

Dockless Vehicles for Hire: Rules and Regulations

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

I. Scope of the regulations – Dockless Vehicles for hire.

- a. A Dockless Vehicle for Hire must meet the standards of operations expressed in this regulation to be permitted to operate in Baltimore.
- b. DOT will award up to 4 permits to Dockless Vehicles providers, based on a competitive application process.
- c. 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.

II. Definitions

For the purposes of the rules and regulations, the following terms, phrases, words, and their derivations, shall have the meaning given below, unless more specifically defined within a specific article or paragraph of this Agreement. When not inconsistent with the context, words used in the present tense include the future and past tense, and words in the singular number include the plural number. The words ‘shall’ and ‘will’ are mandatory and ‘may’ is permissive. Words not defined shall be given their common and ordinary meaning.

- a. “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.
- b. “Block Face” means one side of a street between two intersections of other streets, excluding alleyways.
- c. “Deployment” means where the Dockless Vehicles are placed when they are made available for rent.
- d. “Deployment Zone” means a geographic area designated by DOT for tracking the deployment of Dockless Vehicles.
- e. “Dockless Corral” means geographic locations designated by DOT where Dockless Vehicles may be parked.
- f. “Equity Zone” means geographic locations designated by DOT where Dockless Vehicles must be deployed in order to provide equitable access.
- g. “Fleet” means all of the Dockless Vehicles which are made available for rent at one point in time.
- h. “Permit Holder” means a provider of a Dockless Vehicle for Hire permitted to operate on public right-of-way by DOT.

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- i. "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.

III. Standards for Vehicles

- a. All makes and models of Dockless Vehicles intended to operate on public right-of-way must be approved by the Director prior to their deployment on public right-of-way.
- b. Permit Holders shall certify that all scooters deployed meet the ANSI/CAN/UL Standard for Electrical Systems for Personal E-Mobility Devices (UL Standard 2272), in addition to any applicable Federal, Maryland State, and Baltimore City laws or regulations.
- c. Dockless Vehicles must be equipped with:
 - i. Brakes with concealed brake wires.
 - ii. 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.
 - iii. Front and rear lights which illuminate while the Dockless Vehicle is in use.
 - iv. A decal listing:
 1. Name of the Permit Holder.
 2. Toll-free telephone number and website address on each Dockless Vehicle stating how to report an incorrectly parked Dockless Vehicle or a Dockless Vehicle in need of repair.
 3. A unique identification number.
 - v. Scooters must additionally be equipped with:
 1. Speed Governor that ensures the vehicle will not travel in excess of 15 miles per hour on level ground and which can be programed to "geo-fence" a reduced speed at locations identified by DOT.
- d. DOT reserves the right to perform regular vehicle inspections to ensure that any Dockless Vehicle available for rent is functioning safely and properly equipped.
- e. The Permit Holder warrants that all Dockless Vehicles deployed by it in the City shall be designed, constructed and maintained so as to be free of any defects in materials or workmanship and shall at all times be safe for members of the public to use in the ordinary course of usage.
- f. Permit Holders shall submit a detailed vehicle maintenance plan upon application and notify DOT of any changes to these plans. Maintenance plans shall include procedures for ensuring that the vehicle fleet is safe for use and well-maintained, including mechanic training methods, frequency of checks, and expected vehicle life expectancy.

IV. Standards for Fleet Size

- a. Permit Holders operating one type of Dockless Vehicle may operate a fleet not to exceed 1000 total Dockless Vehicles and not less than 150 Dockless Vehicles.
- b. Permit Holders operating two or more types of Dockless Vehicles may operate a fleet not to exceed 2000 total Dockless Vehicles and not less than 150 Dockless Vehicles of each type in operation.

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- c. Adaptive Dockless Vehicles shall not be counted in the maximum number of vehicles allowed, provided that the Permit Holder shall submit specifications and safety information for any adaptive Dockless Vehicles, as well as the total number to be deployed, to DOT for approval.
- d. Providers of Dockless Vehicles for hire which operated on public right-of-way prior to the date these rules and regulations become effective shall reach the minimum fleet size within two weeks of being awarded a permit; new Permit Holders shall reach the minimum fleet size within 5 weeks.
- e. Requests to operate more vehicles than the limits established in Paragraphs (a) and (b) of this section 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. Performance criteria to be reviewed may include:
 - i. Total number of trips per month
 - ii. Trips per vehicle per day
 - iii. Trips originating and terminating in all deployment zones
 - iv. Response time to violations
 - v. Number of parking violations
 - vi. Number of safety violations
 - vii. Submitted projections and plans
 - viii. Overall compliance with these regulations

V. Standards for Deployment

- a. Permit Holder shall ensure that all Dockless Vehicles are parked in compliance with City Code Article 31, § 38-19, Unlawful Parking, at the time of deployment.
- b. Permit Holders are expected to provide Dockless Vehicle access across the city of Baltimore.
 - i. On each day of service, Permit Holder shall deploy no less than 5% and no more than 25% of their fleet between to each of the zones defined in Appendix 1. DOT shall check for deployment between the hours of 6-8:00am.
 - ii. Permit Holder shall redistribute Dockless Vehicles during the day if more than 35% of their fleet are in any one zone, except as may be permitted by DOT to accommodate a special event. Permit Holder will redistribute Dockless Vehicles within two (2) hours if notified DOT of over concentration.
 - iii. Permit Holder shall deploy a minimum of 3 Dockless Vehicles to each Equity Zones defined in Appendix 2. If the provider operates two or more types of Dockless Vehicles, the Permit Holder shall deploy a minimum of 4 Dockless Vehicles to each Equity Zone. Permit Holder shall deploy Dockless Vehicles to Equity Zones by 8am on each day of service.
- c. Except as provided in paragraph (F) of this section, Permit Holders shall not deploy:
 - i. More than 12 Dockless Vehicles per Block Face, except as may be permitted by DOT to accommodate a special event.
 - ii. On a Block Face which contains the front entrance to a k-8 school.
 - iii. In front of a property whose owner has submitted a non-deployment request which has been verified by DOT, starting 48 hours after such a request is verified and reported by DOT.
 - iv. Additional locations as notified by DOT, starting 48 hours after notification.

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- d. Vehicles must be removed or made unavailable for rent between the hours of 11:00PM – 4:00AM each day of service.
- e. The entire fleet, or large portions in defined geographic locations, shall be removed for severe weather or other emergencies when DOT provides at least 24 hour prior notice.
- f. Permit Holders may submit applications for a temporary exemption from these deployment regulations, provided the application is received by DOT at least five business days prior to the requested exemption.
- g. Permit Holders shall submit a detailed operation plan upon application and notify DOT of any changes to these plans. Operational plans shall include, at a minimum:
 - i. Hours and days of operation, and any limitations thereon.
 - ii. Procedures for responding to extreme weather events and special events.
 - iii. Procedures for responding to complaints.
 - iv. Procedures for ensuring availability of Dockless Vehicles in each deployment zone and for avoiding overconcentration in any zone.

VI. Standards for Parking and Operation

- a. Permit Holders shall instruct users to park Dockless Vehicles in compliance with City Code Article 31, § 38-19, Unlawful Parking.
 - i. Permit Holders shall display parking instructions and all applicable laws within the cell phone application.
 - ii. Permit Holders shall display all Dockless Corrals and Equity Zones in the cell phone application designated by DOT each quarter within 5 business days of notification.
 - iii. When notified of a Dockless Vehicle which is incorrectly parked, the Permit Holder shall move that Dockless Vehicle within three (3) hours of notification by DOT and within six (6) hours of notification by the public, including notifications through its communication platforms.
- b. If a Dockless Vehicle has been parked at the same location and not ridden for five (5) consecutive days, Permit Holder will relocate the Dockless Vehicle to another block face.
- c. 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 and/or through a mobile or web application.
- d. Permit Holders shall encourage that all users to operate Dockless Vehicles in compliance with Article 31 § 38-18, Unlawful Operation, and display all applicable laws within the cell phone application.
- e. Permit Holders shall apply speed geo-fencing to all Dockless Vehicles with speed governors to set:
 - i. A city-wide speed limit of 15 mph
 - ii. Reduced speed, 8 mph zones, to locations listed in Appendix 3.

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- iii. No ride zones, where Dockless Vehicles came to a stop, to locations listed in Appendix 3.

VII. Standards for Seizure

- a. DOT may seize, tow, and impound vehicles when:
 - i. The Permit Holder has not complied with requests for repositioning Dockless Vehicles within the allotted time frame.
 - ii. When Dockless Vehicles are in locations which the Permit Holder cannot access, such as underwater in the Inner Harbor waterway.
 - iii. When found parked illegally during routine spot checks. DOT shall notify Permit Holders of the week during which a spot check may occur.
- b. When Dockless Vehicles are seized, Permit Holder shall be notified in accordance with City Code Article 31, § 38-24. At the time of impoundment, DOT will take pictures of the Dockless Vehicle locations while in violation, record the unique identification number, and then assign a property number assign by the Towing Division.
- c. Permit Holder shall be charged the fees from the refundable performance bond:
 - i. 1-5 Scooters seized at one time, will total \$220.00 and \$44.00 per scooter after 5 scooters.
 - ii. 1-3 Bicycles or E-bicycles seized at the same time total \$220.00 and \$73.33 per bike after 3 bicycles.
 - iii. 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.
- d. 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

- e. 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

VIII. Standards for User Education and Engagement

- a. Permit Holders shall provide appropriate user education to explain proper riding and parking to all customers and potential customers by:
 - i. Including all applicable riding and parking laws in the app which new users must view and which shall be accessible to all users at any time.
 - ii. Displaying a banner in the app which highlights a law or safety tip at the request of DOT for up to one week of each month.
 - iii. Attending a minimum of one community event per deployment zone with an event/display annually.

- iv. Attending a minimum of 4 public meetings as invited by DOT.

IX. Standards for Equitable Vehicle Access

- a. Permit Holder shall offer the option to purchase rides on Dockless Vehicles by the use of cash payments and without the use of a smartphone.
 - i. The process and the locations where these options can be accessed shall be clearly listed on the Permit Holder's website and cell phone application.
 - ii. Permit Holder shall offer at least one cash payment option location in each Deployment Zone.
- b. The Permit Holder shall offer a low-income customer plan to any individual showing proof of low income, for example proof of receiving local, state or federal assistance. The low-income customer plan shall include waiving any applicable per ride Dockless Vehicle deposit, prepaid affordable multi-trip plans, or other approaches as approved by the DOT. Permit Holder shall submit a detailed plan for a reduced fare plan for low-income users upon application and notify DOT of any changes to these plans.
- c. Variable pricing shall be used only when it is designed and proves over time to increase equity and provide access for underserved and low income populations. Customers shall not be charged more based on:
 - i. Geographical location of trips start or end within Baltimore City.
 - ii. Race.
 - iii. Color.
 - iv. Religion or creed.
 - v. National origin or ancestry.
 - vi. Sex.
 - vii. Age.
 - viii. Physical or mental disability.
 - ix. Veteran status.
 - x. Genetic information.
 - xi. Citizenship.
- d. Permit Holder shall maintain a multilingual, 24 hour service line and a multi-lingual website which includes: Spanish, French, Mandarin Chinese, and Korean.
- e. Permit Holder shall make the software application used for vehicle rental and reporting accessible to visually impaired by using a technology such as talkover or voiceback within 120 days of receiving a permit.

X. Standard for Advertising

- a. Any marketing campaigns conducted by the Permit Holder shall include a focus to promote the use of dockless sharing vehicles among low-income residents and residents who do not have access to a vehicle.

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- b. Permit Holder shall 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 shall not use its Dockless Vehicles, kiosks, or any other equipment for the sale or display of third party advertising.

XI. Standards for Data and Reporting

- a. All Dockless Vehicles must be equipped with on-board GPS technology that does not obtain spatial information by relying on a customer's smart phone.
 - i. GPS data shall be transmitted from all dockless sharing vehicles at a minimum frequency of every 90 seconds to ensure accurate location data is conveyed.
 - ii. Permit Holders shall not require customers to grant locations services from their phones, and shall not require access to contacts or other files.
 - iii. Permit Holder shall not require customers to share data with a third party.
- b. Permit Holder shall provide a publicly accessible application program interface (API), clearly posted on the company's website that shows, at minimum, the current location of all Dockless Vehicles available for rental at all times.
 - i. The public API need not be available without authentication; however, any member of the public, including commercial entities, must be able to gain access to the data provided by the API by requesting access through a web interface.
 - ii. A smart phone-based application used to rent Dockless Vehicles does not qualify as a publically accessible application program interface.
- c. A private API with appropriate authentication for DOT shall be made available that follows Mobility Data Specification as detailed online at <https://github.com/CityOfLosAngeles/mobility-data-specification>. Permit Holder shall make any changes to the feed as published online within 30 days.
- d. Permit Holder shall report to DOT within 24 hours:
 - i. Non-deployment requests.
 - ii. Any issues which could affect public safety, including but not limited to reports of criminal activity involving Dockless Vehicles, any contact with the Baltimore Police Department, or defects in equipment.
- e. Permit Holder shall provide DOT a monthly report in excel or csv format within 5 business days of the end of the month. The report shall include:
 - i. Safety reports on any crashes involving Permit Holder's Dockless Vehicles.
 - ii. Reports on any Dockless Vehicles lost due to theft or vandalism.
 - iii. Aggregated repair information on Permit Holder's Dockless Vehicles by model of vehicle and by type of repair.
 - iv. Any instances of illegal parking or rebalancing.
 - v. All customer complaints with response time noted.
 - vi. Reports on any City meeting attended, community events attended or marketing efforts.
 - vii. The number of active users during the past month.

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- viii. The number of low income passes, cash, and non-smart phone users, including the method and location of usage.
- f. During the permit period, Permit Holders shall conduct a member survey including questions submitted by DOT. Additional survey questions shall be submitted to DOT for review prior to initiating the survey. Survey results shall be shared with DOT.
- g. Permit Holders 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.
 - i. Permit Holders shall acknowledge notifications within 24 hours and include a plan for fixing the problem.
 - ii. Permit Holders shall update DOT on progress fixing software glitches every 48 hours while the problem persists.
 - iii. Permit Holders shall permanently fix any issues within 60 days.
- h. Permit Holder shall provide DOT an account for its smart phone 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.

XII. Standards for Fees

- a. 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. The fee shall reflect the costs of permitting, program administration, associated infrastructure, education and enforcement, and program evaluation. This permitting fee shall be approved by the Board of Estimates and disclosed to permit applicants prior to the application deadline.
- b. If Permit Holder’s permit is revoked, any permitting fees paid for the current or past months of operations will not be refunded by DOT.
- c. Permit Holder shall maintain a ten thousand dollar (\$10,000) refundable bond, to be retained by DOT in the event the Permit Holder fails to remove from the public right-of-way vehicles that are unsafe, unpermitted, or abandoned; or if DOT must remove, relocate, impound, or store Dockless Vehicles due to improper parking, safety hazards, or any other violation of these regulations; or if the Permit Holder’s Dockless Vehicles cause damage to public property.
- d. DOT may make deductions from the balance of the Permit Holder’s refundable bond deposit(s) to recover all costs due. DOT shall provide written notice to Permit Holder prior to 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, no later than seven (7) days after the date of the written notice. Any decision adverse 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 three (3) days before a deduction is made.
- e. Permit Holder shall remit per-rental tax twice annually with a list of all transactions.
 - i. Payments shall cover January 1- June 30th and July 1- December 31st and shall be paid in full no later than 30 days after the end of the period.

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- ii. Checks and money orders shall be made payable to “Director of Finance – Baltimore City” and mailed to or paid in person at 200 N. Holliday St., Room 3, Baltimore, Maryland 21202. Baltimore, MD 21202.
- iii. A digital copy of all payments and transactions shall be sent to DOT.

XIII. Standards for Insurance

- a. The Permit Holder shall procure and maintain during the life of this agreement, the following required insurance coverage:
 - i. Worker’s Compensation coverage as required by the State of Maryland, as well as any similar coverage required for this work by applicable Federal law or the laws of other States.
 - ii. 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. With those policies with aggregate limits, a minimum limit of Three Million Dollars (\$3,000,000) is required. Such insurance shall include contractual liability insurance.
 - iii. 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.
 - iv. The City, its elected/appointed officials, employees, and agents shall be covered, by endorsement as additional insured as respects to liability arising out of activities performed by or on behalf of the Permit Holder in connection with this Agreement.
 - v. 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 and/or self-insurance maintained by the City with its elected appointed officials, employees and agents shall not contribute with the Permit Holder’s insurance or benefit it in any way.
- b. 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 (hereinafter collectively referred to as the “Indemnified Parties”) from and against any and all claims, demands, suits, causes of action, expenses or other liability of whatsoever 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 which 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 shall 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 shall 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 survive the termination of this Agreement. The City agrees to provide notice to Permit Holder prior to resolution or settlement of claims for which it will seek indemnification.

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- c. 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 (hereinafter collectively referred to as the "Released Parties") from and against any and all 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 and all liability under such claims.

XIV. 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 Section shall be held at a time and place designated by DOT. DOT shall provide the Permit Holder: (1) Notice of the hearing at least 10 business days prior to the scheduled date; and (2) an opportunity to be heard. Permit Holder may waive the right to appeal in person and instead submit an appeal in writing submitted prior to the scheduled date to the following address:
DOT Transit Bureau
417 E. Fayette Street
Baltimore, Maryland 21202
- c. Following the hearing required by this Section, DOT shall record in writing its findings of fact. If DOT finds that sufficient grounds exist to revoke a permit, the Director may revoke the permit, provided DOT provides at least five days written notice in advance of the revocation

XV. List of Appendices

APPENDIX 1 - Deployment Zones

APPENDIX 2 – Equity Zones

APPENDIX 3 - Slow Ride and No Ride Zones