fulfill staffing needs and to staff their ROW management teams with non-contract labor as practicable.
- c. Maintenance. Operators must monitor and maintain Devices in their fleet to ensure all Devices are in good condition. Any Device determined to be inoperable for any reason, including low battery, must be taken out of service immediately and removed from the public right-of-way as soon as possible.



## VI. Administrative Zones

- a. Zones. The Administrator retains the right to designate areas as specific zone types, either on a permanent or temporary basis.
  1. Any proposed zones will be reviewed and approved by the Administrator.
  2. Zone boundaries may be accomplished through signage, painting, the use of geofencing, or any other appropriate means.
  3. The location and nature of zones will be based on city goals for the Dockless program, availability of right-of-way, parking supply/demand, special events, safety concerns, available resources, and other measures.
- b. Establishment of Zones. Any established zones will be communicated to Operators and posted online at least 10 days prior to taking effect. Mapped zones will be posted online, and geographic files will be provided directly to permitted Operators.
- c. Zones Types
  1. No Ride Zone. No device may operate inside a no-ride zone.
  2. Reduced Speed Zone. Devices inside a Reduced Speed Zone must alter their maximum allowable speed to the speed designated by the Administrator.
  3. Equity Zone. The Administrator has established Equity Zones within the City to ensure Devices are distributed to geographic areas determined to include higher concentrations of communities potentially subject to equity and environmental justice issues.
  4. Parking Zone. Parking Zones may be required to organize high demand areas or prevent parking in inappropriate locations. Parking Zone Types include:
    - i. Allowed Parking Zones. Operators may deploy up to a designated number of devices per company per zone into each Allowed Parking Zone. Operators must monitor and rebalance devices to ensure they do not exceed the allowed number of devices. The Administrator will monitor compliance, safety concerns, capacity, and other concerns and increase or decrease the number of devices allowed per company.
    - ii. No-Parking Zones. Neither Operators nor users may deploy devices, park a device, or end a trip in the No-Parking Zone.
- d. Semi-Permanent or Permanent Administrative Zones In Effect
  1. No Ride Zones
    - i. On August 9, 2019, the City of Atlanta implemented a city-wide No Ride Zone from 9:00 PM – 4:00 AM daily that is in effect until further notice. No Permitted Device shall be rentable during this time period.
  2. Reduced Speed Zones
    - i. BeltLine Eastside Trail
      - (a) On June 21, 2019 at 6:00 PM, the City of Atlanta implemented a Reduced Speed Zone that is in effect until further notice along the portion of the Atlanta BeltLine between Monroe Drive and DeKalb Avenue to ensure safe operations of devices during congested periods. The Reduced Speed Zone is in effect:
        - a. On weekday evenings (Monday – Thursday, 6:00 PM – 4:00 AM)
        - b. On weekends (from Friday at 6:00 PM until Monday at 4:00 AM)
        - c. State holidays (4:00 AM – 9:00 PM). <https://georgia.gov/popular-topic/state-holidays>
      - (b) Within the Reduced Speed Zone, motor driven Devices must not alone be capable of propelling the device in excess of 8 miles per hour.
      - (c) Operators will be provided with a geographic file defining the extents of the Reduced Speed Zone as well as recommended Transition Zone:
        - a. Reduced Speed Zone – Reduced speeds required at 8 mph or less



within 50 feet of the Atlanta BeltLine Eastside Trail from Monroe Drive to DeKalb Avenue.

- b. Recommended Transition Zone – Recommended Transition Zone within 150 feet of the trail to allow users to safely approach, enter, and cross the Reduced Speed Zone.

3. Equity Zones.

- i. The Equity Zones (Figure 1) are intended to improve access to transportation connections and employment opportunities. They are defined by the overlap of the following, with adjustments to ensure zones are continuous:

- (a) Areas of Atlanta that are well suited for dockless mobility devices as defined through the Urban neighborhoods in Atlanta City Design.
- (b) A ½ mile distance to MARTA Stations that are adjacent to the Beltline and Downtown.
- (c) A ½ mile distance to Westside and Southside BeltLine trails
- (d) Neighborhoods identified by the Atlanta Regional Commission’s Environmental Justice Model with a composite score of 9 or higher. Additional information regarding ARC’s Environmental Justice Model can be found at:

<https://atlantaregional.org/regional-equity-and-inclusion/>

- ii. The boundaries and nature of these Equity Zones may be adjusted by the Administrator on no more than a monthly basis.
- iii. Equity Zone boundaries are shown below. Permitted Operators are required to deploy a minimum of 2% of their Permitted fleet per day across each equity zone (6% total).

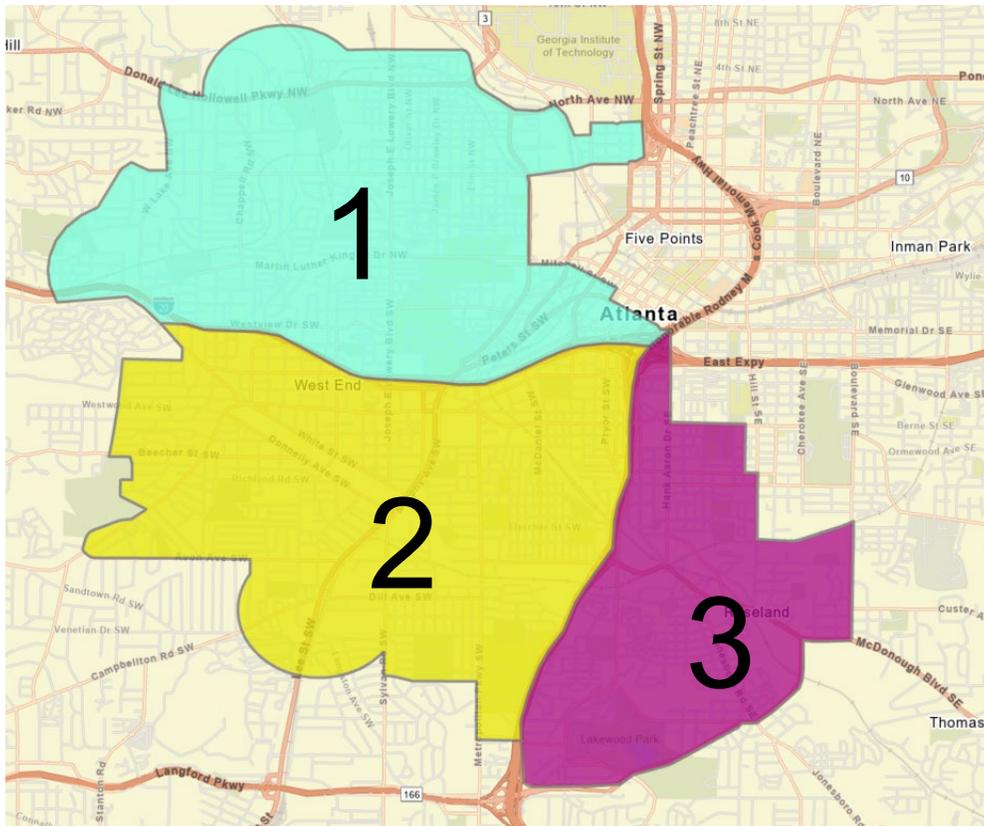


Figure 1. City of Atlanta Equity Zones



4. Parking Zones.
  - i. On July 19<sup>th</sup>, 2019, the City of Atlanta established official No Parking Zones and Allowed Parking Zones for Shareable Dockless Mobility Devices on the Atlanta BeltLine.
    - (a) BeltLine Allowed Parking Zones are identified as either Type A (allowing 20 devices per company) or Type B (allowing 10 devices per company).
  - ii. All other public land along the Atlanta Beltline is identified as a No Parking Zone.
  - iii. A map of Allowed Parking Zones will be posted online and provided to all Permitted Operators.

## VII. Community Engagement and Responsiveness

- a. Operators must work to continuously improve customer service programs and public education around rules and regulations.
  - a. Customer Service. The customer service program for each Operator must be highly responsive. The vendor contact information posted on each Device must be monitored 24 hours a day and all requests and responses must be documented. Documentation shall include the nature of the complaint including description, time of day, and address or coordinates, as well as a description and time of the resolution.
  - b. User Education. Operators must develop a user education program that informs users of the rules and regulations around parking and riding Devices. Operators should provide creative and effective education outreach programs. These programs will need to evolve over time to focus on problematic behavior and specific compliance issues. Educational programming shall include in-app/in-email education as well as non-app/non-email education outreach.
- b. User Survey. The Administrator may develop an optional user-survey for Operators to distribute to their users and report the results to the Administrator. Participating in the administration of such a survey will be voluntary on the part of Operators.

## VIII. Data Sharing and Reporting

Operators must work with the City to provide accurate data for enforcement and planning purposes.

- a. Data Sharing Agreement. Operators shall be required to sign a Data Sharing Agreement with the City.
- b. Data Specification. Operators shall be required to provide the City or its designee with accurate, privatized, and real-time data on its entire city fleet through documented Application Programming Interfaces (APIs) built to Mobility Data Specification (MDS) or similar standards. Data specifications will be communicated directly to Permitted Operators.
- c. Monthly Permit Reporting. A monthly data report will allow the City to compare summary statistics across Operators over time and provide the City with a qualitative summary of how each Company is working to ensure safe operations.
  1. The Monthly Permit Report Template will be provided to all Permitted Operators and posted on the website. This template shall be filled out completely and returned to the Administrator by the 15<sup>th</sup> of each subsequent month. The report will include:
    - i. Operations Report
      1. Monthly re-certification of Annual Permit. Provide summary of operational changes or technology modifications that may differ from what was presented as part of the Annual Permit Application. This includes changes to new fleet models, fleet specification or logo modifications, changes to software technology that



- affect compliance, pricing or incentive structure, service area, membership options, critical staff additions or losses, changes to insurance, and other changes.
2. Summary of new technological strategies (implemented or under development) to improve safety and general compliance with the ordinance and regulations
  3. Summary of other efforts in Atlanta and across the country to improve safety
- ii. User Education and Communication. List of activities to improve education around riding and parking Devices. (e.g., outreach events, in-app modifications, other strategies).
    1. Description of each activity.
    2. Estimated number of people reached.
    3. Equity Programming? [Y/N]
      - a. If yes, describe qualification.
  - iii. Ridership Report
    1. Daily (by Device type)
      - a. Total Trips
      - b. Unique Users
      - c. Max # Devices Deployed
      - d. Total Minutes Ridden
      - e. Average Trip Duration
      - f. Total Miles Ridden
      - g. Average Trip Distance
  - iv. Equity Report (by Device Type)
    1. Number of unique users registered for Equity Program
    2. Number of Trips Taken Using Equity Program
    3. Number of devices deployed per day per zone
  - v. Safety Report - for each incident reported to the Operator
    1. Date Incident Occurred
    2. Description
    3. Device Type (Scooter/Bike/Other)
    4. Incident Type (Fall/Crash/Other)
    5. Injury (y/n)
    6. Fatality (y/n)
    7. Customer Report Time
    8. Time of Report Resolution
    9. Description of Company Resolution
  - vi. Parking Report - for each parking complaint reported to the Operator
    1. Coordinates or address of Reported Device
    2. Description
    3. Property Type (Public/Private)
    4. Device Type (Scooter/Bike/Other)
    5. Customer Report Time
    6. Company Resolution Time
    7. Description of Company Resolution
  - vii. Maintenance Report
    1. Number of Customer Service Reports
    2. Average Time (in minutes) until device is removed from public right-of-way
2. Upon request, Operators shall provide additional data identified by the Administrator to verify compliance with City regulations or other purposes.



## IX. Partnership

- a. The success of the partnership between Operators and the City will require Operators to proactively engage with City staff to resolve issues, develop solutions, and improve compliance.
- b. Permitted Operators will be required to provide contact information for the general manager of the Atlanta fleet. This person shall be available to City staff during normal business hours and shall promptly respond to inquiries and requests. Both the City and the Operator shall make themselves available as requested for in-person meetings.
- c. Special Events. Operators must cooperate with the Administrator, the Atlanta Police Department, Mayor's Office of Special Events, Department of Parks and Recreation, the Department of Public Works, and any other relevant entity to ensure public safety during special events, construction, or emergency conditions. Cooperation to ensure public safety may include removing Devices from a specific area, prohibiting riding and/or parking in certain areas, or establishing unique zones as set forth in section VI of the Administrative Regulations. Operators may be invited to participate in special event planning and must be prepared to submit temporary operation plans to the City for special events as requested.
- d. Operators shall notify the Administrator within 24 hours if any issues arise which could affect public safety. This includes but is not limited to reports of criminal activity involving Dockless Vehicles, reports on any fatalities involving an Operator's device, any contact with the Atlanta Police Department or Fire Department, data hacking, or any systemic defects in hardware or software.
- e. Operators shall provide the Administrator or their designee(s) with an account for their smart phone application within 1 week of receiving a valid Permit. This account shall allow Department of Transportation employees to unlock and rent, without being charged a fee, any Device for the purpose of education, routine vehicle inspections, or vehicle repositioning.
- f. City Partner Agreements. Operators must cooperate with the Administrator and City approved government partners (i.e. Atlanta BeltLine, MARTA) to enter into any partnership agreements or otherwise comply with operational rules or regulations. Partnership agreements will be reviewed for appropriateness and reasonableness by the Administrator and signed by all Permitted Operators.

## X. Enforcement

- a. Documenting Violations and Safety Concerns.
  1. Administrator Audits. The Administrator may conduct audits of compliance with regulations and document any violations or safety concerns.
  2. Partner Reports. City departments or partners enacting Administrative Zones with special rules for permitted devices (i.e. parks, BeltLine, special event administrators) may document violations of regulations or safety concerns and submit to the Administrator and Operators.
  3. 311 Reports. The community may report any devices in violation of regulations or safety concerns to ATL311.
- b. Responding to Documentation. Operators must respond to documentation of violations or safety concerns received through any channel listed above. Response must be within the specified timeframe and include all items listed below in Table 1. Responsiveness and Administrative Fines. Non-responsiveness shall mean that either no response was received, Response Requirements were not met, or Response showed that violation or concern was not addressed within Response Period.
- c. Administrative Fines. If a documented violation or safety concern receives no response within the Response Period or the response shows that the violation was not addressed within the response period, the Operator may be subject to administrative fine, citation, or a reduction in the number of permitted devices. Extensive



non-responsiveness may result in the suspension or revocation of any Sub-Permits or Annual Permits. Failure to pay fines by the due date on an invoice may result in a reduction of any Sub-Permit fleet size or suspension or revocation of Annual Permit. Unpaid fines may be deducted from any issued Performance Bond upon notice from the City.

Table 1. Responsiveness and Administrative Fines.

	Administrator Partner & 311 Reports	Administrator Corrections	Administrator Audit	Major Violations
Description	Any report received from Administrator Partners (i.e. BeltLine, APD, Parks) or the ATL311 system	Violation is blocking access [1] and administrator can relocate [2]	Violation is not blocking access. [1] Or Violation is blocking access but cannot be corrected by administrator [2].	<ul style="list-style-type: none"> <li>▪ Compliance violations [3]</li> <li>▪ Fleet safety concerns including but not limited to malfunctioning hardware or software</li> <li>▪ Other systemic or large-scale safety concern</li> </ul>
Response Period	Company has 2 hours to respond	None	Company has 2 hours to respond	Company has 48 hours to respond to Administrators request for information
Response Requirements	Photo documentation and time stamp of issue resolution	None	Photo documentation and time stamp of issue resolution	Documentation of issue and subsequent resolution
Fines	\$5 for each separate offense of non-responsiveness	\$10 for each separate correction	\$10 for each documented violation And \$100 for each separate offense of non-responsiveness	\$100 for each separate violation And Up to \$500 per day for each separate offense of non-responsiveness
Other possible administrative actions	<ul style="list-style-type: none"> <li>▪ Reduction in any fleet sizes authorized in Sub-Permits</li> <li>▪ Revocation or suspension of Sub-Permits and/or Annual Permit</li> </ul>			
<p>[1] Access is defined at the discretion of the Administrator and shall include but is not limited to access to doorways, crosswalks, sidewalk with 5 feet of clearance, bus stops, and driveways.          [2] Devices will be determined to be relocatable if there is a legal parking option within 5 feet of the violation and if there are 5 or fewer devices in violation at a single location.          [3] Including but not limited to: violations in meeting data reporting deadlines, data reporting accuracy, digital programming (i.e. fleet violating speed limit or Administrative Zone), deploying devices over maximum fleet cap or under minimum fleet requirements, or unreported changes to permit assumptions.</p>				



## XI. Device Removal

In the event that an Annual Permit is revoked, or an Operator is no longer willing or able to operate within the City, the Operator must immediately surrender its Permit(s) to the City and remove all Devices from the public right-of-way and private property immediately. The City will not refund any fees for Devices that are removed by the City of Atlanta. Operator must continue to provide data for any days they are in operation and until all devices are removed from the city's right of way.