

Shared-Rideables Business Administrative Procedures by the City of Sacramento pursuant to Section 5.18.150 of the City Code

Under the authority of Section 5.18.150 of the City Code, the City of Sacramento adopts this Administrative Procedure to implement provisions in City Code Section 5.18 Shared-Rideable Businesses. This document includes:

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Attachment A. Permit Application (forthcoming)

1. Purpose

This Administrative Procedure regulates Shared-Rideable Businesses as defined in Sacramento City Code 5.18. The operation of a shared-rideable business in the City of Sacramento is a privilege, not a right. For a company to offer shared-rideables for commercial purposes in Sacramento, the company must obtain a shared-rideable business permit.

The purpose of this Administrative Procedure is to implement the ordinance regulating shared-rideable businesses, including the issuance of business permits by the City of Sacramento.

Transparency and uniformity are the primary goals of this administrative procedure.

2. Policy

Businesses seeking a shared-rideable business permit must comply with the policies, procedures, and provisions outlined in this document.

3. Scope

a. Permit Application Standards and Requirements

The Operator's permit application must be complete, consistent with the expectations of the City. Operators must pay all applicable fees before their permit application will be approved.

b. Permit Payment Procedures

All applicable fees must be paid prior to permit approval. Fees include:

First Time Permit	\$4,440
Annual Renewal	\$2,220
Parking and Infrastructure Fee (annual per trip, per device)	\$0.10 per trip
Vehicle fee (Annual, per device)	\$136
Vehicle fee in Opportunity Areas (see Figure 1: Shared-Rideable Service Areas) (Annual, per device)	\$104

The estimated shared-rideable Parking and Infrastructure Fees for each year of operation shall be deposited annually with the City based on the following formula: amount of fee, times 3 trips per day, times 365 days (annual deposit per device). The City will regularly reconcile the amount deposited against actual trip data. Operator shall replenish the amount on deposit, as required.

c. Parking Citation Payment Processing System

Devices that violate Sacramento City Section 10.76.060 are subject to citation from the Department of Public works. All operators must participate in the City's electronic parking citation processing system, once it is available. This processing system will allow the City and the Shared-Rideable Businesses to manage citations and invoicing through an online portal. Until the electronic citation processing system is available, operators must pay invoices within 30 days. Failure to participate once it is available shall be grounds for permit revocation.

d. Number of Permitted Devices

Each operator shall have a minimum number of 250 devices.

Initial Permit Year

During an Operator's initial permit year operating in the City, the Operator will be permitted to launch up to 1,000 devices (unless modified pursuant to subsection e below) as follows:

- First Time Permit approval: Up to 250 devices
- Three months after permit approval: Up to an additional 250 devices (500 total)
- Six months after permit approval: Up to an additional 250 devices (750 total)
- Nine months after permit approval: Up to an additional 250 devices (1000 total)

Subsequent Permit Years

The City will evaluate the factors listed in subsection e below when evaluating permit renewal and fleet expansion applications. Any Operator seeking to increase the size of its fleet shall do so in quarterly increments of 250 devices or less, consistent with the schedule outlined above.

e. Modifying the Number of Permitted Devices

The City will take into consideration market needs, total number of devices deployed in the City, device utilization, operator performance, public safety, seasonal and environmental conditions, special events, and related criteria to determine the total number of devices allowed in the City. The City will also take into consideration projected impact to city streets, sidewalks, paths, driveways, doorways, and other avenues of vehicular and pedestrian traffic. The City reserves the right to limit or reduce the number of allowed devices at any time based on these considerations.

If, after six months of operations, data reflects that an Operator's devices are frequently parked improperly, or are otherwise adversely impacting vehicular or pedestrian traffic, or are not meeting or exceeding a minimum utilization rate of 3 rides per day, the city may reduce the number of permitted devices. This does not limit the City's ability to utilize other enforcement tools set forth in the Ordinance, including permit revocation.

f. Deployment Operations

Devices deployed by a permitted Operator shall meet the following requirements:

1. 20% of the Operator's fleet shall be deployed each morning in Opportunity Areas as show in Figure 1: Shared-Rideable Service Areas;
2. All devices shall be deployed to approved parking areas – at bike racks or City designated areas – each morning;
3. Be parked upright;
4. Not be deployed in a manner that violates the Americans with Disabilities Act (ADA) requirements, impedes ADA access or paths of travel; and
5. Not be deployed within 18 inches from the curb.

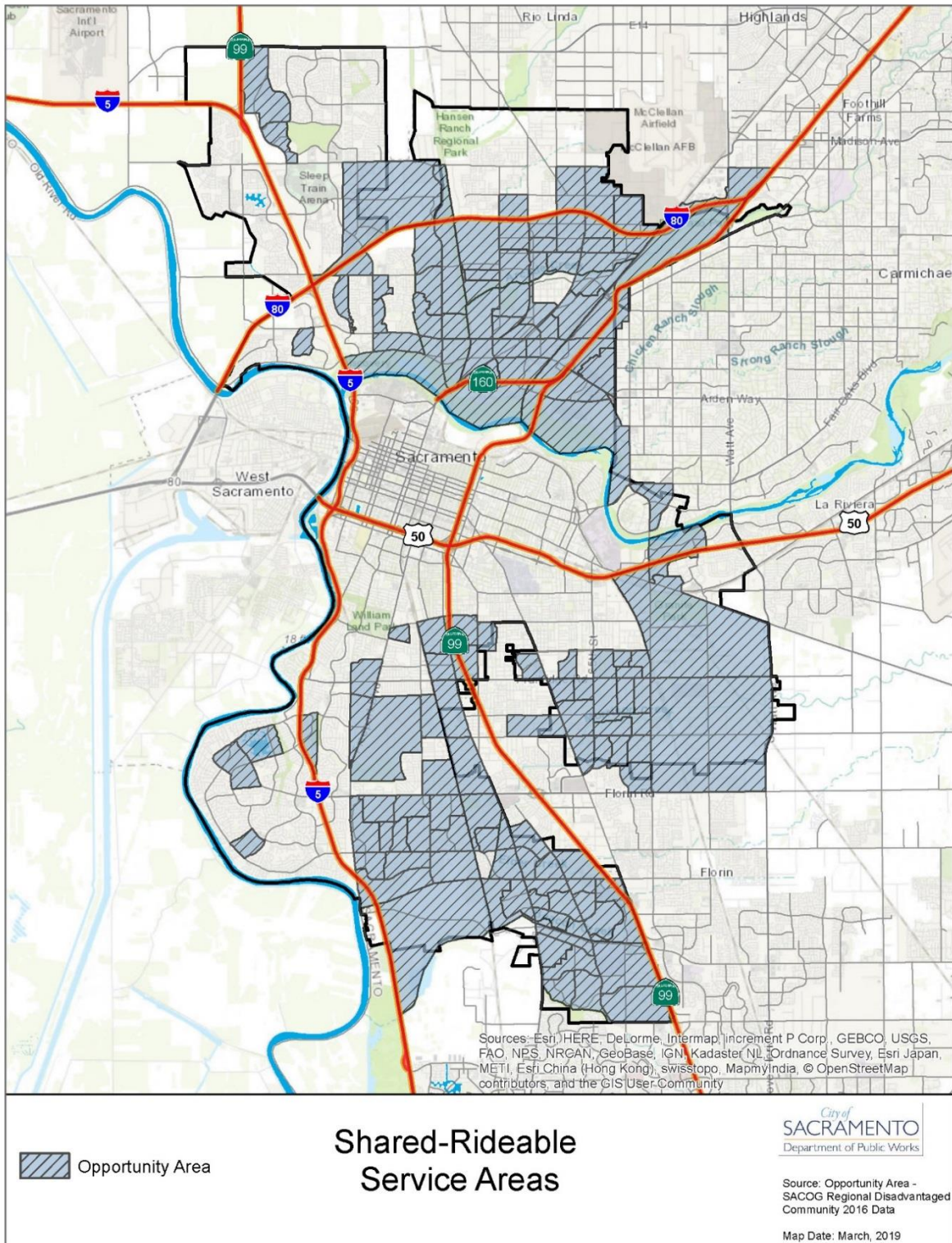


Figure 1: Shared-Rideable Service Areas

g. Required Plans

Applicants shall provide to the city the required plans as described in the attached permit application.

h. Required Reporting

i. Outreach Reporting

Permitted Operators will report to the City on a monthly basis its efforts/events conducted to meet the requirements in its approved Outreach Plan, including:

- Promotion to city residents about the benefits and how to access to its devices
- Promotion to low-income communities
- Education to city residents about State and local laws regarding its device(s) including, but not limited to:
 - Where to legally park devices
 - Sidewalk riding
 - Riding with traffic
 - Yielding to pedestrians

ii. Equity Reporting

Permitted Operators will report to the City on a monthly basis its efforts/events conducted to meet the requirements in its approved Equity Plan, including:

- Description of distribution of 20% of the fleet to Opportunity areas including location of distribution areas, how many devices, and percentage of fleet
- Description of member fees for low-income plan
- Promotion efforts during the past month to low-income city residents about the benefits and how to access to its devices
- Number of low-income members
- Number of new low-income members signed up in the most recent month

iii. Data Sharing and Reporting

Data Format

Operators must provide accurate data through two formats.

GBFS

Operations must provide data through a publicly accessible Application Programming Interface (API) that meets the requirements of the General Bikeshare Feed Specification (GBFS) (<https://github.com/NABSA/gbfs>). It is desirable that Operators make the API endpoint available to the public for viewing data, querying data, and mapping. The Operator should not change the API URL without notifying the City with at least 30 days' notice.

MDS

When the City is confident it has the ability to anonymize the data, Operators must provide data through a City-accessible Application Programming Interface (API) that provides the data outlined within, and meets the Specification of, the City of Los Angeles Mobility Data Specification (Mobility Data Specification) as published online at <https://github.com/CityOfLosAngeles/mobility-data-specification>

Should the City seek to use a third party to manage the data, the Operator shall provide MDS data to the third party. The City shall require the third party to agree to the MDS Data Protections Principles and a Data Usage agreement.

The City may, in its sole discretion require the Operator to use the most current anonymization plug-in version by releasing an automatic update and/or disabling support for the previous version.

The City is permitted to use all data the Operator provides in accordance with the Mobility Data Specification, including, but not limited to, displaying anonymized, real-time data and real-time device availability data to the public.

The Operator may not change the API URL without notifying the City with at least 30 days' notice.

Personal information must be protected by the Operator, and data should be anonymized regarding user information. Summarized program performance information in memos or updates may be shared with the public. Detailed data will be protected to the extent permitted by law.

Notwithstanding the returned results of any of the Mobility Data APIs, it shall be the sole responsibility of the Operator to comply with the City's Program requirements listed herein.

Failure to maintain consistently accurate and real-time data could result in permit suspension until the issues identified by the city are resolved.

iv. Weekly Data Summaries

In addition to the required reporting described earlier, Operators must provide accurate weekly summaries to the City describing customer and staff incidents, injuries, system operation, system use, reported complaints, customer service responses, and system maintenance. Reports will be provided to the City in the format defined by the City.

Anonymized data reports to the City are required weekly for the following municipal-level data:

- Number of active devices by type (bike and/or scooter, etc)
- Total users in system by week and month
- Total users by cohort (members, low income plan)
- Trip number by day, week, and month (Trips will be measured by those that end within the City of Sacramento).
- Detailed, aggregate trip origin/destination information
- Average trip length and time

- Hourly fleet utilization with trip origin or destination in Sacramento
- Description of distribution of 20% of the fleet to Opportunity areas including location of distribution areas, how many devices, and percentage of fleet

v. Use of Data and Data Security

Operators are required to follow all local, state, and federal laws and regulations with respect to personally identifiable information and credit card information. It is strongly preferred that Operators do not resell users' personally identifiable information. If the Operator engages in such a practice, then it is required that a) this is communicated clearly and transparently to users, and b) users have a clear means of opting out if they do not want their data sold. Auto renewal billing procedures should comply with state and federal laws and regulations.

Operators must protect users' personal information. Finance transactions must be secure and PCI compliant. Operators should provide their most recent 3rd party PCI audits to the City quarterly. Personal data should be protected using industry accepted encryption, and customer permission should be sought before sharing data with a third party.