

# Dockless Vehicle Rules & Regulations

## Public Comment Report



### OVERVIEW

The Baltimore City Department of Transportation (BCDOT) released the proposed Rules and Regulations (R&R) for the first annual Dockless Vehicle for Hire Permit on June 3<sup>rd</sup> 2019. BCDOT accepted and reviewed public comment on the R & R until 12:00pm July 5<sup>th</sup> to fulfill the required 30 days of public comment required in City Code Section §38-3. Comments were accepted via email, comments on the BCDOT webpage, or delivered to BCDOT.

These R & R are only one aspect of the new permitted program, along with the newly passed law 19-0324 and the planned BCDOT program support. The reason for the regulations are warranted for several reasons:

- Regulate commerce on the public right of way (ROW), just like any other business.
- Determine where they are permitted to operate, in order to protect health and safety of the public.
- To assure that the entire public can interact with this service operating in the ROW, whether that is in using vehicles, interacting with them, or reporting an issue with the permit holder.

For more information about the full program visit: <https://transportation.baltimorecity.gov/bike-baltimore/dockless-vehicles>.

Over the course of the public comment period, BCDOT received 69 comments on the R&R. In addition to comments from the general public, BCDOT received comments from potential permit applicants, national groups, and local stakeholder groups representing different interests of the Baltimore community. Out of all the comments 44 (63.8%) were submitted via email, 23 (33.3%) came from the BCDOT webpage comment box, and 2 (2.9%) were delivered to the BCDOT office. BCDOT did not track demographic or identifying information from commenters.

### SUBMISSIONS

The following table shows the most common comment topics and the BCDOT response to those comments. Note that some comment addressed multiple topics, so the total number of comments here is higher than the number of submissions. Comments are in the order of the Rules & Regulations.

#	Topic	Comments	BCDOT Response
2	Number of Companies	Suggested encouraging a local company and reserving 1 permit for such a company.	BCDOT will weight local companies favorably on the permit application, but will not reserve a permit.
2	Number of companies	Suggested increasing the number of companies permitted	The number of 4 vendors will not change for the first annual permit. This number will allow for management by BCDOT and allows for a better user experience.
1	Vehicle Requirements	Suggested the update vehicle standards recommended by NACTO	BCDOT will make this change.
3	Vehicle Requirements	Suggested additional locks on wheels of the vehicle, incentivizing more vehicle types (bikes or alternative vehicles).	These factors will be weighed in the competitive application process but not required.

PUBLIC COMMENT REPORT- Dockless Vehicles Rules and Regulations

1	Vehicle Requirements	Suggested the method and process for vehicle inspection be mutually agreed upon by DOT and the permit holder.	BCDOT will notify the Permit Holder of the items to be inspected.
1	Vehicle Requirements	Suggested that the permit holder not be responsible for defects in materials or workmanship of vehicles.	Permit Holder should stand by the workmanship of any vehicles they utilize. BCDOT will not change this language.
1	Vehicles Requirements	Require a minimum sound level for vehicles for the safety of the visually impaired and others to hear vehicles approaching.	BCDOT will follow this development and encourage companies to develop this technology, but at this time cannot require this of the companies.
1	Fleet size	Commenters thought there should not be a maximum fleet size	There is a maximum fleet size in order for the program to grow. Permit Holders can request increases in fleet size.
1	Fleet Size	Commenter proposed enforcement and monitoring of minimum fleet size.	This is something which can be clarified in the Rules and Regulations.
1	Fleet size	Wants clearer explanation of scoring for quarterly fleet increases	BCDOT will notify Permit Holder of weighted criteria prior to any calls for fleet increase requests.
4	Deployment- Equity Zones	Commenters did not understand how equity zones were developed. Some think they are unnecessary or will lead to theft/damages	Equity Zones were developed to spread access to the vehicle to more residents. The zones were selected in collaboration with the Planning Department and Parking Authority. Zones were then mapped in relation to population density, proximity to bike infrastructure, proximity to transit lines, local main streets, household income, and household vehicle access.
1	Deployment- Equity Zones	Commenter suggested expanding equity zones to be slight larger to include their property.	BCDOT will expand the zone one block to include this area.
6	Deployment- Overnight hours	Commenters disagreed with the ban of scooters operating from 11pm-4am, as it would affect late night users at a time when busses are also infrequent.	The main reason for this prohibition is to allow all vehicles to undergo a daily safety check. We have asked companies to provide additional information about when vehicles are serviced, to date all companies report servicing vehicles at night. We will allow companies to submit a plan to assure vehicles have been checked for safety in order to operate for extended hours.
1	Parking	Suggested that companies respond to all requests to move vehicles within 3 hours.	Companies must respond to DOT requests in 3 hours, but public requests in 6.
2	Parking	Concerned that parking laws are not listed and enforcement of laws.	Parking laws and fines were not stated here because they are in the City Code after the passing of bill 19-0324. This includes clauses for towing vehicles and fines for users.
6	Parking	Suggested no parking in neighborhoods, more parking enforcement and parking zones	BCDOT will accept non-deployment requests from property owners, these apply to morning deployment, not to users parking the vehicles. Designated parking corrals are being developed for equity zones and for high usage areas.
3	Operations – Laws for users	Comments suggested additions to operating laws to increase safety including: allowing sidewalk riding and banning all sidewalk riding.	Operating laws were passed with Council Ordinance 19-0324. DOT introduced the bill, but the law and changes to the law are passed by the City Council and Mayor’s Office.

PUBLIC COMMENT REPORT- Dockless Vehicles Rules and Regulations

2	Operations - Helmets	Suggested requiring helmets for all users or developing a helmet share.	The helmet law passed requires helmet for users under 16, this is in parity with state law. A helmet share is infeasible for hygienic reasons and for ensuring the structural integrity of helmets when they are shared.
2	Operations – Speed Limits	Comments expressed both a desire for a higher speed limit and a lower speed limit for vehicles.	The 15 mph speed limit on scooters is the national best practice across the United States. DOT will continue to evaluate specific locations which need a reduced speed zones once we start to receive data on the first one planned for the Inner Harbor promenade.
8	Operations – User Behavior	Commenters were concerned about how users operate the vehicle, citing unsafe behavior. Suggestions included more education of users and drivers and more enforcement.	The laws for operating the vehicles were not stated here because they are in the City Code after the passing of bill 19-0324. This new law will allow for enforcement and BCDOT is working with BPD to teach officers the new laws. In addition, BCDOT will undertake its own education efforts.
5	Operations- No Ride Zones	Commenters disagreed with the no-ride zone on Stadium Authority land or the appearance that adjacent public streets would be affected by either zone.	The no-ride zone on Stadium Authority property was the specific request of the Stadium Authority who stated that the ban is needed to comply with the state code. As it is not the public ROW, BCDOT must comply with this request.
2	Operations-Reduced Speed Zones	Commenters want inner harbor to be a no-ride zone, not just reduced speed	The reduced speed zone was set based on conversations with the property owners and stakeholder groups in the inner harbor. We will closely monitor how the reduced speed works and introduce more educational efforts in order to reduce conflicts.
2	Operations-Reduced Speed Zones	Reduced speed zone should not affect the cycle track or Jones Falls Trail around the harbor.	The reduced speed zone should not affect the cycle track. BCDOT will ask the companies to err on the side of the water in order to avoid this conflict.
1	Operations- No ride and reduced ride zones	Want a clear process for zone requests to go through DOT, especially when concerning the public ROW.	BCDOT will add a clause that any no parking, no ride, or reduced speed zones must be approved by BCDOT.
1	Operations- No Ride Zones	Use geo-fencing which leads to messaging popping up in the app	BCDOT will discuss this possibility with permit holders.
1	Seizure	Thinks this is unnecessary and costly	Seizure will be used in as a last resort to mitigate any continued issues with parking. This clause and the performance bond are both standard practice nationwide, not a cost which solely exists in Baltimore
1	Education	Use safety messaging concerning vehicles on transit	BCDOT will discuss the content of safety messaging at the public Dockless Vehicle Committee meetings. Safety on and around transit can be one topic covered in monthly messaging.
1	Education	Permit holders should be able to choose where to display applicable laws, should not required in app.	BCDOT will not make this change. Most users access vehicle in the app, so the laws should be there.
2	Education- App Requirements	Some users suggested more specificity in education app requirements, including placement of education and frequency.	BCDOT will make this change.
1	Equitable Access	Require braille or other embossed stickers on vehicles for identification	This was proposed at the Maryland State Legislature, BCDOT is following the bill development.

PUBLIC COMMENT REPORT- Dockless Vehicles Rules and Regulations

1	Equitable Access	Change the language of the website and app accessibility requirements from Talkover to reflect the WCAG standards.	BCDOT will adopt this language around WCAG standards.
1	Equitable Access	Variable pricing should be allowed for more reasons than just equity.	BCDOT will make this change.
1	Equitable Access	Multi-lingual support be reduced, to not include all app, website, and phone.	BCDOT will make this change.
2	Equitable Access	Commenters did not understand the need for cash options, low income, or non-smartphone plans. They claim this will be an undue burden on the companies.	This is an important requirement to serve a large portion of the Baltimore population. Additionally, the companies already provide these services nationwide.
1	Equitable Access	Commenter thinks that the cash payment option will decrease accountability from companies.	Cash accounts will allow more people to access the vehicles. Ultimately, if a crime is committed on a scooter, it is the person who is at fault, not the company.
2	Advertising	Question the city's ability to require marketing efforts include a focus on underserved populations.	The City does have the ability to require this, since it is part of a permit. BCDOT will still clarify the language to say those populations shall be included.
1	Data – Public API	Wants public API to be posted on website and to include a minimum level of service	BCDOT will make this change.
1	Data – Public API	Suggested GBFS details for API be included	BCDOT will make this change.
5	Data – API accessibility	Commenters want the MDS API available for researchers to increase accountability	This will be done on a 1-on-1 basis through an MOU
1	Data – Data Security	Recommended increased security for MDS data coming to the city, such as using a third party aggregator.	BCDOT will make this change.
1	Data- Reporting	Don't think the companies should have to make any of the reports within 24 hours, including requests and BPD contact.	BCDOT will still require these reports.
1	Data - Reporting	Monthly reports should be provided within 14 days, not 5	BCDOT will compromise to 10 business days.
1	Data-Reporting	Require permit holders to have meetings with stakeholders	BCDOT will continue to hold Dockless Vehicle Committee meetings which are open to all stakeholders.
1	Fees	Suggested that the performance bond be provided by bond or other security	BCDOT will make this change.
1	Insurance	Clarify that the city is insured by general liability and automobile liability, not worker's compensation policies.	BCDOT will make this clarification.
8	Other- Overregulation	Most of these comments were not productive, some were purposefully rude, full of cursing, or personally attacking BCDOT staff. Commenters	These commenters were largely uninformed about the process undertaken to develop the rules and regulations - including monitoring nationwide development and working with the companies. The commenters fail to recognize how the free market has not

PUBLIC COMMENT REPORT- Dockless Vehicles Rules and Regulations

		cited “birth rights”, free enterprise, and the city not understanding the scooter industry.	served all of Baltimore’s population well and that BCDOT has the authority to regulate the ROW to ensure equity, health, and safety for all Baltimore residents. Additionally, based on the amount of cursing in these comments, more communications should be made that these comments are read and recorded by real people.
3	Other- Asked a question	Commenters just wanted to know how to use the program or what specific sections meant.	BCDOT individually answered all questions.
7	Other- Complimented the R &R	Commenters complimented the Rules and Regulations	Thanks!
3	Other- Cancel the program	Commenters did not provide any feedback but just suggested canceling the whole program.	BCDOT will not make this change.
1	Other- Hiring	Prioritize and encourage vendors to work with Youthworks or other youth hiring.	This will be weighted on the competitive application.
<b>107</b>	<b>TOTAL</b>		