

CODE OF BALTIMORE REGULATIONS ANNOTATED (COBRA) REGISTER



ISSUE DATE: 15 May 2024

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Pursuant to General Provisions Article, § 4-303 of the Baltimore City Code, this issue contains all documents required to be published for this issue date.

Information about the COBRA Register and COBRA

COBRA REGISTER

The COBRA register is an official City publication. The COBRA register acts as a temporary supplement to the Code of Baltimore Regulations Annotated. Any change to the text of regulations published in COBRA must first be published in the COBRA Register.

CODE OF BALTIMORE REGULATIONS ANNOTATED (COBRA)

COBRA is the official compilation of all regulations issued by agencies of the City of Baltimore. The COBRA Register serves as COBRA's temporary supplement, publishing all proposed changes to regulations.

INCORPORATION BY REFERENCE

Incorporation by reference is a legal device by which a document is made part of COBRA by formal reference. The text of the incorporated document will not appear in COBRA, but the provisions of the incorporated document are enforceable as a COBRA regulation. Documents incorporated by reference will appear in the COBRA Register with a notice designating it as a document incorporated by reference.

PUBLIC PARTICIPATION IN THE REGULATION PROCESS

Baltimore City residents may participate in the process by which City regulations are proposed, adopted, amended, or repealed by submitting data or opinions on proposed regulations to the promulgating agency (see "Opportunity for Public Comment" section on the notice page for all proposed regulations contained in the COBRA Register).

ISSUE AND DEADLINE DATES THROUGH DECEMBER 2024[†]

ISSUE DATE	*DEADLINE FOR PROPOSED REGULATION
**January 15, 2024	January 8, 2024
February 15, 2024	February 8, 2024
March 15, 2024	March 8, 2024
April 15, 2024	April 8, 2024
May 15, 2024	May 8, 2024
**June 15, 2024	June 8, 2024
July 15, 2024	July 8, 2024
August 15, 2024	August 8, 2024
**September 15, 2024	September 8, 2024
October 15, 2024	October 8, 2024
November 15, 2024	November 8, 2024
**December 15, 2024	December 8, 2024

[†] Please note that this table is provided for planning purposes only. The Department of Legislative Reference (DLR) cannot guarantee that submissions will be published by an agency's desired publication date. Circumstances related to workload and staffing may prevent adherence to this schedule.

* Please note that the deadlines provided for the submission of a proposed regulation indicates the submission of a regulation in its final form for publication, including all required revisions from DLR and approvals from DLR, the Department of Law, and the Office of the City Administrator.

**For dates when the publication of the COBRA Register would fall over a weekend, the Register will be published the Monday following; for dates when the publication of the COBRA Register would fall on a Federal holiday, the Register will be published the next business day

INDEX OF COBRA TITLES AFFECTED IN THIS ISSUE

COBRA Title Number and Name

14 – Department of Transportation

COBRA Register. Publication of the Department of Legislative Reference, 100 Holliday Street, Suite 626, Baltimore, MD, 21201. Tel. 410-396-4730. **Brandon Scott**, Mayor; **Benjamin Guthorn**, Director, Department of Legislative Reference; **Hanna Naugle**, Legislative Services Analyst and Head of City Regulations; **Anita Evans**, Legislative Reference Librarian; **Andrew Daugherty**, Legislative Services Technician.

TITLE 14

DEPARTMENT OF TRANSPORTATION

Subtitle 02 DOCKLESS VEHICLES

14.02.01 GENERAL PROVISIONS

Authority: Baltimore City Code Article 31, § 38-3

Notice of Proposed Action

The Department of Transportation proposes to amend Chapter 01 under **COBRA 14.02 DOCKLESS VEHICLES**.

Statement of Purpose

The purpose of this action is to update regulations related to the operation of dockless vehicles in Baltimore City.

Proposed changes to regulations affect:

- Fleet size: Increase maximum number of vehicles a new permit holder can initially deploy from 1000 vehicles to 1500 vehicles;
- Parking: Require permit holders to perform a mechanical check and relocate a dockless vehicle if the dockless vehicle has been parked at the same location and not ridden for five consecutive days; and
- Formatting: update regulations to be compliant with the City Administrative Procedure Act (General Provisions Article, Title IV)

Changes were initiated in accordance with City Code Article 31, § 38-3.

Opportunity for Public Comment

Comments may be sent to Brett Thorne, Chief of Transportation Services, Planning, Department of Transportation, 417 East Fayette Street, Room 559, Baltimore, MD, or email to brett.thorne@baltimorecity.gov within 30 days of the date of publication of this Register.

CORREN JOHNSON
DIRECTOR, BALTIMORE CITY DEPARTMENT OF TRANSPORTATION

Title 14 DEPARTMENT OF TRANSPORTATION

Subtitle 01 *{RESERVED}*

Subtitle 02 DOCKLESS VEHICLES

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Subtitle 02 DOCKLESS VEHICLES

CHAPTER 01 GENERAL PROVISIONS

Authority: Baltimore City Code Article 31, § 38-3

14.02.01.01

.01 Scope.

This chapter establishes rules and regulations for the operation of dockless vehicles in Baltimore City.

14.02.01.02

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) Adaptive Dockless Vehicle.

(a) “Adaptive dockless vehicle” means a dockless vehicle that is accessible to people with a physical disability.

(b) “Adaptive dockless vehicle” includes a motorized or non-motorized:

(a) Recumbent bicycle;

(b) Tricycle; and

(c) Hand cycle.

(2) Alternative Deployment Location.

(a) “Alternative deployment location” means an area other than a public street.

(b) “Alternative deployment location” includes:

(i) A park;

(ii) A plaza;

(iii) A parking lot;

(iv) Private property; or

(v) A transit station.

(3) Applicant.

(a) “Applicant” means a person applying for an initial dockless vehicle permit.

(b) “Applicant” does not include a permit holder applying for the renewal of a dockless vehicle permit.

(4) “Application Programming Interface endpoint (API)” means a protocol that enables a software application to:

(a) Communicate with another platform; or

(b) Exchange data.

- (5) “Beta endpoint” means an API endpoint that has been officially released in a testing mode by its regulatory authority but not formally adopted.
- (6) “Block face” means one side of a street between the intersection of two other streets, excluding an alleyway.
- (7) “Community event” means an event held by:
- (a) A community organization as recognized by the City’s Online Community Association Directory; or
 - (b) Another organization as deemed appropriate by the Director.
- (8) “Compliance score” means a calculation of a permit holder’s compliance with the provisions of this chapter.
- (9) “CPSC” means the U.S. Consumer Product Safety Commission.
- (10) “Department” means the Baltimore City Department of Transportation.
- (11) “Deployment” means the location where a dockless vehicle is placed by a permit holder when it is made available for rent.
- (12) “Deployment district” means a geographic area designated in the Department’s MDS Policy API for tracking the distribution of dockless vehicles.
- (13) “Director” means the Director of the Department of Transportation.
- (14) “Dockless corral” means a geographic location designated by the Department where a dockless vehicle may be parked.
- (15) “Dockless vehicle” has the meaning stated in City Code Article 31, § 38-1(b).
- (16) “E-bike” has the meaning stated in City Code Article 31, § 38-1(d).
- (17) "E-scooter" has the meaning stated in City Code Article 31, § 38-1(e).
- (18) “Equitable access” means a process of making dockless vehicles available to the public by removing barriers to use including:
- (a) Geography;
 - (b) Income;
 - (c) Banking status; or
 - (d) Inclusion in a federally protected class.

(19) “Equity zone” means a geographic location where a dockless vehicle is deployed for equitable access as designated in the official document provided by the Department to a permit holder.

(20) “Fleet” means the total number of dockless vehicles operated by a permit holder in Baltimore City, regardless of whether they are available for rent.

(21) “Genetic information” means genetic markers related to a person’s medical history, including the manifestation of a:

(a) Disease; or

(b) Disorder.

(22) “Geo-fencing” means a location-based service that uses GPS or cellular data to identify when a mobile device or dockless vehicle enters or exits a virtual geographic boundary.

(23) “GitHub” means a code hosting platform.

(24) “Low-income population” means a person whose family income is at or below 150 percent of the poverty line

(25) “MDS” means Mobility Data Specification.

(26) “MDS Policy API” means the Open Mobility Foundation standards and code available on GitHub for secure mobility data exchange.

(27) “New permit holder” means a provider of dockless vehicles who has:

(a) Not previously been issued a permit to operate on a public street by the Department; or

(b) Not held a permit in the previous year.

(28) Non-deployment Request.

(a) “Non-deployment request” means a request from a member of the public to prevent the deployment of a dockless vehicle in front of their property.

(b) “Non-deployment request” includes a vehicle deployed by a dockless vehicle permit holder.

(c) “Non-deployment request” does not include a vehicle parked by a user.

(29) “OMF” means Open Mobility Foundation.

(30) “Overconcentration” means the deployment of more than 25 percent of a permit holder’s fleet in a single deployment district.

(31) “Payment Card Industry Data Security Standards” means the set of guidelines designed to ensure companies that process credit card information maintain a secure environment.

(32) “Parking corral” means an area designated by the Department where a dockless vehicle may be parked.

(33) “Permit” means a dockless vehicle permit as provided in City Code Article 31, § 38-8.

(34) “Permit agreement” means a document that is entered into between the City and a permit holder that:

- (a) Stipulates required insurance coverage for a permit holder to operate in Baltimore City;
- (b) Stipulates that the permit holder is obligated to adhere to applicable laws and regulations to operate in Baltimore City; and
- (c) Outlines procedures for the cessation of operations prior to the end of a permit.

(35) “Permit holder” means a provider of dockless vehicles who has been issued a permit by the Department to operate on a public street.

(36) “Permit year” means the period from July 1 to June 30 annually.

(37) “Person” has the meaning stated in General Provisions Article § 1-107, City Code.

(38) “Referral agency” means a government assistance program that provides services to individuals who qualify as low-income.

(39) Seizure.

(a) “Seizure” means the act of removing a dockless vehicle in violation of this chapter from:

- (i) City property; or
- (ii) An area inaccessible to a permit holder.

(b) “Seizure” includes the act of:

- (i) Towing;
- (ii) Impoundment; and
- (iii) Retrieval from a body of water.

(40) “Speed governor” means a device that ensures the motor of a dockless vehicle is incapable of traveling at a speed in excess of a mandated speed limit on level ground.

(41) “Street” has the meaning stated in General Provisions Article § 1-109, City Code.

(42) “Third-party” means a person that is not the permit holder that may access data related to the operation of dockless vehicles.

(43) “Third-party aggregator” means an organization that processes data from one or more sources for use by the City.

(44) “Towing Division” means the Baltimore City Department of Transportation’s Towing Division.

(45) “Tree pit” means an area of the street where a tree is planted.

(46) “Underserved population” means a group of people that:

(a) Has limited or no access to resources; or

(b) Is otherwise disenfranchised.

(47) “Vehicle model” means a vehicle of the certain type, but with different features or appearance.

(48) “Vehicle type” means a vehicle that meets specifications in the City’s vehicle code for that vehicle.

(49) “Web Content Accessibility Guidelines (WCAG)” means guidelines published by the World Wide Web Consortium's Web Accessibility Initiative to make web content accessible.

14.02.01.03

.03 Permits - Applications.

A. An applicant shall submit an application for a dockless vehicle permit in accordance with the information published on the Department's website regarding submission processes.

B. At the time of submission, an applicant shall ensure their application contains:

(1) An operations plan that includes:

- (a) Hours and days of operation, including relevant limitations;
- (b) Procedures for responding to extreme weather events;
- (c) Procedures for responding to special events;
- (d) Procedures for responding to complaints;
- (e) Procedures for ensuring availability of dockless vehicles in each deployment district; and
- (f) Procedures and avoiding overconcentration of the applicant's fleet in a single deployment district; and

(2) A maintenance plan that includes:

- (a) Procedures for ensuring that the applicant's fleet is:
 - (i) Safe for public use; and
 - (ii) Well-maintained;
- (b) A schedule for inspection of the applicant's fleet;
- (c) A description of the training method used for the applicant's mechanics;
- (d) A description of the life expectancy for each component of a dockless vehicle; and
- (e) A method of long-term monitoring to ensure the condition of vehicles in the applicant's fleet.

C. An applicant shall notify the Department of a change to the noted requirements in §B of this regulation.

14.02.01.04

.04 Permits - Fees.

A. A permit holder shall remit a fee for the issuance of a revocable dockless vehicle permit within 30 days of being awarded the permit.

B. The Board of Estimates shall:

(1) Approve the cost of the fee, which will include the cost of:

- (a) Issuing the permit;
- (b) Program administration;
- (c) Associated infrastructure;
- (d) Education;
- (e) Enforcement; and
- (f) Program evaluation; and

(2) Disclose the cost of the fee to a permit applicant before the application deadline.

C. If a permit holder's permit is revoked, the Department may not refund a permitting fee paid by the permit holder for the current permit cycle.

14.02.01.05

.05 Permits - Issuance.

A. The Department may issue up to three dockless vehicle permits annually through:

- (1) A renewal of an existing permit; or
- (2) A competitive application process.

B. Except as provided in §C of this regulation, a permit holder shall maintain a daily fleet of two or more vehicle types.

C. If a permit holder administers an adaptive vehicle program, the permit holder may maintain a fleet of a single vehicle type.

D. If a permit holder fails to meet one or more of the standards in this chapter, the Department shall:

- (1) Review the performance of the permit holder under the permit issued; and
- (2) Assess the violation for a citation in accordance with regulation .26 of this chapter.

14.02.01.06

.06 Permits - Renewal.

A. Eligibility Requirements.

A permit holder shall be eligible to renew a permit if the permit holder:

- (1) Has not had a violation in the permit year prior; and
- (2) Is in good standing to conduct business in the State of Maryland.

B. Renewal Process.

A permit holder may renew a permit by:

- (1) Signing a renewal agreement that includes current rules and regulations; and
- (2) Remitting an annual fee in accordance with regulation .04 of this chapter.

C. The Department may renew a permit if a permit holder meets the eligibility requirements in §A of this regulation.

14.02.01.07

.07 Permits - Revocation.

A. The Department may revoke a permit in accordance with City Code Article 31, § 38-13.

B. Revocation Hearing Procedures.

(1) A permit holder may request a hearing to determine whether sufficient facts exist to revoke a permit.

(2) The Department shall:

(a) Designate a time and place for a revocation hearing;

(b) Provide the permit holder with notice of the hearing at least ten business days before the scheduled date; and

(c) Provide an opportunity for the permit holder to be heard at the hearing.

(3) A permit holder may:

(a) Waive the right to an in-person hearing for the revocation of a permit; and

(b) Submit a written opposition to the revocation before the scheduled hearing date in accordance with §B(4) of this regulation.

(4) A permit holder shall submit written opposition to:

Baltimore City Department of Transportation Transit Bureau
417 E. Fayette Street
Baltimore, Maryland 21202.

(5) Following the hearing or the review of a written opposition, the Department shall record its findings of fact in writing.

(6) The Director may revoke a permit if:

(a) The Department finds that sufficient grounds exist to revoke a permit; and

(b) The Department provides at least five days' written notice to the permit holder in advance of the revocation.

C. A permit holder may appeal the revocation of a dockless vehicle permit to the Director.

14.02.01.08

.08 Deployment.

A. In General.

(1) A permit holder shall ensure that a dockless vehicle is deployed in compliance with City Code Article 31, § 38-19, Unlawful Parking.

(2) A permit holder shall provide an account for its mobile application to the Department so that Department employees can access a dockless vehicle for free for the purposes of:

(a) Education;

(b) A routine vehicle inspection; or

(c) Vehicle repositioning.

(3) A permit holder shall apply speed geo-fencing to a dockless vehicle by using a speed governor to establish a City-wide speed limit of 15 mph except for:

(a) In a reduced speed zone as defined in the Department's MDS Policy API where speeds are limited to eight mph; and

(b) In a no ride zone as defined in the Department's MDS Policy API where a dockless vehicle is limited to a speed of no more than three mph.

B. Deployment District Requirements.

(1) On each day of service, a permit holder shall deploy to each deployment district:

(a) A minimum of 5 percent of their fleet; and

(b) A maximum of 25 percent of their fleet.

(2) Compliance.

The Department shall:

(a) Evaluate daily compliance with the requirements in §B(1) of this regulation based on at least one hour of compliance between 5:00 a.m. and 9:0 a.m.; and

(b) Notify a permit holder in violation of the requirements in §B(1) of this regulation via a compliance score notification.

(3) A permit holder shall redistribute their fleet within three hours of receipt of a compliance score notification from the Department.

C. Equitable Deployment Requirements.

- (1) A permit holder shall deploy a minimum of three dockless vehicles per day to each equity zone.
- (2) If a permit holder operates two or more types of dockless vehicles, the permit holder shall deploy a minimum of four dockless vehicles per day to each equity zone.
- (3) Compliance.

The Department shall:

- (a) Evaluate daily compliance based on at least one hour of compliance between 5:00 a.m. and 9:00 a.m; and
- (b) Notify a permit holder of in violation of §C(1)-(2) of this regulation via a compliance score notification.

D. Prohibitions.

- (1) A permit holder may not deploy a dockless vehicle:
 - (a) Outside of a parking corral on a block face that contains an official parking corral designated by the Department, except as provided in §D(2) of this regulation;
 - (b) In a quantity greater than ten per block face, except as allowed by the Department to accommodate a special event;
 - (c) On a block face which contains the front entrance to a K-8 school;
 - (d) In a tree pit or otherwise landscaped area;
 - (e) In front of a property with an approved non-deployment request in accordance with §E of this regulation; or
 - (f) In a location the Department has notified the permit holder that they may not deploy to, beginning 48 hours after the notification.
- (2) If a parking corral is full, a permit holder may deploy a dockless vehicle on a block face outside of the parking corral.
- (3) Unless a permit holder receives approval from the Department, a permit holder may not designate a public street in Baltimore City as a:
 - (a) No parking zone;
 - (b) Reduced speed zone; or
 - (c) No ride zone.

E. Non-Deployment Requests.

(1) A property owner or manager may submit a non-deployment request in writing to the Department for an area adjacent to their property.

(2) The Department shall notify a permit holder:

(a) Of an approved non-deployment request; and

(b) That an approved non-deployment request will begin 48-hours after notification.

F. Severe Weather and Emergencies.

(1) If 24-hour advanced notice is provided, the Department may:

(a) Suspend the requirements of this regulation; or

(b) Require the removal of:

(i) An entire fleet; or

(ii) A portion of a fleet in a defined geographic location.

(2) The Department may require a permit holder to remove a dockless vehicle from:

(a) An evacuation route prior to an emergency snow event; and

(b) A low-lying area prior to an emergency flooding event.

G. Special Events.

The Department may suspend the requirements of this regulation during a special event.

H. Temporary Exemptions from Deployment Regulations.

(1) A permit holder may apply for a temporary exemption from the deployment requirements in this chapter.

(2) A permit holder shall include a plan for communicating operational changes to affected users and the public within the application for temporary exemption.

(3) The Department shall review applications for temporary exemption:

(a) Within 24 hours for an application based on an immediate safety concern; and

(b) Within five business days for other exemption requests.

I. Alternative Deployment Locations.

(1) A permit holder shall obtain permission to deploy a dockless vehicle to an alternative deployment location from:

(a) The Department;

(b) A private property owner; or

(c) Another City agency.

(2) A permit holder shall communicate the permission to deploy a dockless vehicle in an alternative deployment location via:

(a) Signage approved by the entity granting permission; or

(b) A mobile or web application.

14.02.01.09

.09 Equitable Dockless Vehicle Access.

A. Cash Payment Plans.

(1) A permit holder shall:

- (a) Provide the option to rent a dockless vehicle using a cash payment;
- (b) Offer at least one cash payment location in each deployment district;
- (c) Identify the following on its website and mobile application:
 - (i) The process for making a cash payment; and
 - (ii) The locations where a cash payment option is available;
- (d) Provide an instruction document to the Department that summarizes the process to sign up for a cash-payment plan; and
- (e) Inform a user of the availability of cash payment option:
 - (i) During initial sign-up; and
 - (ii) Via email at least twice annually.

(2) The Department shall post the instruction document provided for in §A(1)(d) of this regulation to the Department website.

B. Non-Smartphone Plans.

(1) A permit holder shall:

- (a) Offer the option to rent a dockless vehicle without the use of a smartphone;
- (b) Identify the process to rent a dockless vehicle without using a smartphone on its website and mobile application;
- (c) Provide an instruction document to the Department that summarizes the process to sign up for a cash-payment plan; and
- (d) Inform a user of the availability of cash payment option:
 - (i) During initial sign-up; and
 - (ii) Via email at least twice annually.

(2) The Department shall post the instruction document provided for in §B(1)(c) of this regulation to the Department website.

C. Low-Income Plans.

- (1) A permit holder shall offer a low-income plan to users with an income level at or below 200 percent of the federal poverty guideline.
- (2) A permit holder shall approve a low-income user by obtaining:
 - (a) Preapproval from a referral agency; or
 - (b) Proof of assistance, including:
 - (i) Local assistance;
 - (ii) State assistance; or
 - (iii) Federal assistance.
- (3) A permit holder shall ensure a low-income plan waives an unlock fee; and
 - (a) Offers a minimum 50 percent discount off rental fees; or
 - (b) Offers unlimited free rides under 30 minutes.
- (4) A permit holder shall:
 - (a) Describe the process to sign up for a low-income plan on the dockless vehicle:
 - (i) Website; and
 - (ii) Mobile application;
 - (b) Notify the Department of a change to verification methods for low-income customer plans;
 - (c) Provide an instruction document to the Department that summarizes the process to sign up for a low-income plan;
 - (d) Inform a user of the availability of cash payment option:
 - (i) During initial sign-up; and
 - (ii) Via email at least twice annually.
- (5) The Department shall post the instruction document provided for in §C(4)(c) of this regulation to the Department website.

D. Customer Service Phone Lines.

- (1) A permit holder shall maintain a live, multilingual 24-hour customer service phone line.

(2) If a caller is required to leave a voicemail when calling the customer service phone line, a permit holder shall respond with a call back within two hours.

(3) A permit holder shall provide a translation or call back within four hours when a message is left by a customer in:

(a) Spanish;

(b) French;

(c) Mandarin Chinese; or

(d) Korean.

E. Web Accessibility.

Within 120 days of receiving a permit, a permit holder shall ensure that its software application used for vehicle rental and website are accessible to visually impaired individuals consistent with the latest WCAG standards.

14.02.01.10

.10 Compliance.

A. Compliance Scores – Calculation and Reporting.

The Department shall:

- (1) Calculate a compliance score to determine compliance for:
 - (a) Equitable distribution of a dockless vehicle fleet; and
 - (b) Parking of a dockless vehicle fleet; and
- (2) Report compliance scores to a permit holder twice per calendar month.

B. Compliance Requirements – Distribution.

- (1) To remain compliant with the distribution requirements of this chapter, a permit holder shall ensure a minimum compliance score of 85 percent for each reporting period in:
 - (a) A deployment district; and
 - (b) An equity zone.

C. Compliance Requirements – Fleet Parking.

To remain compliant with fleet parking requirements, a permit holder shall ensure:

- (1) No more than 5 percent of a dockless vehicle fleet remains parked for longer than 5 days for the period from April 1 through November 30; and
- (2) No more than 10 percent of a dockless vehicle fleet remains parked for longer than 5 days for the period from December 1 through March 31.

D. Eligibility for Fleet Cap Increase.

To be eligible for a fleet cap increase, a permit holder shall score a minimum of 90 percent compliance for each reporting period in

- (1) A deployment district; and
- (2) An equity zone.

.11 Vehicle Standards.

A. Vehicle Approval.

(1) A permit holder shall ensure a dockless vehicle model intended for deployment on a public street has been approved by the Director prior to its deployment on the public street.

(2) To deploy a new vehicle model or vehicle type, a permit holder shall submit the following to the Department at least two weeks prior to intended deployment:

- (a) Vehicle specifications;
- (b) A safety certificate;
- (c) A deployment plan;
- (d) A change to an operations plan, if any; and
- (e) A change to a maintenance plan, if any.

(3) A permit holder may not deploy a new vehicle model or type until receiving written approval from the Department.

B. Required Features – In General.

A permit holder shall ensure a dockless vehicle deployed on a public street:

- (1) Weighs no more than 100 pounds;
- (2) Is equipped with an operational structural feature that allows the vehicle to be stably parked upright without needing to lean on another object;
- (3) Is equipped with built-in front and back lights that:
 - (a) Illuminate while the dockless vehicle is in use; and
 - (b) Are visible from a distance of at least 500 feet under normal atmospheric conditions at night;
- (4) Is equipped with a bell or noise emitting device;
- (5) Has tires with a diameter of at least nine inches;
- (6) Has tactile identification which:
 - (a) Meets State requirements; and
 - (b) Is located on the stem near the handlebars if handlebars are present; and

(7) Has legible decals listing:

(a) The name of the permit holder displayed in a minimum of 16-point font;

(b) The following contact information for a permit holder displayed in a minimum of 16-point font:

(i) A toll-free telephone number;

(ii) An e-mail address; and

(iii) A website address; and

(c) A unique identification number displayed in:

(i) A minimum of 48-point font; or

(ii) Font that is at least 1 inch in height.

C. Required Features – E-scooters.

A permit holder shall ensure that an e-scooter deployed on a public street:

(1) Has a speedometer that is legible; and

(2) Is equipped with a speed governor capable of throttling speeds to specific speed limits in geographical areas designated in the MDS Policy API.

D. Required Features – Bicycles or E-bicycles.

A permit holder shall ensure a bicycle or e-bicycle has a locking device that enables the bicycle or e-bicycle to be secured to a bicycle rack.

E. Data and Information.

A permit holder shall ensure a dockless vehicle and its associated apps do not provide false information, including:

(1) An inaccurate speedometer reading; and

(2) An alarm that announces that a vehicle can notify the police.

F. Additional Requirements.

(1) A permit holder shall certify that its deployed vehicles meet:

(a) Applicable federal laws;

(b) Applicable State laws;

(c) Applicable provisions of City Code;

(d) CPSC Safety Standards: ISO 43.150 for Pedal Bicycles; and

(e) CPSC Public Law 107-319 for E-Scooters and E-Bicycles.

(2) A permit holder shall certify that each dockless vehicle they deploy in the City are:

(a) Free of defects in materials;

(b) Free of defects in construction; and

(c) Safe for members of the public to use in the ordinary course of usage.

14.02.01.12

.12 Vehicle Standards - Inspections and Notification.

A. The Department shall:

(1) Perform regular vehicle inspections to ensure that a rentable dockless vehicle deployed on a public street is:

(a) Functioning safely; and

(b) Properly equipped; and

(2) Provide advance notice to a permit holder about the details of an inspection to be performed.

B. For vehicles found to be in violation of this chapter, the Department shall notify a permit holder within 24 hours of inspection.

14.02.01.13

.13 Vehicle Standards – Timeline for Compliance.

Upon notification of a violation in accordance with this chapter, the Department shall calculate a timeline for compliance that is:

- A. Based on the extent of changes required to a permit holder's fleet;
- B. No fewer than 60 days; and
- C. No more than 6 months.

14.02.01.14

.14 Remote Shutdown.

A. Upon the first report of a safety issue by a user, a permit holder shall remotely shut down the dockless vehicle so that it cannot be operated until repaired.

B. If a reported safety issue is due to an equipment malfunction which could be present in additional dockless vehicles, the permit holder shall:

(1) Remove their entire fleet of vehicles from the street within 24 hours; and

(2) Ensure the fleet remains off the street until:

(a) Further investigation is completed; and

(b) Relaunch is approved by the City.

14.02.01.15
.15 Fleet Size.

A. Minimum and Maximum Fleet Sizes.

(1) For each permitted vehicle type, a permit holder may initially operate a fleet consisting of:

- (a) A minimum of 150 dockless vehicles; and
- (b) A maximum of 1500 dockless vehicles.

(2) A permit holder's total fleet may include a combination of vehicle types allowed by their permit if there is a minimum of 150 vehicles of each type.

B. Adaptive Vehicle Exemptions.

(1) The Department may exempt a permit holder that includes adaptive dockless vehicles in their fleet from:

- (a) The requirement to maintain a minimum of 150 vehicles for adaptive dockless vehicles; and
- (b) The requirement to maintain a minimum of 150 vehicles for other permitted dockless vehicle types.

(2) A permit holder that includes an adaptive dockless vehicle in their fleet shall ensure the adaptive dockless vehicle:

- (a) Is officially approved by the Director; and
- (b) Is not included in the count for the maximum number of vehicles allowed in a permit holder's fleet.

C. Timelines for Reaching Minimum Fleet Size.

(1) A permit holder permitted in the previous year shall reach the minimum fleet size per vehicle type within 20 days of permit issuance.

(2) A new permit holder shall reach the minimum fleet size within 60 days of permit issuance.

(3) A permit holder who introduces a new vehicle type shall reach the minimum fleet size within 60 days of receiving approval of the new vehicle type from the Department.

D. Fleet Increases.

(1) Each quarter, a permit holder may request a fleet increase of up to 250 vehicles in excess of the limits established in §A of this Regulation.

(2) In reviewing a fleet increase request, the Department shall assess:

- (a) Performance during the period prior to the evaluation; and

(b) Projections for the subsequent quarter.

(3) The Department may:

(a) Set an overall fleet cap; and

(b) Revoke a fleet increase.

14.02.01.16

.16 Parking and Operation.

A. In General.

(1) A permit holder shall instruct users to:

- (a) Park a dockless vehicle in compliance with City Code Article 31, § 38-19;
- (b) Operate a dockless vehicle in compliance with City Code Article 31, § 38-18; and
- (c) Provide end of trip pictures that show:
 - (i) The location a vehicle was parked; and
 - (ii) The manner in which a vehicle was parked.

(2) A permit holder shall use end of trip pictures:

- (i) When a parking violation is reported by the Department; and
- (ii) To disable a user account when three or more end of trip pictures fail to provide the information required by §A(1)(c) of this regulation.

B. Notice and Response.

(1) Upon notification that a dockless vehicle is improperly parked, a permit holder shall reposition or remove the vehicle within:

- (a) Three hours of notification by the Department; and
- (b) Six hours of notification by a member of the public.

(2) The Department may perform a check of parking complaint response times, during which the Department may:

- (a) Report an illegally parked vehicle officially; or
- (b) Anonymously report an illegally parked vehicle as a member of the public.

C. Abandoned Vehicles.

If a dockless vehicle has been parked at the same location and not ridden for five consecutive days, a permit holder shall:

- (1) Perform a mechanical check of the dockless vehicle; and
- (2) Relocate the dockless vehicle to another block face.

D. Mobile Application Requirements.

A permit holder shall:

- (1) Ensure a dockless vehicle mobile application displays:
 - (a) Applicable operating laws within four menu selections from the home screen; and
 - (b) The location of parking corrals installed by the Department; and
- (2) Provide a discount through the mobile application to a user who ends their trip by parking a dockless vehicle in a parking corral installed by the Department.
- (3) Upload the location of parking corrals installed by the Department to a dockless vehicle mobile application within 10 days of notification from the Department.

E. No Parking Zones.

- (1) The Department may establish a no parking zone on the public street in accordance with §E(2) of this regulation.
- (2) For a no parking zone established in accordance with this regulation, the Department shall:
 - (a) Identify the no parking zone in the MDS Policy API; and
 - (b) Notify a permit holder of the no parking zone through the MDS Policy API.
- (3) Within 72 hours of notification from the Department, a permit holder shall prohibit a user from ending a trip in a no parking zone.

F. A permit holder will be subject to the compliance inspection process in this chapter if a parking violation occurs.

14.02.01.17

.17 Seizure and Recovery.

A. The Department may seize a dockless vehicle if:

- (1) A permit holder fails to comply with a request to reposition or remove a vehicle in accordance with this chapter; or
- (2) A dockless vehicle is in a location where it cannot be accessed by a permit holder.

B. At the time of seizure, the Department shall:

- (1) Notify the permit holder in accordance with City Code Article 31, § 38-24;
- (2) Take pictures that indicate that the dockless vehicle is in violation of this chapter;
- (3) Record the identification number of the dockless vehicle; and
- (4) Record the property number assigned to the dockless vehicle by the Towing Division.

C. If the Department seizes a dockless vehicle, the Department shall charge a permit holder the following fees from the refundable performance bond:

- (1) \$220.00, for five or fewer e- scooters seized at the same time;
- (2) \$220.00, for more than five e-scooters seized at the same time, plus \$44.00 per each e-scooter beyond the fifth;
- (3) \$220.00, for three or fewer bicycles or e-bicycles seized at the same time; and
- (4) \$220.00, for more than three bicycles or e-bicycles seized at the same time, plus \$73.33 per bicycle or e-bicycle beyond the third.

D. After the first 48 hours from the initial seizure date, the Department may charge a permit holder \$15.00 for each 24-hour period for each group of:

- (1) Up to five e-scooters; or
- (2) Up to three bicycles or e-bicycles.

E. Recovery of Seized Vehicles.

- (1) A permit holder shall retrieve a seized dockless vehicle from:

Baltimore City Department of Transportation
Towing Division
6700 Pulaski Hwy
Baltimore, Maryland, 21237

During the following hours:

Monday-Friday 8:30 am – 5:00 pm

Saturday 9:00 am – 4:30 pm

Closed Sundays and Holidays.

(2) A permit holder shall notify the Towing Division of the person who will retrieve a seized vehicle by calling 410-396-9958 or 410-545-3417.

14.02.01.18

.18 User Education.

A. A permit holder shall provide in-app user education on proper operation of a dockless vehicle by:

(1) Developing an in-app quiz for new users that:

(a) Contains a minimum of five questions approved by the Department pertaining to:

(i) Parking;

(ii) Operations; or

(iii) General safety; and

(b) Requires a score of at least 80 percent before the third rental of a dockless vehicle by a user; and

(2) Displaying a banner on the app home screen for up to one week of each month that highlights relevant information determined by the Department.

B. A permit holder shall provide in-person user education on proper operation of a dockless vehicle by:

(1) Hosting or participating in a minimum of one community event per deployment district annually to display safety information;

(2) Attending a minimum of two community events annually between November and February; and

(3) Attending a minimum of four public meetings upon invitation by the Department.

C. Access to Additional User Data.

(1) A permit holder may request that users “opt in” to provide access to:

(a) Location services; or

(b) Files on a user’s phone.

(2) A permit holder may not prevent use of a dockless vehicle based on a user’s decision to grant or deny the data noted in §C(1) of this regulation.

D. Departmental Survey.

Within 10 days of notification by the Department, a permit holder shall:

(1) Include a clickable link to a yearly Department survey in the mobile application; and

(2) Send the survey link to active users via e-mail.

14.02.01.19

.19 Special Events.

A. The Department may require a permit holder to provide staffing for special events expecting over 5,000 attendants in accordance with this regulation.

B. Upon notification from the Department, a permit holder shall be required to:

- (1) Designate an individual as a staff contact for event organizers;
- (2) For events expecting 5,000-9,999 people in attendance, provide up to two staffers for:
 - (a) Up to one hour before the event;
 - (b) During the event; and
 - (c) Up to one hour after the conclusion of the event;
- (3) For events expecting over 10,000 people in attendance, provide up to three staffers for:
 - (a) Up to one hour before the event;
 - (b) During the event; and
 - (c) Up to one hour after the conclusion of the event.

14.02.01.20
.20 Pricing.

A. Except as provided in §B of this regulation, a permit holder may not:

- (1) Set a higher price for the use of a dockless vehicle in a certain part of the City; or
- (2) Base pricing on a users':
 - (a) Inclusion in a federally protected class;
 - (b) Genetic information; or
 - (c) Citizenship.

B. A permit holder may use a pricing variation to:

- (1) Incentivize proper operation of a dockless vehicle; or
- (2) Increase usership among underserved or low-income populations.

14.02.01.21

.21 Advertising and User Engagement.

A. A permit holder shall ensure that user engagement, including participation at required community events, is inclusive of:

- (1) Underserved populations; and
- (2) Low-income populations.

B. A permit holder may not:

- (1) Use the name of a City agency, including the Department, without prior written approval;
- (2) Use the logo of a City agency, including the Department, without prior written approval' and
- (3) Use the following to display third-party advertising:
 - (a) A dockless vehicle;
 - (b) A mobile application;
 - (c) A kiosk;
 - (d) Related physical infrastructure; or
 - (e) Related web-based infrastructure.

.22 Data and Reporting.

A. GPS.

A permit holder shall ensure each dockless vehicle in their fleet is equipped with on-board GPS technology that does not rely on a user's mobile device to obtain spatial information.

B. Publicly Accessible Application Program Interface (API).

- (1) The permit holder shall provide a publicly accessible API.
- (2) The permit holder shall ensure that:
 - (a) The public API is in a gbfs.json file format;
 - (b) There are no "stations" in the parlance of GBFS, therefore both station_status.json and station_information.json should return an empty list;
 - (c) FreE-Bicycle-status.json is required;
 - (d) The field "vehicle_type" is added to the public API to describe the vehicle type, which may be:
 - (i) "Bicycle";
 - (ii) "E-Bicycle";
 - (iii) "Scooter"; or
 - (iv) Another type of specified permitted vehicle;
 - (e) The Department is instructed on how to request authentication, if the public API requires authentication;
 - (f) The location of the public API is provided to the Department; and
 - (g) A smart phone-based application used to rent dockless vehicles is not considered the public API program interface required by §B(1) of this regulation.
- (3) The permit holder shall provide access to at least 50 requests per hour.
- (4) The Department shall post the location of the public API to the Department's website.

C. Mobility Data Specification (MDS) Policy API.

- (1) A permit holder shall:
 - (a) Provide an MDS Policy API to the Department for a dockless vehicle trip in Baltimore City, including trips which:
 - (i) Start in Baltimore City;
 - (ii) End in Baltimore City; or

- (iii) Pass through Baltimore City;
 - (b) Adhere to an MDS of 1.0 or newer, as set by the OMF;
 - (c) Post the MDS Policy API on GitHub under the OMF Mobility Data specification;
 - (d) Provide API endpoints, including:
 - (i) A trip;
 - (ii) A status change;
 - (iii) A vehicle; and
 - (iv) Real-time data;
 - (e) Update or add endpoints to the MDS Policy API within:
 - (i) Sixty days of notification from the Department for required published endpoints; and
 - (ii) Ninety days for beta endpoints;
 - (f) Change vehicle status to 'Unknown' if a vehicle is suspected to be:
 - (i) Vandalized; or
 - (ii) Missing for five or more days;
 - (g) Ensure GPS data are transmitted from a dockless vehicle on-trip at a minimum frequency of once per 30 seconds;
 - (h) Develop and maintain a working Wi-Fi connection to ingest MDS Policy API endpoints provided by the Department; and
 - (i) Share current data through the MDS Policy API at least once per 24 hours.
- (2) The Department may require additional or updated endpoints published by OMF.
- (3) The Department may share the MDS Policy API with a third-party aggregator in accordance with §C(4) of this regulation for the purpose of:
- (a) Secure data storage; and
 - (b) Analysis.
- (4) To share data with a third-party aggregator in accordance with §C(3) of this regulation, the Department shall enter into a memorandum of understanding with a third-party aggregator that:

- (a) Includes a provision governing the public release of data by a third-party aggregator; and
- (b) Is made available for a permit holder to review prior to being finalized.

D. Reporting.

(1) Time Sensitive Reports.

A permit holder shall report the following to the Department within 24 hours of notice:

- (a) Non-deployment request at a location by an adjacent property owner for verification by the Department;
- (b) A vehicle that is in a location where the permit holder cannot retrieve it, including a body of water; and
- (c) An issue that could affect public safety, including:
 - (i) A report of criminal activity involving a dockless vehicle;
 - (ii) A report of a crash involving a dockless vehicle;
 - (iii) Contact with the Baltimore City Police Department;
 - (iv) Contact with the Baltimore City Fire Department; or
 - (v) A defect in equipment.

(2) Monthly Reports.

A permit holder shall provide the Department with a monthly report by the tenth business day following the final day of the month which:

- (a) Uses the Department's reporting template;
- (b) Is in Excel or CSV format;
- (c) Includes:
 - (i) A report of each dockless vehicle lost due to theft or vandalism;
 - (ii) Aggregated repair information on a permit holder's dockless vehicle fleet by model of vehicle and type of repair;
 - (iii) Each illegal parking request from the public;
 - (iv) Each customer complaint received with response time noted;
 - (v) A record of attendance at a City meeting;

- (vi) The number of people in attendance at a community event;
- (vii) A summary of marketing efforts;
- (viii) The number of users that took a trip on a dockless vehicle during the reporting period;
- (ix) The number of rides by low-income pass users during the reporting period;
- (x) The number of rides by cash users during the reporting period;
- (xi) The number of rides by non-smart phone users during the reporting period;
- (xii) The number of users provided for in §(2)(c)(ix)-(xi) of this regulation disaggregated by the type of plan and user home zip code;
- (xiii) The number of users of the low-income pass; and
- (xiv) An update to maintenance or operational plan.

(3) Software Issues and Hacking Events.

A permit holder shall:

- (a) Notify the Department of a change to a data portal, including a response to a notification from the Department regarding:
 - (i) A software glitch;
 - (ii) An issue with hacking; or
 - (iii) A data portal;
- (b) Acknowledge a notification from the Department about data and reporting within 24 hours;
- (c) Provide the Department with a plan for addressing an identified problem;
- (d) Provide a progress update to the Department once per 48 hours while the problem persists; and
- (e) Permanently fix an issues within 60 days of receiving notice of the problem.

(4) User Privacy.

A permit holder shall protect user privacy by:

- (a) Complying with Payment Card Industry Data Security Standards for an electronic payment;

- (b) Notifying a user of a mobile device feature that the mobile application accesses; and
- (c) Not releasing personal user data to an entity:
 - (i) Unrelated to operations; or
 - (ii) That intends to use the data in a commercial sale to a third party.

14.02.01.23

.23 Security Bond.

A. Security Bond.

(1) A permit holder shall provide a security for performance in the amount of \$10,000 to the Department.

(2) A permit holder shall ensure the security is in the form of:

- (a) A performance bond;
- (b) A refundable bond; or
- (c) Another security acceptable to the City.

B. Rental Taxes.

(1) A permit holder shall remit a rental tax to the Department of Finance twice annually in accordance with this section.

(2) January – June.

(a) The Department shall invoice a permit holder by July 15 for the tax provided for in §B(2)(b)(i) of this regulation.

(b) The permit holder shall:

- (i) Pay a tax of \$0.10 per rental for dockless vehicle rentals between January 1 and June 30 annually; and
- (ii) Remit the tax within one calendar month after receiving an invoice from the Department.

(3) July – December.

(a) The Department shall invoice a permit holder by January 15 for the tax provided for in §B(3)(b)(i) of this regulation.

(b) The permit holder shall:

- (i) Pay a tax of \$0.10 per rental for dockless vehicle rentals between July 1 and December 31 annually; and
- (ii) Remit the tax within one calendar month after receiving an invoice from the Department.

- (4) A permit holder shall submit the following to the Department with each remittance of the annual tax:
- (a) A list of the total number of transactions during the reporting period; and
 - (b) A digital copy of:
 - (i) Payments during the reporting period; and
 - (ii) Transactions during the reporting period.

14.02.01.24

.24 Procedures for Claims Against Security Bond.

A. Authorization to Draw Against Security.

The City may deduct from the security provided by a permit holder to recover incurred costs if:

- (1) A permit holder fails to remove from the public street a dockless vehicle that is:
 - (a) Unsafe;
 - (b) Unpermitted; or
 - (c) Abandoned;
- (2) The Department seizes a dockless vehicles due to a violation of these regulations; or
- (3) A permit holder's dockless vehicle causes damage to public property.

B. Notification.

If the City intends to deduct from a permit holder's security as provided in §A of this regulation the Department shall provide written notice to a permit holder prior to the deduction which states:

- (1) The reason for the deduction;
- (2) The amount of the deduction;
- (3) Information on submission of an objection to a deduction in accordance with §C of this regulation.

C. Objection Submission.

A permit holder may submit an objection to a planned deduction to their security bond:

- (1) In writing; and
- (2) Within 7 days of the date of the written notice.

D. Notification of Outcome.

(1) The Department shall provide a permit holder with written notification of a decision rendered regarding their objection which:

- (a) Provides the reason for denying the objection; or
- (b) Confirms acceptance of the objection.

(2) The Department shall send the notification to the permit holder three days before a deduction is made.

14.02.01.25

.25 Insurance.

A. Required Insurance.

A permit holder shall procure and maintain the coverage required in the permit agreement during:

- (1) The term of an initial dockless vehicle permit; or
- (2) The renewal of a dockless vehicle permit:

B. A permit holder shall name The Mayor and City Council of Baltimore as an additional insured on the permit holder's:

- (1) Commercial general liability insurance; and
- (2) Commercial automobile liability policies.

C. A permit holder shall indemnify the Mayor and City Council of Baltimore from liability relating to:

- (1) The issuance of a dockless vehicle; or
- (2) The provision of services under a dockless vehicle permit.

D. The City shall notify a permit holder before resolution or settlement of claims for which the City will seek indemnification.

14.02.01.26

.26 Citations.

A. The Department may issue a citation under City Code Article 1, § 40-14 to a permit holder found to be in violation of:

- (1) This chapter; or
- (2) City Code Article 31, Subtitle 38.

B. Notification of Violation.

If a permit holder is found to be in violation during a compliance inspection, the Department shall:

- (1) Issue a first warning to the permit holder noting the violation;
- (2) Issue a second warning to a permit holder if the violation recurs within 60 days of the first warning;
and
- (3) Issue a citation if the violation recurs within 60 days of the second warning.

C. Abatement Period.

The Department shall:

- (1) Grant an abatement period to a permit holder to fix a violation; and
- (2) Issue an additional citation to a permit holder who commits an additional violation within 60 days of a granted abatement period.

D. A permit holder may appeal a citation to the District Court of Baltimore City.

Administrative History:

- R&R establish and effective August 1, 2019
- R&R revised and effective July 1, 2021
- R&R revised to be effective July 1, 2022
- R&R revised to be effective July 1, 2023

Effective Date: