Notable updates made to Administrative Regulations

- Outreach Events: Based on Operator feedback, remove requirement of four events and allow operators to propose a detailed plan for City review as a factor in Operator selection. Staff will also work with Operators to include rider education at outreach events.
- Insurance coverage options for users: While the permitted Operators will provide proof of insurance to operate on City facilities (such as streets and trails), the Administrative Regulations do not include a requirement that Operators require or provide insurance for shared bicycle and scooter users. California law requires a Class C driver's license to operate a motorized scooter. While the California Department of Motor Vehicles (DMV) requires licensed drivers to ensure their registered vehicles, there is no DMV requirement to obtain insurance for shared bicycles and scooters. Users should contact their motor vehicle insurance carriers to determine if they have insurance coverage for shared bicycles and scooters.
- Parking spaces for devices: Staff will work with Operators and adjacent property owners to determine if marked parking spaces for devices is feasible.
- Data driven placement: Data obtained from Operators will be used to assist with the planning and deployment of devices.
- Estimated Staff Time needed to ensure permit compliance: Staff prepared a detailed estimate of the projected staff time required to ensure permit compliance which is the basis for proposed permit fees.
- Permit Violations and Permit Revocation: Metrics to determine when an Operator's permit is subject to suspension and/or revocation are included.
- Information about first and last mile locations for users: Operator data will be provided to the City regarding first and last mile user trends.
- Council support for minimum number of devices per operator: At the June 4, 2019 Council meeting, Council showed support for a minimum number of devices to receive a permit. The Administrative Regulations requires each operator to deploy a minimum of 60 devices.
- Regulation of scooters on private property: The City has broad authority to regulate shared bicycles and scooters within City limits, which extends to private property. The City can issue citations for parking violations located on public streets and private property.
- Outreach to larger developers: Prior to deployment, staff will work with Operators on outreach to larger developers regarding placement/use of shared mobility devices to service these properties.
- Research other funding sources to reduce 100% cost recovery operator fees: Permit fees have been initially developed to capture 100 percent cost recovery for staff time. Currently, there are no other viable funding sources, except the City's General Fund, to reduce operator fees. Staff does not recommend a General Fund subsidy for the Permit Program at this time.
- Bicycle or Scooter Share Regulations: The Administrative Regulations have been updated to differentiate between regulations that apply to bicycles, scooters, or both.

- <u>Selling of User Data</u>: A provision prohibiting Operators from selling user data to third parties has been included.
- <u>Performance Security</u>: As detailed in the Administrative Regulations, performance security has been updated to reflect that it will be submitted to the City as a bond in-lieu of a cash deposit.
- <u>Speedometers</u>: In 2019, one of the proposed Operators had suggested that the City require the use of speedometers on shared mobility devices. State Law does not require speedometers for scooters or bikes with electric assist that ceases at 20 miles per hour. Only select Operators provide this specific technology and it has limited benefit since scooters have a maximum operating speed of 15 miles per hour per State law so this was not included as a requirement.
- <u>Membership</u>: Add a requirement that Operators provide a low-income discount program and deploy 5 percent of the fleet within the City's Equity Priority Community.
- <u>Title</u>: Staff updated the program title to "Shared Mobility Program," as opposed to "Bicycle and Scooter Share program." This title provides for a more generalized description of the services offered by Operators and will allow for other types of shared device programs to operate within the City, provided the Administrative Regulations are updated accordingly.
- <u>Number of Operators</u>: Limit to a maximum of three operators in the City.