

14.02 Dockless Vehicles for Hire

14.02.01. General.

14.02.01.01. Adoption, Applicability, and Scope of Regulations.

A. Adoption.

The Baltimore City Department of Transportation (“DOT”) adopts these rules and regulations under Baltimore City Code Article 31, Transit and Traffic, Subtitle 38, Dockless Vehicles.

B. Applicability.

These rules and regulations are in addition to all applicable laws found in Baltimore City Code Article 31, other applicable sections of Baltimore City Code, and Maryland State Code.

C. Scope of Regulations.

- (1) A Dockless Vehicle for Hire must meet the standards of operations expressed in this Regulation to be permitted to operate in Baltimore.
- (2) DOT will issue up to four Dockless Vehicles permits annually and based on a competitive application process. Two permits will be reserved for providers that commit to maintain a daily fleet of two or more vehicle types.
- (3) A permit is valid for one year and a permit holder is eligible for a one-year renewal with all of the following:
 - a. approval by the DOT Director, which may be based on compliance and community ratings gathered during this permit year;
 - b. a signed renewal agreement from the Permit Holder to any updated Rules and Regulations; and
 - c. payment of all annual fees.
- (4) If a Dockless Vehicle for Hire provider is awarded a permit under these regulations and fails to meet one or more of the expressed standards contained in these regulations, DOT shall review the performance of the provider under the permit issued and assess the violation for any penalty that may attach.

14.02.01.02. Definitions.

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

B. Terms Defined.

- (1) “Adaptive Dockless Vehicle” means a Dockless Vehicle which is accessible to people with various physical disabilities. Examples include recumbent bicycles, tricycles, and hand cycles, any of which may be motorized.
- (2) “Block Face” means one side of a street between two intersections of other streets, excluding alleyways.
- (3) “Deployment” means where the Dockless Vehicles are placed when they are made available for rent by the Permit Holder.

Dockless Vehicles for Hire: Rules and Regulations

- (4) “Deployment Zone” means a geographic area designated by DOT for tracking the deployment of Dockless Vehicles.
- (5) “Dockless Corral” means geographic locations designated by DOT where Dockless Vehicles may be parked.
- (6) “Equity Zone” means geographic locations designated by DOT where Dockless Vehicles must be deployed to provide equitable access.
- (7) “Fleet” means all of the Dockless Vehicles in Baltimore City, regardless of whether they are available for rent or non-operations and will be measured as the average number of vehicles during a 24-hour period.
- (8) “Permit Holder” means a provider of a Dockless Vehicle for Hire permitted to operate on public right-of-way by DOT.
- (9) “Speed Governor” means a device that ensures the motor of a Dockless Vehicle is incapable of propelling the vehicle at a rate of speed in excess of the mandated speed limit on level ground.
- (10) “Vehicle Make or Model” means a vehicle of the same type, but with different features or appearance. For example, the Segway Ninebot Max is a different “vehicle make” than the Unagi Model One although they are both e-scooter vehicle types.
- (11) “Vehicle Type” means all vehicles that meet a certain vehicle code. For example, a bicycle is a vehicle type and an e-scooter is a different vehicle type.

14.02.01.03. Standards for Vehicles.

- A. A vehicle make or model of Dockless Vehicle intended to operate on public right-of-way must be approved by the Director prior to its deployment on public right-of-way.
- B. If a Permit Holder wishes to deploy a new vehicle model or vehicle type, they shall submit specifications, safety certificates, deployment plan, and any changes to operations or maintenance plans to DOT at least two weeks prior to intended deployment and may not deploy the new vehicles until receiving written approval.
- C. Timeline for Compliance with Vehicle Standards.
 - (1) If a Permit Holder’s previously approved vehicles no longer meet vehicle standards due to changes in laws or regulations, DOT will notify the Permit Holder.
 - (2) In this notification, DOT will advise on a timeline of compliance which will be no less than 60 days and no more than 6 months, to be calculated based on the upgrade required.
- D. Permit Holder shall certify that all vehicles deployed meet all applicable Federal, Maryland State, and Baltimore City laws and regulations pertaining to vehicle code, as well as the CPSC Safety Standards: ISO 43.150 for pedal bikes and CPSC Public Law 107-309 for all e-scooters and e-bicycles.
- E. Required Features of a Dockless Vehicle.

Dockless Vehicles must meet all of the following criteria:

Dockless Vehicles for Hire: Rules and Regulations

- (1) Weigh no more than 75 pounds;
 - (2) Be equipped with an operational kickstand or other structural feature, so that the vehicle can be stably parked upright without needing to lean on any structure or object;
 - (3) Be equipped with built-in front and back lights which illuminate while the Dockless Vehicle is in use and that are each visible from a distance of at least 500 feet away under normal atmospheric conditions at night;
 - (4) Be equipped with a bell or noise emitting device;
 - (5) Have tires with a diameter of at least 9 inches;
 - (6) Have tactile identification which meets Maryland State requirements and is located on the stem near the handlebars, if handlebars are present; and
 - (7) Have legible decals listing the following:
 - (a) Name of the Permit Holder, which must be displayed in at least sixteen (16) point font;
 - (b) Toll-free telephone number, e-mail address, and website address, all of which shall be displayed in at least sixteen (16) point font, that may be used to report an incorrectly parked Dockless Vehicle or a Dockless Vehicle in need of repair; and
 - (c) A unique identification number, which shall be displayed in at least forty-eight (48) point font or font that is at least 1 inch in height.
- F. Speedometer and Speed Governor Requirements.
- (1) E-scooters must have a speedometer that is readable at all times;
 - (2) E-scooters must be equipped with a Speed Governor capable of throttling speeds to specific speed limits in geographical areas designated in the MDS Policy API.
- G. Bicycle and e-bikes must have a locking device that can be used to lock to a bike rack and capable of locking to itself.
- H. Dockless Vehicles and apps associated with them may not provide false information to DOT or the public. Examples of false information include, but are not limited to:
- (1) Inaccurate speedometer readings.
 - (2) Alarms that announce that a Vehicle can notify the police.
- I. Vehicle Inspections.
- (1) DOT reserves the right to perform regular vehicle inspections to ensure that Dockless Vehicles available for rent or any other equipment deployed on public right-of-way is functioning safely and properly equipped.
 - (2) The process and items to be inspected shall be shared with the Permit Holder prior to any inspections.
- J. The Permit Holder warrants that all Dockless Vehicles deployed by it in the City shall be designed, constructed, and maintained to be free of any defects in materials or workmanship and shall always be safe for members of the public to use in the ordinary course of usage.
- K. Remote Shutdown of Dockless Vehicles.
- (1) Permit Holder shall remotely shut down any vehicle reported to have any safety issues so that it may not be operated by a user until the vehicle can be repaired.
 - (2) Vehicles shall be remotely shut down after the first report of an issue by a mobile application user.
 - (3) If a reported safety issue is due to an equipment issue which could potentially be present in additional Dockless Vehicles, Permit Holder shall remove their entire fleet of vehicles from the right-of-way within 24 hours until further investigation is completed and relaunch is approved by the City.

Dockless Vehicles for Hire: Rules and Regulations

- L. Permit Holder shall submit a detailed vehicle maintenance plan upon application for a Dockless Vehicle permit and shall notify DOT of any changes to these plans. Maintenance plans shall include all of the following:
 - (1) Procedures for ensuring that the vehicle fleet is safe for use and well-maintained;
 - (2) Frequency of checks;
 - (3) Mechanic training methods; and
 - (4) Long term monitoring methods and life expectancy for each component of the vehicle, including batteries.

14.02.01.04. Standards for Fleet Size.

A. Minimum and Maximum Fleet Sizes.

- (1) For each permitted vehicle type, the Permit Holder may initially operate a fleet not to exceed 1000 total Dockless Vehicles and not less than 75 Dockless Vehicles.
- (2) If a Permit Holder holds a permit for multiple vehicle types, the total fleet maximum may include any combination of their permitted vehicles types so long as there is a minimum of 150 vehicles of each type permitted.
- (3) Adaptive Dockless Vehicles must be officially approved by the Director and will not be counted in the maximum number of vehicles allowed.
- (4) Any permanent fleet increases granted to a Permit Holder during the previous permit cycle shall remain in effect.

- B. Providers of Dockless Vehicles for hire permitted in the previous year shall reach the minimum fleet size per vehicle type within 20 days of being awarded a permit; a new Permit Holder or Permit Holder introducing a new vehicle type shall reach the minimum fleet size within 60 days.

C. Fleet Increases.

- (1) Requests to operate more vehicles than the limits established in §A of this Regulation will be evaluated quarterly by DOT and may be granted at DOT's discretion for good performance during the period prior to the evaluation and projections for the subsequent quarter.
- (2) Each quarter, permit holder may propose a fleet increase of up to 250 vehicles. DOT will evaluate proposals quarterly.
- (3) DOT retains the right to set an overall fleet cap.
- (4) DOT retains the right to revoke fleet increases.

14.02.01.05. Standards for Deployment.

- A. Permit Holder shall ensure that all Dockless Vehicles are deployed in compliance with City Code Article 31, § 38-19, Unlawful Parking.
- B. Permit Holder shall enable Dockless Vehicle access within the city limits of Baltimore City and not designate any public right-of-way as an un-serviced area.
- C. Equitable Distribution Requirements.

Dockless Vehicles for Hire: Rules and Regulations

- (1) Deployment Districts.
 - (a) On each day of service, Permit Holder shall deploy no less than 5% and no more than 25% of their fleet to each of the deployment districts defined in DOT's MDS Policy API. DOT will evaluate daily compliance based on at least 1 hour of compliance between 5:00 a.m. and 9:00 a.m.
 - (b) Permit Holder shall redistribute Dockless Vehicles during the day if more than 35% of their fleet are in any one deployment district, except as may be permitted by DOT to accommodate a special event. Permit Holder will redistribute Dockless Vehicles within 3 hours if notified by DOT of over concentration found through the MDS API feed.
 - (2) Equity Zones.
 - (a) Permit Holder shall deploy a minimum of three Dockless Vehicles to each Equity Zone defined in DOT's MDS Policy API.
 - (b) If the provider operates two or more types of Dockless Vehicles, the Permit Holder shall deploy a minimum of four Dockless Vehicles to each Equity Zone.
 - (c) DOT will evaluate daily compliance based on at least 1 hour of compliance between 5:00 a.m. and 9:00 a.m.
- D. Permit Holder may not deploy in any of the following locations:
- (1) Outside of a parking corral on any block face which contains an official parking corral designated by DOT, assuming there is room for additional vehicles;
 - (2) More than 10 Dockless Vehicles per block face per Permit Holder, except as may be permitted by DOT to accommodate a special event;
 - (3) On a Block Face which contains the front entrance to a k-8 school;
 - (4) In any tree pit or otherwise landscaped area;
 - (5) In front of a property with an approved non-deployment request starting 48 hours after the request is reported to the permit holder; or
 - (6) Additional locations as notified by DOT, starting 48 hours after notification.
- E. Non-Deployment Requests.
- (1) Property owners or managers may submit a non-deployment request in writing for the area adjacent to their property.
 - (2) Any requests approved by DOT shall only prohibit deployment to the location and will not prohibit parking by users.
- F. DOT may suspend deployment requirements or require the entire fleet, or large parts of the fleet in defined geographic locations, be removed for severe weather or other emergencies when DOT provides at least 24-hour prior notice. Possible outcomes include:
- (1) Removing all Dockless Vehicles from evacuation routes before snow emergency events;
 - (2) Removing all Dockless Vehicles from low laying areas before expected flooding; or
 - (3) Suspension of requirements such as concentration limits for large festivals or events.
- G. Temporary Exemptions from Deployment Regulations.
- (1) Permit Holder may submit applications for a temporary exemption from the deployment requirements in this Regulation.
 - (2) Applications will be reviewed within 24 hours for immediate safety concerns and within five business days for other exemption requests.
 - (3) The application shall include a plan for communicating operational changes to affected users and the general public.

Dockless Vehicles for Hire: Rules and Regulations

- H. Permit Holder shall submit a detailed operation plan upon application for a Dockless Vehicle permit and notify DOT of any changes to these plans. Operational plans shall include, at a minimum:
 - (1) Hours and days of operation, and any limitations thereon;
 - (2) Procedures for responding to extreme weather events and special events;
 - (3) Procedures for responding to complaints; and
 - (4) Procedures for ensuring availability of Dockless Vehicles in each deployment zone and for avoiding overconcentration (35% of fleet) in any one deployment zone.

14.02.01.06. Standards for Parking and Operation.

- A. Orderly Parking.
 - (1) Permit Holder shall instruct users to park Dockless Vehicles in compliance with City Code Article 31, § 38-19, Unlawful Parking and to operate Dockless Vehicles in compliance with Article 31 § 38-18, Unlawful Operation.
 - (2) Permit Holder shall display all applicable parking and operating laws within the mobile application. This information will be accessible within four clicks of the home screen of the mobile application.
 - (3) Permit Holder shall display parking corrals installed by DOT in the mobile application each quarter within 10 business days of notification of installation.
- B. No Parking Zones.
 - (1) DOT retains the right to establish No Parking Zones on the public right of way.
 - (2) Permit Holder shall enact No Parking Zones which prohibit a user from ending a trip within 72 hours of notification by DOT.
 - (3) No Parking Zones shall be listed in DOT's MDS Policy API.
- C. If a Dockless Vehicle has been parked at the same location and not ridden for 5 consecutive days, Permit Holder shall physically check the vehicle or relocate the Dockless Vehicle to another block face, or both.
- D. If the Permit Holder desires to deploy Dockless Vehicles in areas other than the public right-of-way (e.g. parks, plazas, parking lots, private property, or transit stations), the Permit Holder must first obtain the right to do so from the appropriate City department, private property owner, or public agency and shall communicate this right to users through signage approved by the respective entity, through a mobile or web application, or through both methods.
- E. Permit Holder shall apply speed geo-fencing to all Dockless Vehicles with speed governors to establish a city-wide speed limit of 15 mph with the following exceptions:
 - (1) Reduced speed zones defined in DOT's MDS Policy API where speeds are limited to 8 mph in locations; and
 - (2) No ride zones defined in DOT's MDS Policy API where Dockless Vehicles slow to walking speed of 3mph or less.
- F. Permit holder may not designate any public right of way in Baltimore City limits a no parking, reduced speed, or no ride zone without submitting a request and receiving approval by DOT.

14.02.01.07. Standards for Seizure.

Dockless Vehicles for Hire: Rules and Regulations

- A. Response Time Requirements and Testing.
- (1) When notified of a Dockless Vehicle which is incorrectly parked, the Permit Holder shall reposition or remove that Dockless Vehicle within 3 hours of notification by DOT and within 6 hours of notification by the public, including notifications through Permit Holder communication platforms.
 - (2) DOT reserves the right to perform routine parking complaint response time checks, during which DOT may report illegally parked vehicles officially on behalf of DOT or anonymously as a member of the public.
- B. DOT may seize, tow, and impound vehicles when either of the following apply:
- (1) The Permit Holder has not complied with requests for repositioning Dockless Vehicles within the allotted time frame, or
 - (2) Dockless Vehicles are in locations which the Permit Holder cannot access, such as underwater in the Inner Harbor waterway.
- C. Seizure, Towing, and Impoundment Procedures.
- (1) When Dockless Vehicles are seized, Permit Holder shall be notified in accordance with City Code Article 31, § 38-24.
 - (2) At the time of impoundment, DOT will take pictures of the illegally parked Dockless Vehicle while in violation, record the unique identification number, and record a property number assigned by the Towing Division.
- D. Permit Holder shall be charged the fees from the refundable performance bond:
- (1) 1-5 Scooters seized at one time will total \$220.00 and \$44.00 per scooter after five scooters.
 - (2) 1-3 Bicycles or E-bicycles seized at the same time total \$220.00 and \$73.33 per bike after three bicycles.
 - (3) After first 48 hours \$15.00 every 24 hours from initial storage date and time for each group of 1-5 scooters or 1-3 Bicycles or E-Bicycles.
- E. Permit Holder shall retrieve impounded Dockless Vehicles from:
- DOT 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
- F. Permit Holder shall notify the Towing Division of the representative who shall retrieve the impounded vehicles by calling 410-396-9958 or 410-545-3417

14.02.01.08. Standards for User Education and Engagement.

- A. Permit Holder shall provide appropriate user education in-app to explain how to properly operate and park a Dockless Vehicle to all customers and potential customers by:
- (1) Developing an in-app quiz for new users which:

Dockless Vehicles for Hire: Rules and Regulations

- (a) contains a minimum of five questions approved by pertaining to parking, operations or general safety;
 - (b) must be completed with an 80% score by new users within before their 3rd rental of a Dockless Vehicles; and
 - (2) Displaying a banner on the home screen first presented in the app which highlights a law or safety tip determined by DOT for up to one week of each month.
- B. Permit Holder shall provide appropriate user education in-person to explain proper riding and parking to all customers and potential customers by doing all of the following:
 - (1) Hosting or actively participating in a minimum of one community event per deployment zone annually to display safety information;
 - (2) Attending a minimum of two community events in each quarter, except for the Winter quarter (December – February); and
 - (3) Attending a minimum of four public meetings as invited by DOT.
- C. Permit Holder shall maintain staff at special events with over 5,000 people in attendance as notified by DOT to encourage proper parking and operations. This requires all of the following:
 - (1) Designating an individual as a staff contact for event organizers and security, and
 - (2) Providing up to two staffers for events expecting 5,000-9,999 people in attendance for up to 1 hour before the event, for the duration of the event, and for up to 1 hour after the conclusion of the event.
 - (3) Providing up to three staffers for events expecting over 10,000 people in attendance for up to one hour before the event, for the duration of the event, and for up to 1 hour after the conclusion of the event.

14.02.01.09. Standards for Equitable Dockless Vehicle Access.

- A. Cash Payment Plans.
 - (1) Permit Holder shall offer the option to rent Dockless Vehicles through cash payments.
 - (2) The process and the locations where these options can be accessed shall be clearly listed on the Permit Holder's website and mobile application.
 - (3) Permit Holder shall offer at least one cash payment option location in each Deployment Zone.
- B. Non-Smartphone Plans.
 - (1) Permit Holder shall offer the option to rent Dockless Vehicles without the use of a smartphone.
 - (2) The process to rent vehicles without a smartphone shall be clearly listed on the Permit Holder's website and mobile application.
- C. Low-Income Plans.
 - (1) The Permit Holder shall offer a low-income customer plan to any individual with an income level at or below 200% of the federal poverty guidelines.
 - (2) Low-income users may be preapproved by referral agencies or show proof of receiving local, state, or federal assistance.
 - (3) The low-income customer plan shall either:
 - (a) Waive any unlock fees and offer a minimum 50% discount off rental fees for any type of ride or pass, or
 - (b) Offer unlimited free rides under 30 minutes.

Dockless Vehicles for Hire: Rules and Regulations

- (4) Permit Holder shall notify DOT of any changes to verification methods or low-income customer plans.
 - (5) The process to sign up for the low-income plan shall be clearly listed on the Permit Holder's website and mobile application.
- D. Permit Holder shall provide a step-by-step instruction document summarizing the process to sign up for the cash payment, non-smartphone, and low-income plans for DOT to post on the DOT website.
- E. Permit Holder shall inform all users of the availability of cash payment, non-smartphone, and low-income customer plans during first-time sign up and via email at least twice annually.
- F. Pricing and pricing changes shall be uniform across the city except for pricing variation used in an effort to incentivize proper operations or increase ridership among underserved or low-income populations. Pricing for customers may not be based on any of the following:
 - (1) Race;
 - (2) Color;
 - (3) Religion or creed;
 - (4) National origin or ancestry;
 - (5) Sex;
 - (6) Gender Identity;
 - (7) Sexual Orientation;
 - (8) Age;
 - (9) Physical or mental disability;
 - (10) Veteran status;
 - (11) Genetic information; or
 - (12) Citizenship.
- G. Customer Service Phone Lines.
 - (1) Permit Holder shall maintain live, multilingual 24-hour customer service phone line.
 - (2) If callers are required to leave a voicemail, permit holder shall respond with a call back within 2 hours.
 - (3) Translation or call back within 4 hours shall be provided in: Spanish, French, Mandarin Chinese, and Korean.
- H. Permit Holder shall make the software application used for vehicle rental and all websites accessible to visually impaired individuals as consistent with the latest WCAG standards (detailed online at <https://www.w3.org/TR/WCAG21/>) within 120 days of receiving a permit.

14.02.01.10. Standards for Advertising.

- A. Any marketing campaigns conducted by the Permit Holder shall include an effort to reach underserved or low-income populations.
- B. Permit Holder may not use the name or logo of DOT or other Baltimore City departments or agencies to state or imply sponsorship or support of the Permit Holder's company, without prior written permission.
- C. Permit Holder may not use its Dockless Vehicles, mobile applications, kiosks, or any other equipment for the sale or display of third-party advertising.

Dockless Vehicles for Hire: Rules and Regulations

14.02.01.11. Standards for Data and Reporting.

- A. All Dockless Vehicles must be equipped with on-board GPS technology that does not rely on a customer's mobile device to obtain spatial information.
- B. Publicly Accessible Application Program Interface (API).
 - (1) Permit Holder shall provide a publicly accessible API.
 - (2) This API shall be in a gbfs.json file format.
 - (3) There are no "stations" in the parlance of GBFS; as such, station_status.json should return an empty list and station_information.json should return an empty list.
 - (4) Free-bike-status.json is required.
 - (5) The field "vehicle_type" shall be added to the public API to describe the vehicle type. This may be either "bicycle," "e-bike," "scooter," or another type of permitted vehicle that must be specified.
 - (6) The operator shall provide access to at least 50 requests per hour.
 - (7) The location of the API on the internet shall be provided to DOT so that DOT may post this location on the DOT website.
 - (8) The public API need not be available without authentication; however, DOT shall be informed of how to request authentication and any member of the public, including commercial entities, must be able to gain access to the data provided by the API by requesting access.
 - (9) A smart phone-based application used to rent Dockless Vehicles does not qualify as a publicly accessible application program interface.
- C. Mobility Data Specification (MDS) API.
 - (1) Permit Holder shall provide a MDS API to DOT with all trips starting, ending, or passing through Baltimore City.
 - (2) The MDS API shall follow the specifications set by the Open Mobility Foundation (OMF) and posted at: <https://github.com/openmobilityfoundation/mobility-data-specification>.
 - (3) Permit Holder shall provide the MDS Provider API endpoints, including:
 - (a) Trips;
 - (b) Status Changes;
 - (c) Vehicles; and
 - (d) Realtime Data.
 - (4) GPS data for vehicles on-trip shall be transmitted from all dockless vehicles at a minimum frequency of every 30 seconds to ensure accurate location data is conveyed.
 - (5) Permit Holder shall maintain or develop connections to ingest all MDS Policy API endpoints provided from DOT.
 - (6) DOT reserves the right to require additional or updated endpoints published by OMF.
 - (7) Permit Holder shall update or add endpoints within 60 days of notification from DOT for required published endpoints and within 90 days for beta endpoints.
 - (8) Permit Holder shall share accurate and up-to-date data through the API within 24 hours.
 - (9) DOT shall share the API with a third-party aggregator for the sole purpose of secure data storage and analysis.
 - (10) DOT, at its discretion, may share the API with other third parties that enter into an MOU with DOT for the purpose of data analysis directly related to the permit. This MOU shall include provisions governing the public release of data by a third-party recipient and be made available for Permit Holders to review prior to being finalized.

Dockless Vehicles for Hire: Rules and Regulations

- D. Permit Holder shall report any of the following to DOT within 24 hours:
- (1) Requests to not deploy vehicles at a location by the adjacent property owner, so that DOT can verify such requests;
 - (2) Any vehicle that a Permit Holder has evidence to believe a vehicle is in a body of water or other location where the Permit Holder cannot retrieve the vehicle; and
 - (3) Any issues that could affect public safety, including but not limited to:
 - (a) Reports of criminal activity involving Dockless Vehicles;
 - (b) Reports on any crashes involving Permit Holder's Dockless Vehicles;
 - (c) Any contact with the Baltimore Police Department;
 - (d) Any contact with the Baltimore Fire Department; or
 - (e) Defects in any equipment.
- E. Permit Holder shall provide DOT a monthly report in excel or csv format within 10 business days of the end of the month following DOT's reporting template and include all the following:
- (1) Reports on any Dockless Vehicles lost due to theft or vandalism;
 - (2) Aggregated repair information on Permit Holder's Dockless Vehicles by model of vehicle and by type of repair;
 - (3) Any reports of illegal parking or rebalancing requests from the public;
 - (4) All customer complaints received via app, email, or phone call with response time noted;
 - (5) Reports on any City meeting attended, community events attended or marketing efforts;
 - (6) The number of active users during the past month;
 - (7) The number of rides by low-income pass, cash, and non-smart phone users within the past month;
 - (8) The number of low-income, cash, and non-smart phone users, disaggregated by the type of plan and user home zip code;
 - (9) The number or trips taken by users of the low-income pass; and
 - (10) Any updates to maintenance or operational plans.
- F. The Permit Holder shall include a clickable link to a yearly DOT survey in the mobile application and the Permit Holder shall send the survey link to all active users via e-mail, both within 10 days of notifications from DOT.
- G. Software Issues and Hacking Events.
- (1) Permit Holder shall notify DOT of any changes to data portals, including the respond to notifications from DOT about software glitches, issues with "hacking," or data portals.
 - (2) Permit Holder shall acknowledge notifications within 24 hours and include a plan for fixing the problem.
 - (3) Permit Holder shall update DOT on progress fixing software glitches every 48 hours while the problem persists.
 - (4) Permit Holder shall permanently fix any issues within 60 days.
- H. Permit Holder will protect user privacy by doing all of the following:
- (1) Complying with Payment Card Industry Data Security Standards for any Electronic payments;
 - (2) Notifying users of any mobile device features which the mobile application accesses; and
 - (3) Not releasing any personal user data to entities unrelated to operations or that intend to use the data in commercial sales to third parties.

Dockless Vehicles for Hire: Rules and Regulations

- I. Permit Holder may request that customers “opt in” to granting location services or access to files on a user’s phone for improved functionality if failure or refusal to grant location services does not result in a customer being unable to use the Permit Holder’s Dockless Vehicles.
- J. Permit Holder shall provide DOT an account for its mobile application used to rent trips, which allows DOT employees to unlock and rent without being charged a fee any Dockless Vehicles for the purpose of education, routine vehicle inspections, or vehicle repositioning.

14.02.01.12. Standards for Fees.

- A. For all payments Permit Holder shall follow all rules and regulations adopted by the Department of Finance.
- B. Permitting Fee.
 - (1) Permit Holder shall pay a permitting fee for the issuance of a revocable Public Right-of-Way Occupancy Permit within 30 days of being awarded the permit.
 - (2) The fee shall reflect the costs of permitting, program administration, associated infrastructure, education and enforcement, and program evaluation.
 - (3) This permitting fee shall be approved by the Board of Estimates and disclosed to permit applicants before the application deadline.
 - (4) If Permit Holder’s permit is revoked, any permitting fees paid for the current permit cycle or past months of operations will not be refunded by DOT.
- C. Security Bond.
 - (1) Permit Holder shall provide to DOT security for performance in the amount of ten thousand dollars (\$10,000).
 - (2) The security may be in the form of a performance bond, a refundable bond, or other security acceptable to the City, which may be drawn from if:
 - (a) The Permit Holder fails to remove from the public right-of-way vehicles that are unsafe, unpermitted, or abandoned;
 - (b) DOT must remove, relocate, impound, or store Dockless Vehicles due to improper parking, safety hazards, or any other violation of these regulations; or
 - (c) The Permit Holder’s Dockless Vehicles cause damage to public property.
 - (3) DOT may draw from the balance of the Permit Holder’s refundable bond deposit(s) to recover all costs due.
 - (4) DOT shall provide written notice to Permit Holder before making a deduction stating the reasons for and the amount of the deduction and advising the Permit Holder that any objection must be submitted, in writing, not later than 7 days after the date of the written notice.
 - (5) Any decision averse to the Permit Holder shall be in writing and shall set forth the reasons for denying the objection and shall be sent to the Permit Holder 3 days before a deduction is made.
- D. Permit Holder shall remit per-rental tax twice annually with a list of all transactions and send a digital copy of all payments and transactions to DOT.

14.02.01.13. Standards for Insurance.

A. Required Insurance.

(1) The Permit Holder shall procure and maintain during the life of this agreement, the following required insurance coverage:

- (a) The Permit Holder shall procure and maintain during the life of this agreement Worker's Compensation coverage as required by Maryland, as well as any similar coverage required for this work by applicable Federal law or the laws of other States.
- (b) Commercial General Liability Insurance.
 - (i) The Permit Holder shall procure and maintain during the life of this agreement Commercial General Liability Insurance at limits of not less than One Million Dollars (\$1,000,000) per occurrence for claims arising out of bodily injuries or death, and property damages.
 - (ii) With those policies with aggregate limits, a minimum limit of Three Million Dollars (\$3,000,000) is required. The insurance shall include contractual liability insurance.
- (c) The Permit Holder shall procure and maintain during the life of this agreement Business Automobile Liability at limits of not less than One Million Dollars (\$1,000,000.00) per occurrence for all claims arising out of bodily injuries or death and property damages. The insurance shall apply to any owned, non-owned, leased or hired automobiles used in the performance of this Agreement.

B. The City, its elected/appointed officials, employees, and agents shall be covered, by endorsement as additional insured on the Permit Holder's commercial general liability and commercial automobile liability policies, as respects to liability arising out of activities performed by or on behalf of the Permit Holder in connection with this Agreement.

C. To the extent of the Permit Holder's negligence, the Permit Holder's insurance coverage shall be primary insurance as respects the City, its elected and appointed employees and agents. Any insurance or self-insurance maintained by the City with its elected appointed officials, employees and agents may not contribute with the Permit Holder's insurance or benefit it in any way.

D. The Permit Holder shall indemnify, defend, and hold harmless the City, its elected and appointed officials, departments, agencies, employees, agents, and all other representatives together with all officers, directors, employees, agents and representatives of any of them (after this collectively referred to as the "Indemnified Parties") from and against any claims, demands, suits, causes of action, expenses or other liability of any kind or nature, whether in contract or tort, and by whomsoever brought, including without limitation reasonable attorney fees, fees for outside consultants, contractors and experts, and court costs, threatened or brought against any of the Indemnified Parties arising out of or relating to, or alleged to arise out of or relate to, any direct or indirect act or omission of the Permit Holder and its officers, directors, employees, agents, subcontractors, suppliers and other representatives for whom it is responsible by Contract or by law except to the extent actually caused by the negligence and/or intentional wrongdoing of one or more of the Indemnified Parties hereunder. The Permit Holder's obligations under this provision may not be limited or defined in manner whatsoever by the amount of insurance required by this Agreement. The rights of the Indemnified Parties under this provision may not be diminished, waived, discharged or released, in whole or in part, by the exercise of any other remedy allowed by law or other provisions of this Agreement. The requirements of this indemnification provision shall

Dockless Vehicles for Hire: Rules and Regulations

survive the termination of this Agreement. The City agrees to provide notice to Permit Holder before resolution or settlement of claims for which it will seek indemnification.

- E. The Permit Holder, for itself, its' officers, directors, employees, agents and all other representatives of the Permit Holder hereby releases, waives, holds harmless and forever discharges the City, and its elected and appointed officials, departments, agencies, employees, agents, design professionals, project inspectors, separate contractors and consultants, and all other representatives together with all officers, directors, employees, agents and representatives of any of them (after this collectively referred to as the "Released Parties") from and against any actions, causes of action, damages, liability, obligations, rights, torts, wrongs and claims, including but not limited to claims of death and personal injury, regardless by whosoever brought, in any way related, directly or indirectly, to the Permit Holder's deployment, operation and maintenance of any Dockless Vehicles in the City, except to the extent actually caused by the sole negligence and/or intentional wrongdoing of the City. Permit Holder covenants not to make or bring any such claims against the City or the Released Parties, and hereby releases and forever discharges the City and the Released Parties from any liability under such claims.

14.02.01.14. Standards for Permit Revocation.

- A. Whenever the Director, or Director's designee, has grounds to believe that City Code Article 31, § 38-13 has been violated by a Permit Holder, DOT shall hold a hearing to determine whether sufficient facts exist to revoke the permit of the Permit Holder.
- B. The hearing required by this Regulation shall be held at a time and place designated by DOT. DOT shall provide both of the following to the Permit Holder:
 - (1) Notice of the hearing at least 10 business days before the scheduled date; and
 - (2) An opportunity to be heard.
- C. Permit Holder may waive the right to appeal in-person and instead submit an appeal in writing submitted before the scheduled date to the following address:
 - DOT Transit Bureau
 - 417 E. Fayette Street
 - Baltimore, Maryland 21202
- D. Following the hearing required by this Regulation, DOT shall record in writing its findings of fact; if DOT finds that sufficient grounds exist to revoke a permit and provides at least five days' written notice in advance of the revocation, the Director may revoke the permit.

Approved for form and legal sufficiency by Law Department:

Victor K. Tervala

Adopted and approved by Department of Transportation Director Steve Sharkey:

Steven Sharkey

Received by Department of Legislative Reference:

May 7, 2021