

Recommendation:
**DOCKLESS SHARED MOBILITY
PROGRAMS**

FORT WORTH PEDESTRIAN AND BICYCLE ADVISORY COMMISSION

January 10, 2019

OVERVIEW

Shared mobility programs (non-automobile) can take many forms, including bikes, scooters, mopeds, electric carts and other modes, and these were all considered by the Pedestrian and Bicycle Advisory Commission (PABAC). Due to safety, right-of-way capacity, parking limitations and other concerns, PABAC did not give substantial consideration to the use of public right-of-way for shared systems that allow fully electric mopeds, tricycles or four-wheeled electric vehicles (golf carts, etc.). Instead, PABAC spent considerable time focusing on recommendations related to dockless bike and scooter share programs.

PABAC believes shared mobility programs can be a beneficial and strategic component of Fort Worth's public transportation system:

- They can provide a practical alternative to automobiles for short trips and reduce vehicular traffic in high density population centers.
- They promote the use of public transit by providing the necessary “last mile” link.
- They can provide a low-cost and convenient transportation option for low-income residents who may have limited access to a car or convenient bus transit options.
- They can have a positive economic impact on commercial areas by creating destinations (especially related to docked bike share systems) encouraging more foot traffic.
- They can provide an easy and fun way for visitors to explore the city.
- In the case of bikes, they can be a strategic part of the city's healthy initiatives.

Despite the opportunities, there are challenges associated with unregulated dockless shared mobility programs:

- Parking of the equipment can be a challenge, including the overcrowding of sidewalks, streets and other public spaces. This can impede the path of travel for vehicles and/or pedestrians, especially for those with disabilities.
- Enforcement may be a challenge for cities, and operators may lack the necessary staffing levels to adequately respond to the city's concerns.
- Regulation may certainly mitigate potential issues related to dockless shared mobility programs. However, the more regulated the systems are (e.g. limiting parts of the city where equipment can be parked, etc.), the more complicated and difficult they become for customers to understand, which may result in increased non-compliance due to confusion.

There are additional concerns related to shared mobility systems—whether they be dockless or docked programs:

- Operators may tend to serve more affluent areas, leaving economically stressed parts of the city underserved and increasing disparities with respect to access to transportation options for those who may need it most. Also, many of the shared mobility programs are based around the use of smart phones and credit cards, which may pose access barriers for low-income residents.
- Poor equipment and/or poor maintenance of equipment may introduce safety risks to users. There are additional potential safety risks associated with novice riders on the roadways or sidewalks, although comprehensive injury data is extremely difficult to come by.
- If an operator fails, there is a risk of equipment being left behind, leaving the city to remove abandoned equipment.

Despite the challenges, many large cities have successfully implemented comprehensive shared mobility programs that are strategically linked to mobility goals and priorities. When it comes to shared mobility options, based on what we've seen in other major cities, Fort Worth is behind. This is not only a competitiveness issue for Fort Worth, but it is also an economic development issue, an equity issue, a mobility issue and a public health issue.

PABAC RECOMMENDATION #1: DOCKLESS BIKE SHARE PROGRAM

Over the last several months, PABAC reviewed many different types of bike share programs. There are docked systems, dockless systems and hybrid systems that include a mix of docked and dockless equipment.

Considering various bike share operating models, PABAC considers the docked bike share system a preferred model because of its ability to safely address transportation needs while mitigating potential negative impacts associated with dockless systems. PABAC anticipates dockless bike share systems will pose more challenges than opportunities in the city. **After a thorough analysis, PABAC does not support a dockless bike share program in Fort Worth at this time, but instead recommends that the city and community partners (such as Trinity Metro, Tarrant County, etc.) focus on opportunities to expand the current docked B-Cycle program around Fort Worth.**

The non-profit Fort Worth Bike Sharing (FWBS) organization has been an invaluable partner to our community and its services have been successful within its limited operation area. PABAC recognizes there are current limitations to FWBS's ability to expand to meet the needs of citizens far beyond its current operation area. And, because of the limited ability to expand its system, B-Cycle has mostly been utilized for recreational purposes. However, an expanded system could change the user dynamics of the B-Cycle program to one that also provides a convenient, low-cost transportation alternative for commutes and other short trips. Considering the significant bike share programs (docked and/or dockless) in other large metropolitan cities, PABAC suggests Fort Worth is already at a competitive disadvantage due to the limited service area of the B-Cycle program in Fort Worth.

Before considering additional bike share alternatives in Fort Worth, PABAC recommends that the city (possibly facilitated by members of the City Council) convene the appropriate partners and stakeholders to evaluate the available financial resources and the actions necessary to investigate other potential funding streams that would support a sustainable funding formula to expand the B-Cycle program with the goals of reducing reliance on automobiles in certain high-traffic corridors and expanding transportation options in diverse communities across the city—including economically distressed areas.

In the event that the B-Cycle program is unable to appropriately expand the docked bike share system, and it is determined that a dockless bike share system might be a suitable alternative, PABAC is certainly willing to provide additional recommendations related to a dockless system in Fort Worth.

PABAC RECOMMENDATION #2: DOCKLESS ELECTRIC SCOOTER SHARE PROGRAM

Shared electric scooter programs are showing their popularity in cities across the United States. Two of the largest scooter share companies, Lime and Bird, now operate electric scooter systems in 100 cities worldwide, although there are many other large companies entering this market.

PABAC concluded that the dockless electric scooter programs hold certain advantages over dockless bike share programs, and therefore, hold more promise to successfully expand last-mile commuter and short trip alternatives for high-population centers in Fort Worth. Some of those advantages include the following:

- Scooters are less intrusive in size compared to bicycles.
- Under a shared scooter program, the scooters must be charged. This means the operator must collect the equipment and charge it regularly—often nightly—allowing for more frequent rebalancing and reducing the likelihood of equipment being left in one place for extended periods of time.
- Electric scooters may be disabled after a certain period at night, reducing the risk of accidents and injuries at night.
- Electric scooters can effectively utilize geo-fencing technology. This would allow the city to designate areas where scooter users would not be able to end their trip without being subject to additional charges.

PABAC recommends that the city begin a formal process to explore the feasibility of a dockless electric scooter program in Fort Worth based on the potential for scooters to provide a viable short-trip mobility option.

Specifically, PABAC recommends the city work with reputable scooter companies to plan a pilot program within the high-density urban areas of the city. The purpose of the pilot program should be clearly built around evaluating 1) usage and trip data; 2) violations, complaints and accident

reports; 3) staff time and cost related to the program; and 4) stakeholder input from operators, users and other interested parties.

The pilot program should have a specific start and end date (possibly six months), and the scooters should be removed at the end of the pilot. At the conclusion of the pilot program, the city should evaluate the data and results to determine if scooters provide a feasible alternative for short trips and finalize an appropriate regulatory structure before implementing an ongoing program.

To begin a pilot program, PABAC suggests using a formal request for proposal process to select no more than three operators based on the proposals submitted. The city can then enter into a contract with the selected operators to provide dockless scooter services for a limited pilot period (possible six months). Under a direct contract option, the city can retain the ability to terminate the contract in the event an operator fails to meet its contractual obligations. Furthermore, the city can and should reserve the right to cancel or amend the contract at any time to protect the safety of the public. The city can also limit the duration of a contract and require each operator to meet minimum standards in order to renew the contract. This annual review and renewal provides the city the opportunity to adjust regulations to address new opportunities or challenges associated with this dynamic and fast-changing shared mobility industry. The contract will need to include a fee that the operators must pay the city to compensate the public for the use of the right-of-way. The contract should require the operators to carry insurance, post a bond, provide for specific customer data protections, prohibit advertising, require a certain level of public education on the operation and storage of the dockless scooters, outline specific operational expectations, indemnify the city and require operators to provide a program for low income residents.

After the pilot program review period is concluded and if the pilot proves successful, PABAC recommends allowing the contracts to extend on an annual basis at the city's sole option.

Many other cities are far along in their implementation of scooter share programs, and many of these communities continue to make adjustments based on experience. Although Fort Worth should develop a scooter share program that is optimal for our community, PABAC recommends that, prior to the conclusion of a Fort Worth pilot program, the city benchmark other cities, such as Austin, Dallas and others in order to benefit from any lessons they have or will learn.

Because of inherent reporting challenges, comprehensive data about injuries resulting from scooter trips is difficult to come by. Although available data does not indicate a high incidence of serious injuries relative to the number of trips, the means of collecting comprehensive injury and accident data should certainly be considered a part of a pilot evaluation prior to initiating an ongoing program.

In addition to requiring operators agree to contracts to operate in the city, PABAC recommends the city enact any ordinance that may be necessary to ensure the city has proper authority to enforce the safe use of the dockless scooters.

BEST PRACTICES: REGULATION OF DOCKLESS SHARED MOBILITY PROGRAMS

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Many large cities have had considerable experience with dockless shared mobility programs, and several of these communities have learned hard lessons along the way. Based on that experience and those lessons learned, the following are general best practices that PABAC recommends should apply to the Fort Worth conversation about dockless mobility programs.

Start with specific goals

Before considering the introduction of a dockless shared mobility system, a best practice is to ensure such a program is strategically aligned with achieving mobility or other community goals. PABAC suggests that Fort Worth goals associated with dockless shared mobility programs include:

- Providing a safe mobility alternative to vehicles for short trips (under two-miles) in high-density areas of the city;
- Providing a safe last-mile alternative to walking to destinations from established bus transit stations and stops; and
- Providing a safe, low-cost transportation option in designated low-income “Opportunity Areas,” as determined by the city.

The city might consider working in partnership with shared mobility companies to design and implement a shared mobility pilot program with established metrics to compare against these goals.

General considerations for regulating dockless shared mobility systems

- Contractual agreement: Some cities have used a request for proposal process to identify specific companies that can best meet mobility goals instead of allowing all operators. These cities have selected a certain number of operators based on the proposals submitted. Cities have entered into contracts with the selected operators to provide dockless scooter services. Under a direct contract option, cities retain the ability to terminate the contract in the event an operator fails to meet its contractual obligations and reserves the right to cancel or amend the contract at any time to protect the safety of the public. Most cities require operators to meet minimum standards in order to renew contracts. This annual review and renewal provides the cities the opportunity to adjust regulations to address new opportunities or challenges associated with this dynamic and fast-changing shared mobility industry. Many cities charge a fee to the operators for the use of the right-of-way, requires the operators to carry insurance, provides for specific customer data protections, and requires a certain level of public education on the operation and storage of the dockless scooters.
- Vehicle count caps: To prevent overcrowding, some cities have set initial caps on the number of dockless shared equipment allowed. In some cases, these caps can be based on

ridership, which prevents overcrowding of unused units. Any expansion of a fleet beyond the initial cap should be based on proven demand.

- Parking: Many cities have found ways to establish some order to the manner in which dockless shared bikes/scooters are parked throughout the city to mitigate the challenges related to blocking rights-of-way or cluttering neighborhoods, parks, and other public spaces.
- Safety: Many cities have adopted minimum safety standards for shared equipment.
- Compliance: Some cities have successfully adopted a standard of time that companies must remove non-compliant dockless shared equipment. Moreover, many cities have instituted fees that accurately reflect the cost of regulating, overseeing and managing dockless shared transportation operators and assess penalties/fines to recoup costs to the city for non-compliance.

Some cities have also required a performance bond or an irrevocable letter of credit that could be utilized in the event the city must recover damages, fees, fines or penalties due from the operator for violation of any adopted provisions.

Some cities have also specifically reserved the right to prohibit specific companies from operating in the public right-of-way based on conduct or prior conduct. This can be related to a specific accreditation or simply based on history of code violations in other communities, etc.

- Local management: Cities have required dockless shared mobility companies to provide 24/7/365 contact information (name, phone number, email) of a locally-based manager or operations staff with decision-making authority who can respond to city requests, emergencies and other issues at any time.
- Access to data: Cities have required access to real-time data relative to shared equipment fleets, along with monthly reports related to active equipment in the fleet, ridership rates of that equipment and related trip data.
- Management of non-routine events: Some cities have outlined agreements covering procedures and protocol for extreme weather, emergencies and special events (marathons, MayFest, Main St. Arts Festival, etc.) that may require adjustment to fleet.
- Public education: Many cities have required operators to agree to a comprehensive public education program, including an annual distribution of helmets to citizens who live/work within an operator's service area.
- Insurance/indemnification: Many cities require dockless shared mobility operators to hold insurance and indemnify the city.

- Third-party advertising: Some cities have prohibited operators from displaying third party advertising on equipment.
- Use of sidewalks by motorized equipment: In some cities, leaders have had to adjust local ordinances to prohibit the use of electric shared scooters on sidewalks, especially in the high-populated urban areas. This would need to be considered in Fort Worth if electric shared scooters are allowed in the City.

**SPECIFIC RECOMMENDATIONS FOR
THE REGULATION OF DOCKLESS
SHARED SCOOTER PROGRAMS IN
FORT WORTH**

REGULATING DOCKLESS ELECTRIC SCOOTER SHARE PROGRAMS IN FORT WORTH:

Scooter count caps

PABAC recommends the city limit the number of units licensed to a maximum of 250 units, per initial license. Furthermore, the total number of deployed units within a licensed area must maintain a minimum average of two trips per day, determined by monthly usage. Should this demand not be met, the city may require a portion of the units to be relocated or removed.

PABAC recommends that the city allow an operator to expand its fleet beyond the initial 250 units, with approval from the city, in increments of 100 units during a six-month period, provided:

- 1) The deployed units meet an average of three trips per day, determined by monthly usage;
- 2) The operator has a positive record of compliance; and
- 3) There is not another compelling reason, as determined by the city, to limit the fleet size.

All active scooters in an operator's fleet must have a permanent and unique identification number registered with the city to ensure an accurate account of the operator's fleet.

Safety standards for dockless scooter share programs

Safety must be integrated into any dockless scooter share program, and it is important that the city set an expectation for safety on all dockless shared equipment and preventative maintenance. PABAC recommends the following:

- All scooters must clearly display the company's contact phone number, along with a unique identification number, to allow users to report safety or mechanical issues;
- Operators must be capable of quickly identifying and addressing safety and maintenance issues with one or more of their dockless mobility units, including a mechanism for customers to notify the company that there is a safety or maintenance concern with the unit;
- All scooters must be regularly maintained in overall safe riding condition and/or replaced to ensure compliance with all safety standards;
- All scooters must have tires that are in good operational condition at all times;
- All scooters must have motors and brakes that are in good operational condition at all times;
- All scooters must have operational front and back lights that are visible from a distance of at least 300 feet under normal atmospheric conditions at night;
- All scooters must be equipped with a bell or horn that is operational at all times;

- All scooters must include a speed limiter that prevents the scooter from exceeding 15 mph; and
- All scooters must include the capability of an operator to immediately remotely lock-down the equipment if/when they are reported or deemed unsafe. Additionally, operators must remove any unsafe or inoperable scooter within two hours of the initial notification of the issue, and must not be redeployed until repaired.

Operators should be required to immediately notify the city of any recalls of shared equipment and assist in outreach related to the recall and cover costs related to any necessary outreach related to a recall.

The city should consider the use of a curfew on the use of shared scooters to reduce the possibility of accidents in the dark hours of the night.

Designated service areas

PABAC recommends that the city identify appropriate service areas for the operation of shared scooters and/or consider areas that are restricted from scooter operations, including parks, publically-accessible plazas subject to city license agreements with private property owners, off-street parking lots/garages, or other areas outside of Fort Worth's public right-of-way, unless authorized by a separate agreement.

Electric scooters are not currently prohibited from use on city sidewalks. After completion of a pilot program, the city may consider whether such ordinances require adjustment or clarification related to the use of scooters or motorized equipment on city sidewalks.

Parking of dockless scooters

In order to provide the best service to the public, PABAC suggests that deployment of the scooters within the designated service areas should be driven by usage/demand and that operators may have the ability to deploy units at locations they deem appropriate as long as those locations adhere to the parking prohibitions outlined below.

To mitigate parking issues in densely populated areas with higher pedestrian traffic, PABAC recommends that the city consider working with operators to designate parking corrals reserved only for shared scooters or other dockless mobility equipment that may be integrated in the future. These corrals can be created using pavement striping and related signage. As the placement of the parking corrals are considered, PABAC recommends the use of on-street parking areas (as opposed to on-sidewalk parking areas) as much as possible to reduce clutter on sidewalks and discourage the use of scooters on sidewalks. Furthermore, PABAC recommends that the city consider locating the parking corrals adjacent to public transportation stations and stops, where possible. The operators shall pay the city fair market value for the use of the right-of-way, which will also cover the costs associated with the installation and maintenance of the parking corrals at locations selected by the city.

PABAC recommends that dockless scooters will be considered out of compliance if they are left unattended in a manner that:

- Impedes normal and reasonable pedestrian access on a sidewalk;
- Impedes vehicular traffic on a street or alley;
- Imposes a threat to public safety or security;
- Is adjacent to Americans with Disabilities (ADA) accommodations, including curb ramps, braille signs, railings and signal push buttons;
- Is adjacent to sidewalk cafes or street patios;
- Is left next to public street furniture, fire hydrants, public drinking fountains, public art or any fixed regulatory or informational sign; or
- Blocks trails, transit stops, transit shelters or platforms, commercial loading zones, motorbus zones, passenger loading zones or valet service areas, disabled parking zones, street furniture that requires pedestrian access (such as benches, etc.), building entryways, vehicle driveways, railroad tracks or crossings, etc.

Scooters should not be deployed by operators on private property without written consent of the property owner. By contract, operators must be held responsible for the use of their equipment and take steps to prevent the unauthorized operation of its equipment on private property.

Response expectations for unattended, non-compliant dockless scooters

Like most violations of city ordinances, reporting of unattended scooters will likely be driven by resident complaints made to the operators or the city. For this reason, PABAC recommends that all operators be required to clearly display the company's emblem and contact phone number, along with the vehicle's unique identification number, on all scooters in their fleet to allow convenient reporting of equipment with mechanical/safety issues or which are otherwise considered to be out of compliance.

All dockless scooter operators should be required to maintain a phone number that is answered by a live representative 24/7/365 to accept questions, complaints about non-compliance and/or maintenance or safety issues related to their equipment. Operators should maintain adequate local staffing levels to maintain their fleets in full compliance with all Fort Worth regulations (i.e. rebalancing the fleet, responding to out-of-compliance complaints, performing required maintenance, etc.).

Operators should be required to resolve complaints about dockless scooters within two hours of being received. If the operator fails to retrieve the non-compliant scooter or otherwise address the complaint within the stated time frame, the operator may be subject to a contractual penalty. Along with a contractual penalty for not removing a dockless scooter within the appropriate time, PABAC

also recommends that the city reserve the right to impound any scooter that is determined to be out of compliance for a period of at least 48 hours. Any scooter retrieved by the city from a stream, lake, fountain or other body of water will be considered out of compliance and may be immediately impounded.

An operator must provide the city with special access, via the operator's app or other device, to immediately unlock and/or remove dockless equipment that is blocking access to city property or the public right-of-way.

Distribution requirements

Generally, PABAC recommends that the location of dockless scooters available for rent should be driven by market demand. The continual rebalancing of a dockless fleet will be important to ensure customers have reasonable and consistent access to equipment. To avoid overcrowding of particular sites, as part of the contract, the city should adopt limitations on the number of scooters that can be parked or deployed at any specific location at any one time.

Any dockless scooter operator should be required to rebalance their fleet in a manner that ensures appropriate and consistent distribution of dockless equipment daily. Rebalancing may also come at the request of the city to prevent overcrowding and/or safety concerns. In order to manage challenges related to providing adequate coverage and to manage the potential for overcrowding in some areas, PABAC recommends that the city require dockless scooter operators to relocate equipment within two hours of being notified by the city.

Fees and penalties

PABAC recommends that operators be required to pay a fee set at a level to reasonably offset the cost of city staff time required to manage regulatory oversight of any dockless scooter operators. Contractual penalties should cover the costs of enforcement. However, to avoid any conflict of interest, revenue generated by non-compliance should not be used to pay for city staff time, but rather be designated to a separate city fund used to support bike and pedestrian infrastructure improvement projects.

PABAC recommends an annual fee structure for dockless scooter programs that includes:

- An annual standard contract fee; and
- An annual license fee for each scooter in an operator's fleet.

Additionally, PABAC recommends that, prior to the City's issuance of any operating authority for a dockless scooter program, the operators must provide the city a performance bond or an irrevocable letter of credit in an amount to be determined as appropriate by the city for an initial operational fleet of 250. If the initial fleet size is expanded, it is recommended that the operator increase that performance bond by an amount to be determined as appropriate by the city per additional unit over 250. The city should have the authority to draw against the performance bond

or irrevocable letter of credit or pursue any other available remedy to recover damages, fees, fines or penalties due from the operator for violation of the city's adopted provisions.

Related to enforcement, it is important that operators understand Fort Worth's value in maintaining high standards related to unattended scooters that are out of compliance, and PABAC recommends that non-compliance penalties should reflect those high standards. PABAC prefers clearly defined penalties including, but not limited to, the following:

- An amount for failing to remove non-compliant equipment within the required timeframe;
- An amount for when city must impounded equipment;
- An amount for exceeding the cap on the operator's designated number of allowed scooters; and
- An amount for failing to comply with Opportunity Area requirements.

PABAC further recommends that the city maintain the ability to remedy reoccurring rule violations by suspending or revoking an operator's contract.

Equity programming

PABAC strongly believes that public transportation options, such as shared transportation programs, should be made available to all communities, including low-income residents and economically distressed neighborhoods. To that end, any dockless scooter operator allowed to operate in Fort Worth should be required to maintain at least 20% of its fleet within designated Opportunity Areas. The city should determine the appropriate way to identify these Opportunity Areas based on recognized need. The city may also outline a process to reduce this requirement if it is appropriately determined unreasonable through an initial pilot.

Additionally, in order to help promote accessibility to dockless shared transportation services, PABAC recommends that the city adopt the following membership/payment requirements for any dockless shared transportation operation:

- Operators must not require an initial user deposit as part of a membership;
- Operators must provide users at least one non-credit card payment option; and
- Operators must be required to provide a reduced-fare program for any user with an income level at or below 200% of the federal poverty guidelines.

Data

A successful scooter program, being highly dependent on effective data monitoring to maintain control and compliance, requires city staff to plan ahead for the processes and systems architecture required to effectively ingest data, analyze performance, and respond to breaches in service level

agreements with authorized operators. Prior to implementing any operator, it is recommended that the city formally designate a staff person who will be equipped to monitor real-time data feeds at an appropriate level of scrutiny. It is further recommended that the designee establish standard data formats, types, technical requirements and procedures such that real-time data ingested from multiple operators can be aggregated meaningfully and analyzed as needed to holistically maintain control and assess success of the scooter program at both a global level and an operator-specific level. It is recommended that adequate technical planning between the city and interested operators occur to enable automation of data ingestion and aggregation to the greatest extent possible. Consideration should be given by the city to using real-time data to create automated alerts that will minimize the overhead associated with management of the program day-to-day.

Real-time data: All operators should be required to provide access to real-time, accurate, anonymized data on the location and utilization of every deployed scooter via a publically accessible application program interface (API) in a standardized format, the technical requirements of which should be prescribed by the Fort Worth city staff member who will be monitoring and maintaining the data prior to operator implementation. In order to accurately convey scooter locations, use patterns and other information, PABAC further recommends that all scooters ping, at a minimum, every 90 seconds while in use; and in order to ensure that equipment can be located even when not in use, PABAC further recommends that all data be provided by a GPS device affixed to the operator's equipment. This should not include phone-based location services information, used by customers, to locate a scooter or to track their personal route.

Periodical reporting: In addition to access to real-time data, PABAC recommends that operators be required to provide the city an aggregated monthly report that includes anonymized data, including:

- Total number of scooters in service, with accompanying unique vehicle identification numbers;
- Total number of rides;
- Average number of rides per scooter per day;
- A list of the requests for service for non-compliant scooters during the last quarter along with the actual response times to each call;
- Anonymized aggregated data taken by the scooters in the form of heat maps showing routes, trends, origins and destinations; and
- Anonymized trip data taken by the scooters that includes the origin and destination, trip duration and date and time of trip.

Audit of operator-provided data: It is recommended that the city establish a process for occasionally verifying operator-provided data points, in both real time and periodic reports, to assess data accuracy. Operators found to be providing systemically defective reporting should be

required to provide a comprehensive corrective action plan within an acceptable time horizon or be subject to removal from operating in the city.

Annual public presentations: PABAC recommends that all dockless shared transportation operators be required to present an annual report to PABAC and to the Mayor's Committee on Persons with Disabilities, to include an annual review of the same information shared in the quarterly reports to the city.

Although data will be important to gather and share for the purpose of monitoring dockless shared transportation fleet operations and enforcing compliance, it is equally important that the city adopt a level of expectation related to the use and sharing of data gathered by users. Data privacy is an important consideration.

To help protect the right of privacy of residents and visitors, PABAC recommends that all dockless shared transportation operators ensure customer data privacy and that company policies are in accordance with city data privacy policies. Furthermore, dockless shared transportation operators must confirm that customers are not required to share personal data with third parties (advertisers, investors, etc.) in order to use their services. Additionally, customers shall not be required to provide access to their contacts, camera, photos, files and other private data to use the mobility services. Customers may opt-in (not opt-out) to providing access to their contacts, camera, photos, files and other private data and third party data sharing. Location services may be required to use the service for the purpose of locating a nearby scooter, but not for providing trip data. Operators must provide customers with clear, prominent notification about what data will be accessed and explain how and why data will be used; and such notifications must be active (affirmation confirmation required to continue) and not buried in larger terms-of-service notifications.

Operators should be considered partners with the city in the case of any criminal investigations involving the use of their equipment. As part of any contract, operations should be required to provide the city's Police Department with information including, but not limited to, the name and contact information of a specific rider suspected of using the operator's equipment at the time of a suspected crime. An operator's failure to cooperate with law enforcement on any criminal investigation should be deemed a breach of the contract and may result in the termination of the contract at the city's option.

City staffing

In the event that a dockless shared transportation operator is contracted to operate in Fort Worth, PABAC recommends that the city designate a staff member who is responsible for monitoring compliance and reporting requirements. Compensation for staff time associated with dockless shared transportation programs should be offset by the adopted contract fees.

It is not recommended that this staff member be directly or solely responsible for assessing penalties, thus avoiding the potential for bribery by operators or other corrupt practices. Given the potential for conflict of interest, funding for monitoring should not come from non-compliance penalties.

Public education

An important factor to help users comply with regulations and reduce the need for enforcement actions will be a strong public education program. Furthermore, dockless scooters should be available only at rates that are clearly communicated to the customer prior to use of the equipment.

PABAC recommends that each operator be required to prepare and implement a marketing and outreach plan at its own cost. At minimum, that plan should include the following components:

- A city-specific website that clearly explains the terms of service, including user instructions, privacy policies, and all fees, costs and safe use of the equipment. This same information should also be clearly posted within the operator's mobile app. User instructions should clearly outline the parking rules and locations of any parking corrals. Users must be required to read through and agree to follow the user instructions in order to complete the registration process.
- Visible language in app, on equipment and distributed via other marketing materials that notifies the user of the following safe/good behavior:
 - Pedestrians First: People operating shared mobility equipment shall always yield to pedestrians, giving pedestrians space;
 - Parking Responsibly: Units shall be parked in a secure upright position only in areas allowed by the city;
 - On-Street Usage: Per State law, must not operate on roads with designated speed limits greater than 35 mph. Utilize bike lanes where available;
 - Prohibitions: Users shall not take units to areas where they are not authorized to operate; and
 - Right and Report: If you see a unit toppled over or parked improperly, help out by righting the unit and/or reporting the issue.
- Both the website and mobile app should prominently display the operator's contact phone number for complaints about safety/maintenance issues or other issues related to the operator's equipment.
- Operators must include safety information for riders on their websites and apps, which is triggered upon registration or a rental. This information should include educating riders on the importance of wearing a helmet, inspecting the equipment for damage before riding and how to submit a maintenance report, yield to pedestrians while riding, etc.
- Annually occurring campaign to provide free helmets to potential scooter users in areas served by the program.

- All scooters must clearly display its unique identification number and the customer service phone number for 24/7/365 service.

PABAC recommends that all operators be required to notify the management of adjacent cities to make them aware of their scooter share program and provide instructions for reporting any scooters misplaced within their municipality.