

## STAFF REPORT

**DATE:** July 19, 2022

**TO:** City Council

**FROM:** Dianna Jensen, Acting Director PWET / City Engineer  
Ryan Chapman, Assistant Director PWET / Traffic Engineer  
Jennifer Donofrio, Bicycle and Pedestrian Coordinator

**SUBJECT:** City of Davis Municipal Code Amendment Temporarily Amending Chapter 6 Bicycles; and allowing a Bicycle-and Scooter Share One Year Pilot Project with Lime in partnership with the Sacramento Area Council of Governments (SACOG)

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### **Recommendation**

1. Introduce and conduct first reading of an Ordinance Temporarily Amending Article 6.05 of the Davis Municipal Code and Temporarily Suspending Article 22.18 to provide for a one-year pilot program for a Bike and Scooter Share Program (Attachment 1).
2. Direct Staff to return to Bicycling, Transportation, and Street Safety Commission (BTSSC) and City Council near the completion of the Pilot Program and provide a project evaluation and assessment for potential longer term ordinance changes.

### **Fiscal Impact**

Adoption of this ordinance will have no fiscal impact. Any vendor operating within the City under the terms included in this ordinance will be required to pay for all of the direct and indirect costs to the City via their permit fee and a cash security deposit.

### **Council Goal(s)**

Amending the ordinance to allow a bike and scooter share program is in line with Goal 5, enhancing a vibrant downtown and thriving neighborhoods and objective 2, Improve downtown for motor vehicles, bicycle, and pedestrian travel. This goal includes examining potential strategies to enhance the mobility of Davis residents, such as micro-transit; modifications of bus routes; and/or the establishment of private businesses or community cooperatives for rental of electric or human-powered bicycles.

### **Commission Input**

This topic was brought to the Bicycling, Transportation, and Street Safety Commission (BTSSC) on November 4, 2021. Staff had a productive discussion regarding the agreement framework leading to this staff report. The BTSSC unanimously supported a recommendation "...that the City deploy bikes and scooters" when the system returns to the Davis service area.

### **Background and Analysis**

Today, Staff is introducing proposed amendments to the Davis Municipal Code, which are listed below. These changes to the bicycle-share businesses and regulations ordinance will allow for a one-year shared micromobility pilot project with Lime, a micromobility operator. The one-year pilot agreement, will allow the City to pilot on-street bicycle parking and scooter share. Lime will be the exclusive micromobility operator in Davis during the one-year pilot project. After the pilot project is completed, then vendor exclusivity will be reevaluated.

Staff is proposing that the ordinance terminate on December 31, 2023. This 15-month term will allow Lime to operate in Davis for a year and then allow staff to evaluate the project, identify community concerns, and bring potential permanent ordinance changes back to the BTSSC and City Council before the ordinance expires. If the program does not work out to the satisfaction of the City, the ordinance will expire by its own terms on December 31, 2023 and the municipal code will revert to the language in place prior to this Council action.

### **List of Changes to the Davis Municipal Code:**

- a. Amending references to bicycle share to include scooters by referring to all shared devices as shared micromobility devices.
- b. Amend section 6.05.100 Insurance Requirements by increasing the aggregate insurance amount to no less than five million dollars.
- c. Amend Article 6.05.110, Bicycle Parking Spaces Required and allow the City Manager to waive this article.
- d. Amend Article 6.05.120 Retrieval of Bicycle-Share Bicycles, which states that the bicycle-share business shall, within two hours of notice from the City, retrieve their bicycle-shared bicycles and instead require 90 minutes to retrieve the devices.
- e. Amend section 6.05.150 Impoundment, to authorize City Staff to impound on sight bicycle-share bicycles that obstruct sidewalks or present a public safety concern.
- f. Amend Section 6.05.170(b)(2) Bicycle-Share Bicycles, which requires customers to properly secure bicycle-share bicycles to racks, and not leave a bicycle-share bicycle unattended and lying on its side on any portion of a sidewalk, street or highway so as to obstruct pedestrian or vehicular travel. A new sentence is proposed that states, shared micromobility devices parked outside of downtown are permitted to park on the street perpendicular to the curb, like a motorcycle.
- g. Suspend Article 22.18 Motorized Scooters and Scooter-share Programs, prohibiting motorized scooter share programs in the City.

Below is information about the agreement process, the project history, the City and UC Davis supports micromobility, benefits of micromobility, challenges with scooters and their justification, and next steps.

### ***Bike Share Agreement Process***

In 2015, Sacramento Area Council of Governments (SACOG) became the lead agency for the regional bike share program with partner cities including, the City of Davis, Sacramento, and West Sacramento. Serving as the lead agency, SACOG manages the bike share agreement and approves any amendments between the regional bike share operator (Lime) and partner cities. Each partner city has representation on the SACOG Regional Bike Share Policy Steering Committee (PSC), which reviews all amendments to the regional bike share agreement and makes recommendations to the SACOG Board. Members of the PSC include Mayor Lucas Frerichs, two councilmembers from the City of Sacramento, the Mayor of West Sacramento, the Director of the Sacramento Air District, and SACOG Attorney Kirk Trost.

In May 2022, the SACOG Regional Bicycle Share Policy Steering Committee, chaired by Mayor Lucas Frerichs, reviewed, approved, and recommended the SACOG Board to approve, an amendment to the SACOG regional bike share agreement for a one-year bicycle and scooter share pilot project in Davis. This agreement is specific to Davis, as Lime already operates in West Sacramento and Sacramento. The biggest differences between the SACOG and Lime agreement with West Sacramento and the City of Sacramento are, City of Davis staff wanted a higher ratio of bicycles compared to scooters, more affordable monthly passes, shorter response time for resolving parking and ADA issues (90 minutes instead of 2 hours) and market exclusivity, which enables Lime to offer improvements to pricing, fleet mix and response times. On June 16, 2022, the SACOG Board approved this amendment.

Today, Staff is recommending that City Council amend sections of the Davis Municipal Code to allow scooter share and allow shared devices to park on the street. If approved by City Council, then Lime and SACOG would like to launch bike and scooter share in Davis by September 30, 2022. As part of the approval process, Lime has submitted a Bicycle-Share Business Permit application to the City. The City of Davis Bicycle Share Business Ordinance states that the City Manager has discretion to approve the bike share business permit. If City Council approves the changes to the Davis Municipal Code, then Staff will recommend to the City Manager that the permit be approved. During the pilot the City can terminate the agreement at any time.

### ***History of Bike and Scooter Share in Davis***

#### **2017**

- SACOG entered into a regional bike share agreement with JUMP to operate bike share in Davis, Sacramento and West Sacramento.

#### **2018**

- In preparation for bike share launching in Davis, on April 3, 2018, the City Council adopted an ordinance to establish permitting and regulations for bicycle share businesses.
- On May 17, 2018 bike share launched in Davis and UC Davis with approximately 150-180 electric assist bicycles.

- Over the year, citizen complaints to City Staff increased, primarily centering on JUMP user parking practices. While the existing ordinance requires users to park bicycle-share bikes to any publicly accessible bike rack, compliance was low, especially outside downtown where far fewer bicycle racks are available. Instead, bicycle-share users park bikes on sidewalks, pathways, on the street, in private yards and on front porches.
- Over Labor Day weekend, without City permission, scooter companies left devices in Davis without seeking permits or a business license. These companies were contacted and they immediately removed their scooters.
- On October 30, 2018 City Council adopted an urgency ordinance prohibiting motorized scooter share programs in the City for the immediate preservation of the public peace, health, and safety

## **2019**

- In early 2019, Staff invited Bird, Lime and Spin to Davis for City of Davis Staff, Council and Commissioners to test ride the scooters.
- In July 2019, Staff surveyed Davis residents to determine their satisfaction with JUMP and get feedback on bike share parking solutions. 1,200 people completed the survey and 72 percent stated they liked having JUMP in town. 77 percent shared that bicycle-share parking is a concern. Sixty percent of survey respondents recommended piloting bike share bikes to park perpendicular to the curb anywhere vehicular parking is permitted (except downtown).
- On October 8, 2019, Staff brought the survey results and a proposal for a bike share pilot project to City Council. At the City Council meeting JUMP Staff shared they did not support the staff's pilot project to allow bikes to park on the street. Councilmembers directed staff to work out the details of the pilot project with JUMP.

## **2020**

- Late February 2020 JUMP ceased operations in the region due to the COVID pandemic.
- In May 2020, Lime, another micromobility operator in the country, acquired all of JUMP's interests.
- Throughout 2020, seven scooter operators approached the City and UC Davis interested in establishing either electric scooter-share or a mix of bicycle-share and electric scooter-share to the Davis market. None expressed interest in a bicycle-share-only system without public subsidy.
- In December 2020, SACOG and Lime executed an amendment to the original SACOG bike share agreement, facilitating bicycle-share's return to the regional market and, in Lime's case, adding electric scooter-share into Lime's fleet (for reference, Cities of Sacramento and West Sacramento allowed independent scooter-share operators into their service area separate from the Lime SLA). Lime chose not to return to the Davis service area at that time, for several reasons, (1) they wanted to wait for UC Davis students to return to Davis, (2) the cost to operate bicycle share is very expensive, (3) they wanted the City and UC Davis to subsidize a bicycle-only fleet or allow a mixed scooter and bicycle fleet,

and (4) there was very limited staff support for scooters at the City of Davis and UC Davis.

- Between spring and fall 2020, City and UC Davis staff collaborated on a framework of priorities should bicycle-share / micromobility return to Davis. The intent was to establish clear priorities to potential vendors either in negotiations with Lime or in an open Request for Proposals (RFP).

## **2021**

- In September 2021, Lime provided the City with a bicycle and scooter share proposal. Staff compared the proposal to the framework and Lime has subsequently agreed to the vast majority of items in the City/UC Davis framework.
- In November, the BTSSC reviewed the framework and unanimously supported a recommendation "...that the City deploy bikes and scooters" when the system returns to the Davis service area.
- Lime has agreed to allow bicycles and scooters to park on the street, anywhere vehicular parking is permitted except for the downtown.

## **2022**

- On May 27, 2022 the SACOG Bike Share Policy Steering Committee approved the Davis Shared Mobility amendment and recommended this item to the SACOG Board.
- On June 16, 2022 the SACOG Board approved the Davis Shared Mobility amendment.
- On June 23, 2022 UC Davis Transportation Services sent the City of Davis a letter of support for the growth of sustainable transportation choices including shared electric scooters (see Attachment 3)
- July 13, 2022 Lime submitted Bicycle Share Business Permit application to City.

### *The City and UC Davis Supports Shared Micromobility*

In addition, the City Council goal for the establishment of private businesses or community cooperatives for rental of electric or human-powered bicycles, the City General Plan Transportation Element and Climate Action and Adaptation Plan also support shared micromobility.

### City General Plan Transportation Element

The City supports micromobility because it aligns with the City's General Plan Transportation Element Goals of:

- A range of viable Travel Choices.
- Environmental and economic Sustainability in the transportation system.
- A safe and convenient Complete Street network that serves everyone.
- Bicycling as a healthy, affordable, efficient, and low-impact mode of transportation.

### Climate Action and Adaptation Plan

The City has identified Micromobility in several actions in their draft Climate Action and Adaptation Plan, to be finalized by the end of 2022:

#### **Action B.3. 'First/last mile' transportation**

Address 'first mile / last mile' and short-trip transportation needs with specific provisions for low-income or vulnerable populations; include specific action recommendations, such as developing a shared electric micromobility program and charging plan, considering a pedi-cab service program, providing additional resources for the Safe Routes to School program, or other actions.

#### **Action B.4. Electric micromobility vehicles**

Develop financing/incentives for purchasing, using, and maintaining electric micromobility vehicles for personal use (such as bicycles, scooters, trailers), and include specific provisions for low-income and vulnerable populations.

#### **Action B.9. Transportation Demand Management (TDM) program**

Address recommendations for developing, funding, and staffing a coordinated Transportation Demand Management (TDM) program designed for 'all people, all trips' that encourages and/or requires employers to implement TDM strategies, such as remote work opportunities, community education and outreach, micromobility, vanpool, rideshare, subsidized transit, employee parking cash-out; and encourages participation from residents and employees.

### UC Davis

The UC Davis Transportation Services provided the City with a letter of support for shared micromobility (see Attachment 3).

#### *The Benefits of Micromobility*

Research from the North American Bikeshare and Scootershare Association (NABSA) (See NABSA 2020 Shared Micromobility State of the Industry Report, Attachment 4), highlights the benefits of micromobility including:

- Shared micromobility benefits communities by adding new transportation options that help people get to where they need to go. NABSA states that 36 percent of shared mobility trips replace a car trip.
- North Americans gain almost 12.2 million hours of additional physical activity through shared micromobility replacing motorized trips.
- In 2020 shared micromobility offset 29 million pounds of CO<sub>2</sub> emissions.
- Micromobility reduced parking needs and reduced traffic or time driving.
- A study found that e-scooter programs increased unplanned spending at quick service restaurants and food and beverage stores.

#### *Micromobility Challenges- the Justification for Scooters*

The shared micromobility industry is changing rapidly. Dockless electric-assist bicycle-share-only systems of the past such as JUMP were largely venture-backed and are

considered economically unsustainable at the scale under consideration in Davis without one or more of the following:

1. Substantial private sector sponsorship
2. Public subsidy
3. Inclusion of more profitable electric scooter-share

For reference, the JUMP system was not able to secure a large private sector sponsorship in the Sacramento region and, locally, the City and UC Davis are not presently supportive of providing a continuing subsidy for a bicycle-share-only system. The remaining option is to consider introducing electric scooter-share into the fleet. Electric scooter-share economics are profitable for operators because of their lower capital, operations, maintenance, and rebalancing costs due to their smaller size. The profitability of electric scooters allows for cross-subsidization of electric-assist bicycle-share.

### **Key Features of Agreement between SACOG and Lime for Davis**

The key features of the agreement between SACOG and Lime as will apply to the Davis program are outlined below. Additional information can be found in Attachment 5, Davis Micromobility Terms and Agreement.

- One-year pilot with Lime as exclusive provider
- City can terminate at any point
- Pilot will include 500 bikes and 300 scooters, all regularly serviced by Lime.
- Fee to use. Low income program (Lime Access) as well
- Lime will address improperly parked devices within 90 minutes
- Lime will not charge the City. Lime will cover and City staff time spent managing violations and pay for repair of public property damaged by Lime/users.
- Lime will meet data sharing requirements set forth by SACOG.
- Lime will abide by several requirements intended to enhance safety.

### **Next Steps**

If this ordinance is introduced today, then Staff will be returning to City Council on August 30, 2022 for the second reading of the ordinance. Thirty days after the second reading, then Lime will launch their shared micromobility pilot project. In winter 2023, Staff plans to return to BTSSC and City Council with an evaluation of the pilot project and permanent changes to the Davis Municipal Code. Prior to launch, considerable education and outreach regarding the system operations and instructions to users will be pursued.

### **Attachments**

1. Ordinance
2. Redline showing proposed changes to Chapter 6.05
3. UC Davis letter of support
4. NABSA 2020 State of the Industry Report
5. Davis Micromobility Terms and Conditions

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAVIS TEMPORARILY AMENDING ARTICLE 6.05 OF THE DAVIS MUNICIPAL CODE AND TEMPORARILY SUSPENDING ARTICLE 22.18 UNTIL DECEMBER 31, 2023 TO PROVIDE FOR A PILOT PROGRAM FOR A BIKE AND SCOOTER SHARE PROGRAM IN THE CITY**

THE CITY COUNCIL OF THE CITY OF DAVIS DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1.** Article 6.05 of Chapter 6 is hereby amended for the duration of this Ordinance to read as follows:

**“ARTICLE 6.05 BICYCLE- AND SCOOTER-SHARING BUSINESSES AND REGULATIONS**

**6.05.010 Definitions.**

As used in this chapter, the following terms shall have the following meanings:

**Bicycle parking space** means any space in the public right-of-way in which a shared micromobility device may be parked in compliance with this chapter.

**Bicycle rack** or **rack** means a stationary fixture, including charging stations, intended to be used for securely attaching a shared micromobility device to prevent movement or theft.

**City manager** means the city manager or designee.

**Customer** means any person using a bicycle- or scooter share device.

**Director of community development** means the city’s director of community development department or designee.

**Director of public works** means the city’s director of public works or designee.

**Shared micromobility device** means a bicycle, electric bicycle, or scooter that is made available to the public by a shared mobility service provider for shared use and transportation in exchange for financial compensation via a digital application or other electronic or digital platform.

**Shared micromobility device fleet** means all shared micromobility devices operated by a specific shared micromobility device provider.



**Shared micromobility operator** means a person or entity that offers, makes available, or provides a shared mobility device in exchange for financial compensation or membership via a digital application or other electronic or digital platform.

**6.05.020 Shared micromobility device business permit required.**

- (a) No person shall operate a shared micromobility device business unless the person holds a valid shared micromobility device business permit issued pursuant to this article, and enters into an agreement regarding the same, which shall constitute part of the permit.
- (b) Shared micromobility device business permits are the property of the city and are not transferable.
- (c) City in its sole discretion may determine how many permit(s) to issue.

**6.05.030 Application for a shared micromobility device business permit.**

An application for a shared micromobility device business permit or its renewal shall be filed with the department of public works on a form prescribed by the director of public works, approved by the city manager, and shall include, at minimum:

- (a) The applicant's true name, address, and telephone number; and the true and fictitious name, address, and telephone number of the shared micromobility device operator;
- (b) Written evidence that the applicant is an owner or legal representative of the bicycle-share business;
- (c) The name, address, and telephone number of a local point of contact;
- (d) A copy of a valid business license issued by the city;
- (e) Proof of compliance with the insurance requirements set forth in this article;
- (f) A nonrefundable shared micromobility device business permit application fee; and
- (g) Such other material as the city manager or director of public works may require to carry out the purposes of this chapter.

**6.05.040 Term of shared micromobility device business permits.**

Shared micromobility device business permits are valid for one year, unless suspended or revoked sooner. Shared micromobility device business permits may be renewed pursuant to Section 6.05.070.

#### **6.05.050 Application, renewal, and fleet expansion fees.**

- (a) The following fees are hereby established and imposed:
  - (1) Shared micromobility device business permit application fee;
  - (2) Shared micromobility device business permit renewal application fee;
  - (3) Shared micromobility device business fleet expansion fee.
- (b) The amounts of the fees described in subsection (a) shall be established by resolution of the city council.

#### **6.05.060 Shared micromobility device fleet expansion.**

- (a) No shared micromobility device operator shall expand its shared micromobility device fleet beyond the permitted amount specified in the shared micromobility device business permit, until such expansion has been approved by the director of public works pursuant to this article.
- (b) An application to expand a shared micromobility device fleet shall be filed with the department of public works on a form prescribed by the director of public works.
- (c) Every application for expansion of a shared micromobility device fleet shall be accompanied by a nonrefundable fleet expansion fee.
- (d) Notwithstanding any provision to the contrary in this chapter, the city reserves the right to limit the number of shared micromobility devices to be operated by the shared micromobility device operator, based on the projected impact to city streets, sidewalks, paths, driveways, doorways, and other avenues of vehicular and pedestrian traffic.

#### **6.05.070 Shared micromobility device business permit renewal.**

A shared micromobility device business permit is renewable upon the filing and approval of a renewal application and payment of the nonrefundable permit renewal fee. The renewal application shall be on a form prescribed by the city manager.

#### **6.05.080 Issuance of a shared micromobility device business permit.**

Except as provided in Section 6.05.130, a shared micromobility device business permit may be issued or renewed if there are no grounds for denial in accordance with Section [6.05.090](#), and after the director of public works has:

- (a) Physically inspected the applicant's shared micromobility devices to ensure compliance with this chapter and applicable state laws; provided, however, that the director of public works may accept proof of compliance with this chapter and the applicable state requirements for operating a shared micromobility device in lieu of conducting an inspection; and
- (b) Received a determination from the director of community development that the proposed shared micromobility device business location and storage location, if within the city, complies with applicable zoning regulations and other applicable laws; and
- (c) Confirmed the shared micromobility device operator's compliance with the bicycle parking space requirement, pursuant to Section [6.05.110](#).

#### **6.05.090 Grounds for denying a shared micromobility device business permit.**

The director of public works may deny an application for a shared micromobility device business permit or its renewal on the following grounds:

- (a) The application is incomplete.
- (b) The applicant is in violation of any provision of this article.
- (c) The applicant is delinquent on any payment of money to the city, including any fees, fines, penalties, or taxes.
- (d) The applicant has had its shared micromobility device business permit revoked within three years of the date the application was submitted.
- (e) The applicant's operation of a shared micromobility device would be a threat to the public health, safety or welfare.

#### **6.05.100 Insurance requirements.**

- (a) A shared micromobility device operator shall maintain at all times in full force and effect at its sole expense, the following minimum insurance:
  - (1) General liability for bodily injury, including death, of one or more persons, property damage, and personal injury. Coverage shall include all customers, and shall be at least as broad as ISO CGL Form 00 01 on an occurrence basis for bodily injury, including death, of one or more persons, property damage and personal injury, with limits of not less than one million dollars per occurrence and not less than five million dollars aggregate for all occurrences during the policy period.

(2) Automobile liability insurance providing protection against claims of bodily injury, including death, of one or more persons, personal injury, and property damage arising out of ownership, operation, maintenance, or use of owned, hired, and non-owned automobiles. Coverage shall be at least as broad as ISO CA 00 01 (any auto), with limits of not less than one million dollars per accident.

(b) The city, its officials, and employees shall be covered by policy terms or endorsement as additional insureds regarding general liability and automobile liability arising out of activities performed by or on behalf of the shared micromobility device operator.

(c) The shared micromobility device operator's insurance coverage shall be primary insurance as it pertains to the city, its officials, and employees.

(d) The city must be provided with thirty days' prior written notice of cancellation or material change in the policy language or terms by both the shared micromobility device operator and the insurer.

(e) The shared micromobility device operator shall furnish the city with certificates and endorsements evidencing the insurance required, which must be maintained during the term of a shared micromobility device business permit. The city may suspend, modify, or revoke a shared micromobility device operator's vehicle permit if current certificates of insurance and required endorsements have not been provided.

(f) Notwithstanding the above, the city may, in its sole discretion, determine that different or greater insurance requirements are necessary for the public health and safety.

#### **6.05.110 Bicycle parking spaces required.**

(a) No person shall operate a shared micromobility device business unless and until they have provided and maintain at least one and one-half bicycle parking spaces in the city for every shared micromobility device bicycle to be operated by the shared micromobility device operator, as approved by the city. The bicycle parking spaces shall be provided on bicycle racks that satisfy the city's bicycle parking standards, to the satisfaction of the director of public works. Notwithstanding the above, the City Manager may waive the parking requirements in this paragraph.

(b) In approving a shared micromobility device operator's proposed bicycle parking spaces, the director of public works shall consider, and may condition approval, on the following:

(1) The proposed size, materials, and location of the bicycle racks, consistent with all applicable zoning requirements and city regulations;

- (2) The placement of the racks so as not to obstruct the public's use of the sidewalk and/or street;
- (3) Any other conditions as may be necessary for protection of the public safety and welfare.

(c) The installation of shared micromobility device parking spaces and bicycle racks in the city are subject to encroachment permit requirements, as set forth in Section [35.01.040](#) of this code, which may be issued in accordance with the requirements set forth in this section.

#### **6.05.120 Retrieval of shared micromobility devices.**

A shared micromobility device operator, or authorized agent, shall, within 90 minutes of notice from the city, retrieve their shared micromobility devices that are in any of the following conditions:

- (a) Shared micromobility device that are inoperable or not safe to operate, and parked in the public right-of-way;
- (b) Within downtown, a shared micromobility device that is not locked to a bicycle rack in an upright position, or that otherwise violates city bicycle parking and use regulations;
- (c) Shared micromobility devices with a battery or motor determined by the city to be unsafe for public use.

#### **6.05.130 Grounds for suspending, revoking, or modifying a permit.**

The director of public works may suspend, revoke, or modify any shared micromobility device business permit issued pursuant to this chapter on any of the following grounds:

- (a) That the permitted shared micromobility device business is being operated in a manner that constitutes a nuisance, or is injurious to the public, health, safety, or welfare;
- (b) The operation of the shared micromobility device violates any condition of the permit or city approved application and plans, including any conditions or requirements imposed in an encroachment permit obtained for providing device parking spaces;
- (c) The shared micromobility device operator fails to pay any fines, penalties, fees or damages lawfully assessed upon it;
- (d) The shared micromobility device operator violates any provision of this chapter or any other applicable law;

(e) The shared micromobility device operator fails to collect its shared micromobility devices from the city within thirty calendar days of receiving written notice from the city of impoundment pursuant to Section 6.03.150 of this code; or

(f) Circumstances that would have been grounds for denial of the permit application.

**6.05.140 Right of appeal from denial, suspension, modification, or revocation of a shared micromobility device business permit.**

Any applicant or permittee aggrieved by a decision of the director of public works in denying, suspending, modifying or revoking a permit, or imposing conditions on the issuance of a permit or permit renewal, may appeal the decision to the city manager in accordance with the following procedures:

**(a) Appeal to city manager or designee.**

(1) Any applicant or permittee who desires to appeal a decision of the director of public works may appeal the decision by submitting a written appeal to the city manager within ten calendar days from the date of service of the notice of denial, suspension, modification, revocation, or conditioned approval or renewal. The written appeal shall contain:

(A) A brief statement in ordinary and concise language of the specific decision or condition protested, together with any material facts claimed to support the contentions of the appellant;

(B) A brief statement in ordinary and concise language of the relief sought, and the reasons why it is claimed the protested action should be reversed or otherwise set aside;

(C) The signatures of all parties named as appellants and their official mailing addresses; and

(D) The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

(2) Upon receipt of a timely filed appeal, the city manager may hire or appoint a hearing officer or may serve as the hearing officer.

(3) Upon receipt of any appeal filed pursuant to this section, the hearing officer shall calendar it for hearing within fifteen calendar days.

(4) Written notice of the time and place of the hearing shall be given at least seven calendar days prior to the date of the hearing to each named appellant either by causing a copy of such notice to be delivered to the appellant personally or by

mailing a copy thereof, postage prepaid, addressed to the appellant at the address(es) shown on the appeal.

(5) Failure of any person to timely file an appeal in accordance with the provisions of this section shall constitute an irrevocable waiver of the right to an administrative hearing and a final adjudication of the notice and decision, or any portion thereof.

(6) Only those matters or issues specifically raised by the appellant in the appeal notice shall be considered in the hearing of the appeal.

(7) In the case of a suspension, modification, or revocation of a permit or permit renewal, the permittee may continue to conduct bicycle-share business operations during the pendency of any appeal.

**(b) Hearings—Generally.**

(1) At the time set for hearing, the hearing officer shall proceed to hear the testimony of the director of public works, the appellant, and other competent persons, including members of the public, respecting those matters or issues specifically raised by the appellant in the notice of appeal.

(2) The proceedings at the hearing shall be electronically recorded. Either party may provide a certified shorthand reporter to maintain a record of the proceedings at the party's own expense.

(3) The hearing officer may, upon request of the appellant or upon request of the city, grant continuances from time to time for good cause shown, or upon his or her own motion.

(4) In any proceedings under this chapter, the hearing officer has the power to administer oaths and affirmations and to certify to official acts.

**(c) Conduct of hearing.**

(1) Hearings need not be conducted according to the technical rules relating to evidence and witnesses.

(2) Oral evidence shall be taken only upon oath or affirmation.

(3) Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of the evidence over objection in civil actions.

(4) The hearing officer has discretion to exclude evidence if its probative value is substantially outweighed by the probability that its admission will necessitate undue consumption of time.

(5) Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but over timely objection shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. An objection is timely if made before submission of the case or on reconsideration.

(6) Each party shall have these rights, among others:

(A) To call and examine witnesses on any matter relevant to the issues of the hearing;

(B) To introduce documentary and physical evidence;

(C) To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;

(D) To impeach any witness regardless of which party first called the witness to testify;

(E) To rebut the evidence presented against the party; and

(F) To represent him, her, or itself or to be represented by anyone of his, her, or its choice who is lawfully permitted to do so.

(7) In reaching a decision, official notice may be taken, either before or after submission of the case for decision, of any fact that may be judicially noticed by the courts of this state or that may appear in any of the official records of the city or any of its departments.

**(d) Form and contents of decision—Finality of decision.**

(1) If it is shown, by a preponderance of the evidence, that one or more bases exist to deny, suspend, modify, or revoke the permit, the hearing officer shall affirm the director of public works' decision to deny, suspend, modify, revoke or condition the permit. Following the hearing and after reviewing the testimony and evidence presented at the hearing, the city manager shall issue a decision, or if the city manager appointed a hearing officer, the hearing officer shall issue a recommendation to the city manager, regarding the propriety of the police chief's determination. The decision or recommendation shall be in writing and shall contain findings of fact and a determination of the issues presented. The city manager shall accept, amend and accept, or reject a hearing officer's recommendation.

(2) The city manager's determination of the appeal shall be final.



(3) The final decision shall inform the appellant that the decision is a final decision and that the time for judicial review is governed by California [Code of Civil Procedure](#) Section 1094.6. Copies of the decision shall be delivered to the appellant personally or sent by certified mail to the address shown on the appeal within ten business days following the conclusion of the hearing.

(4) The decision shall be final when signed by the city manager and served as provided in this section.

#### **6.05.150 Impoundment.**

(a) The city may impound shared micromobility devices that are not retrieved by the shared micromobility device operator pursuant to Section [6.05.120](#) or as provided for in the Vehicle Code. The city may impound devices immediately if the device is obstructing the sidewalk or presents a public safety concern.

(b) If the city incurs any costs for impounding shared micromobility devices pursuant to this section, the shared micromobility device operator shall reimburse the city for the costs of impoundment within thirty calendar days from the date of written notice of the impoundment from the city.

(c) In addition to the remedies provided in this section, the shared micromobility device business permit may be revoked or suspended for failure to collect the impounded shared micromobility device after thirty calendar days from the city's written notice of impoundment.

#### **6.05.160 Violations.**

(a) In addition to any other remedy allowed by law, any person who violates a provision of this chapter may be subject to criminal sanctions, civil actions, and administrative penalties pursuant to Article [1.02](#).

(b) Violations of this chapter are hereby declared to be a public nuisance.

(c) All remedies prescribed under this chapter are cumulative and the election of one or more remedies does not bar the city from the pursuit of any other remedy to enforce this chapter.

#### **6.05.170 Shared micromobility devices.**

(a) Shared micromobility devices that are electric bicycles and scooters as defined in California Vehicle Code shall be equipped with software or other mechanisms to prevent the motor from providing assistance when the device's speed exceeds fifteen miles per hour.

(b) Shared micromobility device operators shall additionally ensure that customers are informed of the following:

(1) Customers shall use bicycle and scooter share devices in accordance with all applicable city ordinances, regulations, and state law applicable to bicycles and electric bicycles.

(2) Within the downtown, customers shall properly secure shared micromobility device bicycles to racks, and shall not leave a shared micromobility device bicycle unattended and lying on its side on any portion of a sidewalk, street or highway so as to obstruct pedestrian or vehicular travel. Shared micromobility devices parked outside of downtown are permitted to park on the street perpendicular to the curb, like a motorcycle.

(3) Customers under age eighteen are required by California law to wear a bicycle helmet.”

**SECTION 2.** Article 22.18 of Chapter 22 (Motorized Vehicles and Traffic) is suspended and shall be of no further effect for the duration of this Ordinance.

**SECTION 3.** The City Clerk shall certify to the adoption of this Ordinance and shall cause the same or a summary thereof to be published as required by law.

**SECTION 4.** This Ordinance shall take effect and be in full force and effect thirty (30) days from and after the date of its final passage and adoption, and shall, unless earlier terminated, remain in effect until January 1, 2024, at which point it shall hereby be repealed and replaced with provisions of the Code as they existed prior to the effective date of this Ordinance, unless this Ordinance is extended by affirmative action of the City Council.

**SECTION 5.** This project has been determined to be categorically exempt under CEQA in accordance with Title 14, Chapter 3, Class 1, Sections 15301 and 15302. These exemptions include the minor alteration of existing public facilities involving negligible or no expansion of existing or former use, and the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

**INTRODUCED** on the \_\_\_\_ day of \_\_\_\_\_, 2022, and **PASSED AND ADOPTED** by the City Council of the City of Davis on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

---

Lucas Frerichs, Mayor of the City of Davis

ATTEST:

---

Zoe S. Mirabile, CMC,  
City Clerk of the City of Davis

## ARTICLE 6.05 BICYCLE- AND SCOOTER-SHARING BUSINESSES AND REGULATIONS

### 6.05.010 Definitions.

As used in this chapter, the following terms shall have the following meanings:

**Bicycle parking space** means any space in the public right-of-way in which a shared micromobility device may be parked in compliance with this chapter.

**Bicycle rack** or **rack** means a stationary fixture, including charging stations, intended to be used for securely attaching a shared micromobility device to prevent movement or theft.

**City manager** means the city manager or designee.

**Customer** means any person using a bicycle- or scooter share device.

**Director of community development** means the city's director of community development department or designee.

**Director of public works** means the city's director of public works or designee.

**Shared micromobility device** means a bicycle, electric bicycle, or scooter that is made available to the public by a shared mobility service provider for shared use and transportation in exchange for financial compensation via a digital application or other electronic or digital platform.

**Shared micromobility device fleet** means all shared micromobility devices operated by a specific shared micromobility device provider.

**Shared micromobility operator** means a person or entity that offers, makes available, or provides a shared mobility device in exchange for financial compensation or membership via a digital application or other electronic or digital platform.

### 6.05.020 Shared micromobility device business permit required.

(a) No person shall operate a shared micromobility device business unless the person holds a valid shared micromobility device business permit issued pursuant to this article, and enters into an agreement regarding the same, which shall constitute part of the permit.

(b) Shared micromobility device business permits are the property of the city and are not transferable.

(c) City in its sole discretion may determine how many permit(s) to issue.

#### **6.05.030 Application for a shared micromobility device business permit.**

An application for a shared micromobility device business permit or its renewal shall be filed with the department of public works on a form prescribed by the director of public works, approved by the city manager, and shall include, at minimum:

- (a) The applicant's true name, address, and telephone number; and the true and fictitious name, address, and telephone number of the shared micromobility device operator;
- (b) Written evidence that the applicant is an owner or legal representative of the bicycle-share business;
- (c) The name, address, and telephone number of a local point of contact;
- (d) A copy of a valid business license issued by the city;
- (e) Proof of compliance with the insurance requirements set forth in this article;
- (f) A nonrefundable shared micromobility device business permit application fee; and
- (g) Such other material as the city manager or director of public works may require to carry out the purposes of this chapter.

#### **6.05.040 Term of shared micromobility device business permits.**

Shared micromobility device business permits are valid for one year, unless suspended or revoked sooner. Shared micromobility device business permits may be renewed pursuant to Section 6.05.070.

#### **6.05.050 Application, renewal, and fleet expansion fees.**

- (a) The following fees are hereby established and imposed:
  - (1) Shared micromobility device business permit application fee;
  - (2) Shared micromobility device business permit renewal application fee;
  - (3) Shared micromobility device business fleet expansion fee.
- (b) The amounts of the fees described in subsection (a) shall be established by resolution of the city council.

#### **6.05.060 Shared micromobility device fleet expansion.**

- (a) No shared micromobility device operator shall expand its shared micromobility device fleet beyond the permitted amount specified in the shared micromobility device business permit, until such expansion has been approved by the director of public works pursuant to this article.
- (b) An application to expand a shared micromobility device fleet shall be filed with the department of public works on a form prescribed by the director of public works.
- (c) Every application for expansion of a shared micromobility device fleet shall be accompanied by a nonrefundable fleet expansion fee.
- (d) Notwithstanding any provision to the contrary in this chapter, the city reserves the right to limit the number of shared micromobility devices to be operated by the shared micromobility device operator, based on the projected impact to city streets, sidewalks, paths, driveways, doorways, and other avenues of vehicular and pedestrian traffic.

#### **6.05.070 Shared micromobility device business permit renewal.**

A shared micromobility device business permit is renewable upon the filing and approval of a renewal application and payment of the nonrefundable permit renewal fee. The renewal application shall be on a form prescribed by the city manager.

#### **6.05.080 Issuance of a shared micromobility device business permit.**

Except as provided in Section 6.05.130, a shared micromobility device business permit may be issued or renewed if there are no grounds for denial in accordance with Section [6.05.090](#), and after the director of public works has:

- (a) Physically inspected the applicant's shared micromobility devices to ensure compliance with this chapter and applicable state laws; provided, however, that the director of public works may accept proof of compliance with this chapter and the applicable state requirements for operating a shared micromobility device in lieu of conducting an inspection; and
- (b) Received a determination from the director of community development that the proposed shared micromobility device business location and storage location, if within the city, complies with applicable zoning regulations and other applicable laws; and
- (c) Confirmed the shared micromobility device operator's compliance with the bicycle parking space requirement, pursuant to Section [6.05.110](#).

#### **6.05.090 Grounds for denying a shared micromobility device business permit.**

The director of public works may deny an application for a shared micromobility device business permit or its renewal on the following grounds:

- (a) The application is incomplete.
- (b) The applicant is in violation of any provision of this article.
- (c) The applicant is delinquent on any payment of money to the city, including any fees, fines, penalties, or taxes.
- (d) The applicant has had its shared micromobility device business permit revoked within three years of the date the application was submitted.
- (e) The applicant's operation of a shared micromobility device would be a threat to the public health, safety or welfare.

#### **6.05.100 Insurance requirements.**

- (a) A shared micromobility device operator shall maintain at all times in full force and effect at its sole expense, the following minimum insurance:
  - (1) General liability for bodily injury, including death, of one or more persons, property damage, and personal injury. Coverage shall include all customers, and shall be at least as broad as ISO CGL Form 00 01 on an occurrence basis for bodily injury, including death, of one or more persons, property damage and personal injury, with limits of not less than one million dollars per occurrence and not less than five million dollars aggregate for all occurrences during the policy period.
  - (2) Automobile liability insurance providing protection against claims of bodily injury, including death, of one or more persons, personal injury, and property damage arising out of ownership, operation, maintenance, or use of owned, hired, and non-owned automobiles. Coverage shall be at least as broad as ISO CA 00 01 (any auto), with limits of not less than one million dollars per accident.
- (b) The city, its officials, and employees shall be covered by policy terms or endorsement as additional insureds regarding general liability and automobile liability arising out of activities performed by or on behalf of the shared micromobility device operator.
- (c) The shared micromobility device operator's insurance coverage shall be primary insurance as it pertains to the city, its officials, and employees.
- (d) The city must be provided with thirty days' prior written notice of cancellation or material change in the policy language or terms by both the shared micromobility device operator and the insurer.
- (e) The shared micromobility device operator shall furnish the city with certificates and endorsements evidencing the insurance required, which must be maintained during the term of a shared micromobility device business permit. The city may suspend, modify, or

revoke a shared micromobility device operator's vehicle permit if current certificates of insurance and required endorsements have not been provided.

(f) Notwithstanding the above, the city may, in its sole discretion, determine that different or greater insurance requirements are necessary for the public health and safety.

#### **6.05.110 Bicycle parking spaces required.**

(a) No person shall operate a shared micromobility device business unless and until they have provided and maintain at least one and one-half bicycle parking spaces in the city for every shared micromobility device bicycle to be operated by the shared micromobility device operator, as approved by the city. The bicycle parking spaces shall be provided on bicycle racks that satisfy the city's bicycle parking standards, to the satisfaction of the director of public works. Notwithstanding the above, the City Manager may waive the parking requirements in this paragraph.

(b) In approving a shared micromobility device operator's proposed bicycle parking spaces, the director of public works shall consider, and may condition approval, on the following:

(1) The proposed size, materials, and location of the bicycle racks, consistent with all applicable zoning requirements and city regulations;

(2) The placement of the racks so as not to obstruct the public's use of the sidewalk and/or street;

(3) Any other conditions as may be necessary for protection of the public safety and welfare.

(c) The installation of shared micromobility device parking spaces and bicycle racks in the city are subject to encroachment permit requirements, as set forth in Section [35.01.040](#) of this code, which may be issued in accordance with the requirements set forth in this section.

#### **6.05.120 Retrieval of shared micromobility devices.**

A shared micromobility device operator, or authorized agent, shall, within 90 minutes of notice from the city, retrieve their shared micromobility devices that are in any of the following conditions:

(a) Shared micromobility device that are inoperable or not safe to operate, and parked in the public right-of-way;



- (b) Within downtown, a shared micromobility device that is not locked to a bicycle rack in an upright position, or that otherwise violates city bicycle parking and use regulations;
- (c) Shared micromobility devices with a battery or motor determined by the city to be unsafe for public use.

#### **6.05.130 Grounds for suspending, revoking, or modifying a permit.**

The director of public works may suspend, revoke, or modify any shared micromobility device business permit issued pursuant to this chapter on any of the following grounds:

- (a) That the permitted shared micromobility device business is being operated in a manner that constitutes a nuisance, or is injurious to the public, health, safety, or welfare;
- (b) The operation of the shared micromobility device violates any condition of the permit or city approved application and plans, including any conditions or requirements imposed in an encroachment permit obtained for providing device parking spaces;
- (c) The shared micromobility device operator fails to pay any fines, penalties, fees or damages lawfully assessed upon it;
- (d) The shared micromobility device operator violates any provision of this chapter or any other applicable law;
- (e) The shared micromobility device operator fails to collect its shared micromobility devices from the city within thirty calendar days of receiving written notice from the city of impoundment pursuant to Section 6.03.150 of this code; or
- (f) Circumstances that would have been grounds for denial of the permit application.

#### **6.05.140 Right of appeal from denial, suspension, modification, or revocation of a shared micromobility device business permit.**

Any applicant or permittee aggrieved by a decision of the director of public works in denying, suspending, modifying or revoking a permit, or imposing conditions on the issuance of a permit or permit renewal, may appeal the decision to the city manager in accordance with the following procedures:

##### **(a) Appeal to city manager or designee.**

- (1) Any applicant or permittee who desires to appeal a decision of the director of public works may appeal the decision by submitting a written appeal to the city manager within ten calendar days from the date of service of the notice of denial,

suspension, modification, revocation, or conditioned approval or renewal. The written appeal shall contain:

(A) A brief statement in ordinary and concise language of the specific decision or condition protested, together with any material facts claimed to support the contentions of the appellant;

(B) A brief statement in ordinary and concise language of the relief sought, and the reasons why it is claimed the protested action should be reversed or otherwise set aside;

(C) The signatures of all parties named as appellants and their official mailing addresses; and

(D) The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

(2) Upon receipt of a timely filed appeal, the city manager may hire or appoint a hearing officer or may serve as the hearing officer.

(3) Upon receipt of any appeal filed pursuant to this section, the hearing officer shall calendar it for hearing within fifteen calendar days.

(4) Written notice of the time and place of the hearing shall be given at least seven calendar days prior to the date of the hearing to each named appellant either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the address(es) shown on the appeal.

(5) Failure of any person to timely file an appeal in accordance with the provisions of this section shall constitute an irrevocable waiver of the right to an administrative hearing and a final adjudication of the notice and decision, or any portion thereof.

(6) Only those matters or issues specifically raised by the appellant in the appeal notice shall be considered in the hearing of the appeal.

(7) In the case of a suspension, modification, or revocation of a permit or permit renewal, the permittee may continue to conduct bicycle-share business operations during the pendency of any appeal.

**(b) Hearings—Generally.**

(1) At the time set for hearing, the hearing officer shall proceed to hear the testimony of the director of public works, the appellant, and other competent persons, including members of the public, respecting those matters or issues specifically raised by the appellant in the notice of appeal.

(2) The proceedings at the hearing shall be electronically recorded. Either party may provide a certified shorthand reporter to maintain a record of the proceedings at the party's own expense.

(3) The hearing officer may, upon request of the appellant or upon request of the city, grant continuances from time to time for good cause shown, or upon his or her own motion.

(4) In any proceedings under this chapter, the hearing officer has the power to administer oaths and affirmations and to certify to official acts.

(c) **Conduct of hearing.**

(1) Hearings need not be conducted according to the technical rules relating to evidence and witnesses.

(2) Oral evidence shall be taken only upon oath or affirmation.

(3) Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of the evidence over objection in civil actions.

(4) The hearing officer has discretion to exclude evidence if its probative value is substantially outweighed by the probability that its admission will necessitate undue consumption of time.

(5) Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but over timely objection shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. An objection is timely if made before submission of the case or on reconsideration.

(6) Each party shall have these rights, among others:

(A) To call and examine witnesses on any matter relevant to the issues of the hearing;

(B) To introduce documentary and physical evidence;

(C) To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;

(D) To impeach any witness regardless of which party first called the witness to testify;

(E) To rebut the evidence presented against the party; and

(F) To represent him, her, or itself or to be represented by anyone of his, her, or its choice who is lawfully permitted to do so.

(7) In reaching a decision, official notice may be taken, either before or after submission of the case for decision, of any fact that may be judicially noticed by the courts of this state or that may appear in any of the official records of the city or any of its departments.

**(d) Form and contents of decision—Finality of decision.**

(1) If it is shown, by a preponderance of the evidence, that one or more bases exist to deny, suspend, modify, or revoke the permit, the hearing officer shall affirm the director of public works' decision to deny, suspend, modify, revoke or condition the permit. Following the hearing and after reviewing the testimony and evidence presented at the hearing, the city manager shall issue a decision, or if the city manager appointed a hearing officer, the hearing officer shall issue a recommendation to the city manager, regarding the propriety of the police chief's determination. The decision or recommendation shall be in writing and shall contain findings of fact and a determination of the issues presented. The city manager shall accept, amend and accept, or reject a hearing officer's recommendation.

(2) The city manager's determination of the appeal shall be final.

(3) The final decision shall inform the appellant that the decision is a final decision and that the time for judicial review is governed by California [Code of Civil Procedure](#) Section 1094.6. Copies of the decision shall be delivered to the appellant personally or sent by certified mail to the address shown on the appeal within ten business days following the conclusion of the hearing.

(4) The decision shall be final when signed by the city manager and served as provided in this section.

**6.05.150 Impoundment.**

(a) The city may impound shared micromobility devices that are not retrieved by the shared micromobility device operator pursuant to [Section 6.05.120](#) or as provided for in the Vehicle Code. The city may impound devices immediately if the device is obstructing the sidewalk or presents a public safety concern.

(b) If the city incurs any costs for impounding shared micromobility devices pursuant to this section, the shared micromobility device operator shall reimburse the city for the costs of impoundment within thirty calendar days from the date of written notice of the impoundment from the city.

(c) In addition to the remedies provided in this section, the shared micromobility device business permit may be revoked or suspended for failure to collect the impounded

shared micromobility device after thirty calendar days from the city's written notice of impoundment.

#### **6.05.160 Violations.**

- (a) In addition to any other remedy allowed by law, any person who violates a provision of this chapter may be subject to criminal sanctions, civil actions, and administrative penalties pursuant to Article [1.02](#).
- (b) Violations of this chapter are hereby declared to be a public nuisance.
- (c) All remedies prescribed under this chapter are cumulative and the election of one or more remedies does not bar the city from the pursuit of any other remedy to enforce this chapter.

#### **6.05.170 Shared micromobility devices.**

- (a) Shared micromobility devices that are electric bicycles and scooters as defined in California Vehicle Code shall be equipped with software or other mechanisms to prevent the motor from providing assistance when the device's speed exceeds fifteen miles per hour.
- (b) Shared micromobility device operators shall additionally ensure that customers are informed of the following:
  - (1) Customers shall use bicycle and scooter share devices in accordance with all applicable city ordinances, regulations, and state law applicable to bicycles and electric bicycles.
  - (2) Within the downtown, customers shall properly secure shared micromobility device bicycles to racks, and shall not leave a shared micromobility device bicycle unattended and lying on its side on any portion of a sidewalk, street or highway so as to obstruct pedestrian or vehicular travel. Shared micromobility devices parked outside of downtown are permitted to park on the street perpendicular to the curb, like a motorcycle.
  - (3) Customers under age eighteen are required by California law to wear a bicycle helmet.

June 23, 2022

Robert Clarke  
Public Works Director - City of Davis  
1717 Fifth Street  
Davis, CA 95616

Dear Robert,

UC Davis Transportation Services supports the growth of sustainable transportation options to enhance the choices our campus and local communities have so we can realize a more sustainable future that is less dependent upon vehicles. Dockless electric scooters, as a new and emerging technology, have evolved over the past few years. With recent advancements in this industry and the way in which these technologies can be structured and regulated, we believe that a shared bike and scooter program has great prospect and can safely be piloted, and feasibly implemented, on our campus and in the greater Davis community.

Several years ago we outlined our concerns about dockless scooters share vendors. While these comments were initially written to support the City's prohibition of dockless scooter share vendors, the industry has made significant improvement that allow us to take our initial comments for banning scooters and transform those comments into prerequisites for us to embrace a scooter program. We believe such requirements would preserve the pedestrian realm for people while providing our collective communities more transportation choices. We believe that now is the prudent time for campus to support for the City to repeal the current ban and explore, in partnership, the possibility of a dockless bike and scooter shared program, enhance the choices for our shared communities, and promote a more sustainable future.

We believe that a shared electric scooter system would require the following:

- A hard speed limit of 15 mph for campus and perhaps a geofenced area for speeds more than 15 mph.
- A tested and approved torque curve to best manage acceleration on a densely populated, multi-modal campus.
- 10-inch and or wider wheels to safely handle some of the rougher, lesser-maintained roads and paths in the area; alternatively, the scooter could feature a suspension system.
- A lock-to or latch-to system that would integrate with standard campus bike parking apparatus and prevent scooters from falling over within designated bike parking areas or blocking or partially obstructing pedestrian paths of travel.

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- A convenient method for community members who do not participate in the bike/scooter share program to report bad bike or scooter parking through a platform other than the system's mobile application
- The inclusion of tangible consequences for the person(s) who poorly park bike or scooter; and/or a structured penalty system for the operator / vendor to ensure compliance parking requirement, including possible assessment of fees, right to impound bike or scooter, termination of site-access-agreements or the contract entirely.
- Absent explicit permission from the University, electric bikes and scooters from the dockless bike / scooter share program will not be permitted to charge batteries using campus electricity.
- Absent explicit permission from the University, the operator staff will access the campus facilities only as directed by the University during approved times and locations, and only in approved and permitted vehicles.
- Conduct a vendor risk assessment to assess cyber security measures for any vendor conducting business on campus, prior to issuance of site license.

We believe that these requirements, should they be followed, will allow a bike and scooter system to be a complement to our bicycle friendly environment, and bring forward valuable mobility options for our community, and importantly bolster the possibilities for people to embrace greater multi-mobility, by providing suitable first-and-last-mile transportation to other transportation modes like bus or train.

We look forward to more discussions about the opportunities ahead of us. Please do not hesitate to reach out with any questions, concerns, or insights.

Sincerely,

Lucas A. Griffith, PhD  
Director of Campus Planning  
Campus Planning & Environmental Stewardship

Cc:  
Mabel Salon  
Chief Government and Community Relations



2ND ANNUAL

# Shared Micromobility

State of the  
Industry Report





NABSA is pleased to present our second annual **Shared Micromobility State of the Industry Report**. Due to the COVID-19 pandemic, 2020 was a challenging year for all sectors of transportation and shared micromobility was no exception. That said, the industry showed tremendous response and resilience. This report quantifies the impact of COVID-19 on shared micromobility and demonstrates the industry's response and resilience during this time to provide essential mobility services. The report also compares trends from 2019 and presents new research that shows the impact of the industry in North America.

To inform this report, we have collected data across a wide variety of topics, including ridership metrics, user profiles, employment, equity, and community benefits. Our data sources include surveys sent to shared micromobility operators and public agencies across North America, supplemented by research reports on shared micromobility, census data, and other data that is tracked by NABSA.

This 2020 State of the Industry report shows a snapshot in time, providing a comparison for tracking trends with previous years and marking successes and challenges as the industry continues to evolve. See page 17 for detailed notes on methodology.

## The Report includes:



### Why Shared Micromobility? pg 5

- Industry Impact
- Economic Benefits of Shared Micromobility
- Who Uses Shared Micromobility
- Transportation Equity

### Shared Micromobility pg 1 in North America

### COVID-19: Response and Resilience pg 2

### Shared Micromobility by the Numbers pg 10

- Comparison of Trip Trends
- Comparison of Vehicle Trends
- System Statistics by City Size
- Operating Characteristics
- Shared Micromobility as Public Transportation
- How NABSA Supports the Industry

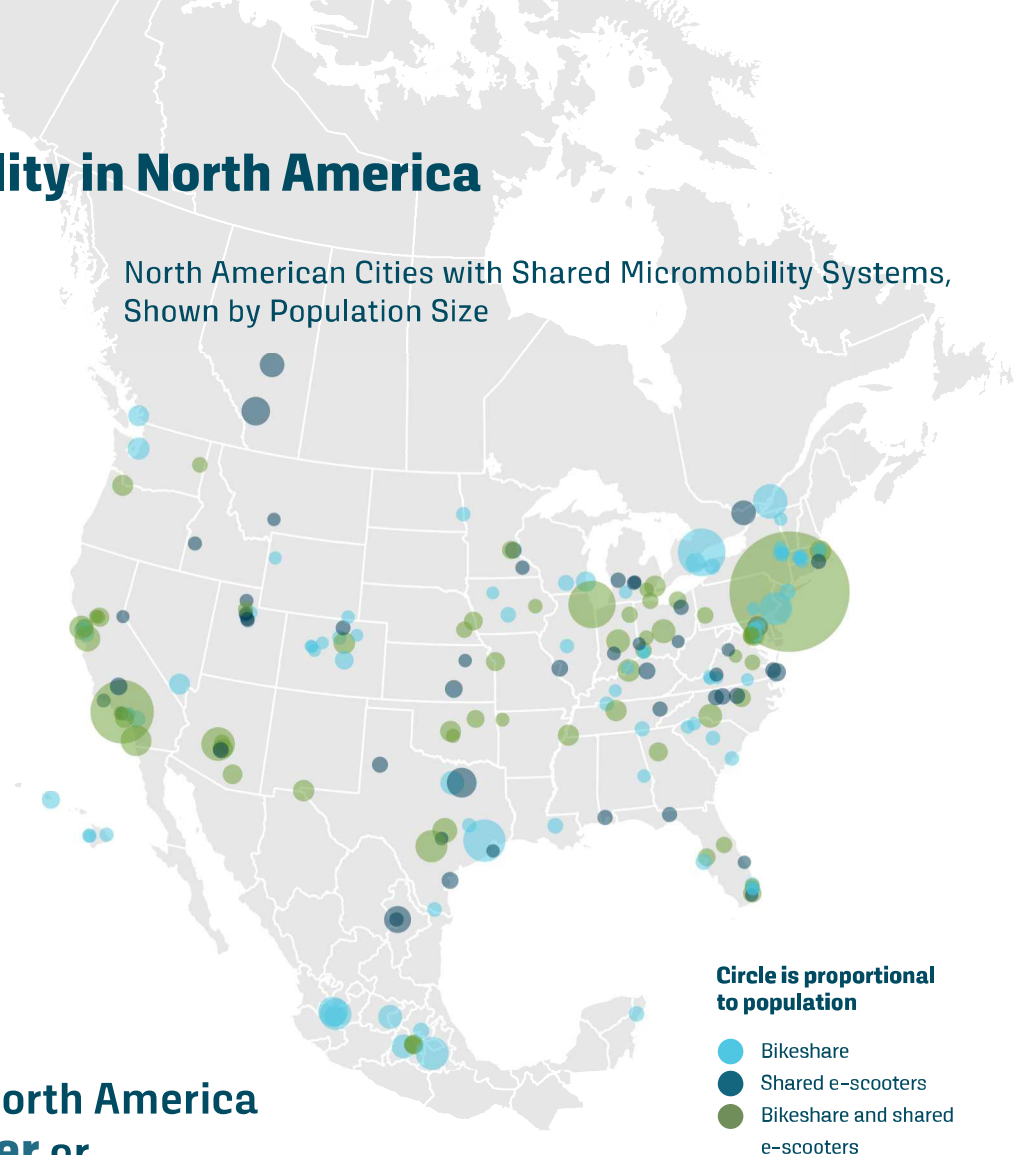
### Methodology pg 17

# Shared Micromobility in North America

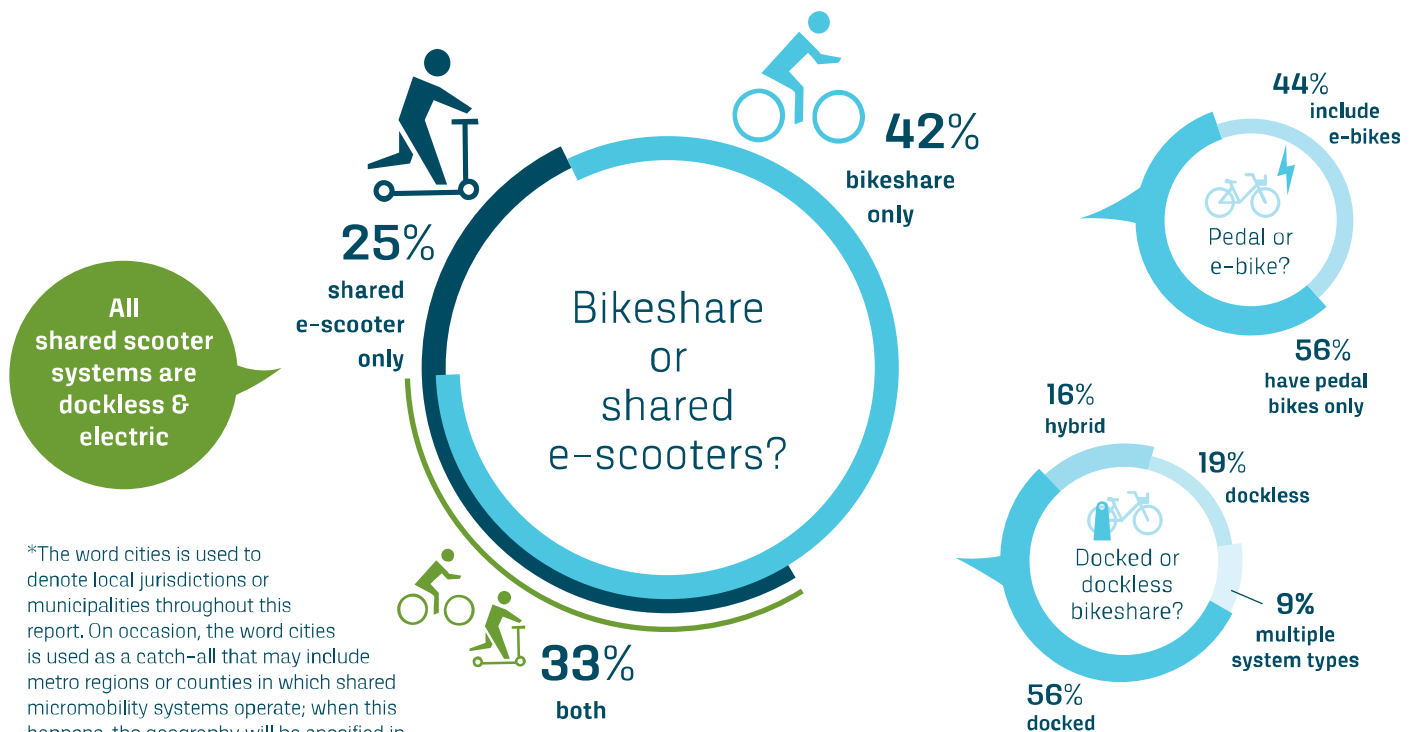
In 2020, at least 224 cities\* had at least one bikeshare or e-scooter system and 72 had both. This is 22% fewer than in 2019 and includes:

- 203 cities in the United States
- 14 cities in Mexico
- 7 cities in Canada

All 129 e-scooter systems are dockless and electric, while the 167 city bikeshare systems have a mix of docked, dockless, and hybrid systems, with some cities having multiple systems of different types; 44% of cities with bikeshare systems have fleets that include e-bikes.



## At least 224 cities in North America have a shared scooter or bikeshare system



\*The word cities is used to denote local jurisdictions or municipalities throughout this report. On occasion, the word cities is used as a catch-all that may include metro regions or counties in which shared micromobility systems operate; when this happens, the geography will be specified in the text and/or the methodology section.

# COVID-19 Pandemic Response and Resilience

2020 was a tough year for everyone, but the shared micromobility industry proved its resilience and played an important part in keeping North America moving by providing programs and service where it was most needed.

## Of operators responding to NABSA's survey:



**65%** provided programs for essential workers such as discounted or free rides



**55%** worked with transit agencies to fill gaps left by transit service reductions



**30%** explored daily or monthly rental services



**25%** integrated local restaurants and businesses into apps or other programs



**15%** provided or partnered with delivery services

## Of agencies responding to NABSA's survey:

**2/3** implemented "slow streets" or repurposed street space for active transportation

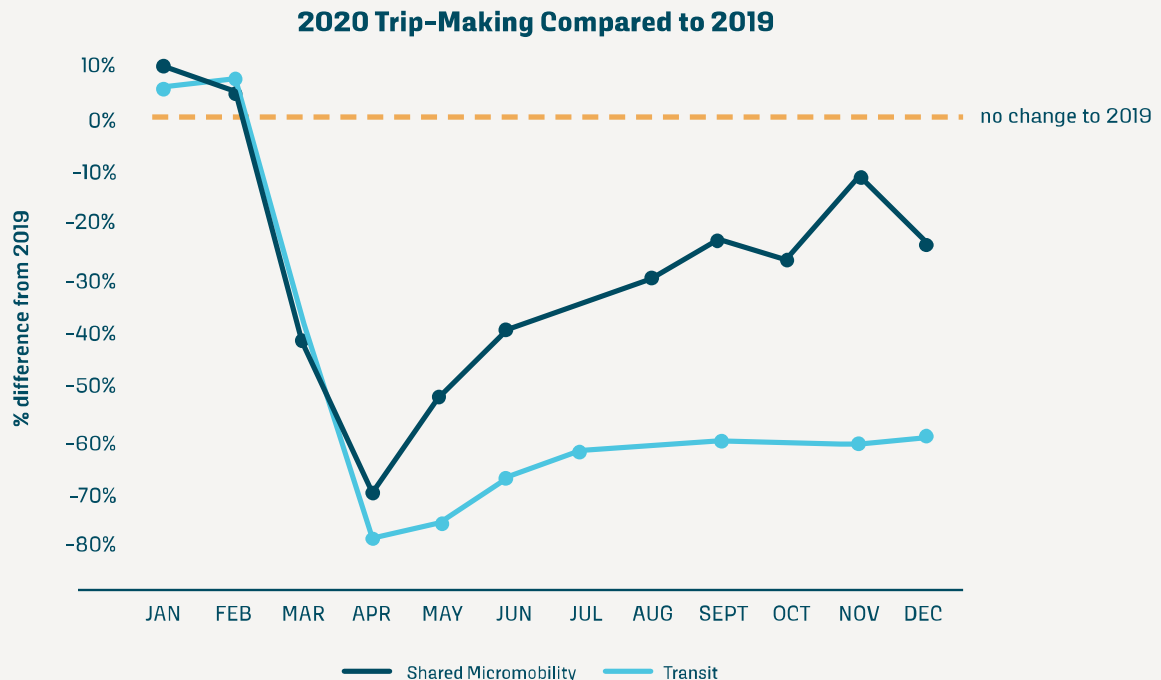


**1/3** reduced or waived user fees

\*The word operator refers to a company or organization responsible for day-to-day operations of one or more shared micromobility programs. The word agency refers to a public agency responsible for oversight of one or more shared micromobility programs in their jurisdiction.

# Trends During COVID-19

Shared micromobility ridership decreased early in the pandemic but rebounded quicker than other shared modes. By the end of the year, 2020 ridership was **within 20% of the previous year's levels.**



## Despite a decrease in ridership in 2020, other trends emerged that introduced new people to shared micromobility:

- Approximately **1/2** of agencies and operators reported an increase in first-time riders
- Almost **60%** noted an increase in casual or recreational trip purposes
- Approximately **20%** reported increased trip-making in "equity zones"\*



## There were changes in the way that people used shared micromobility:

- Approximately **2/3** reported a reduction in weekday trip-making
- Over **60%** reported changes to the times of day that trips were made
- Almost **50%** reported an increase in weekend trip-making
- Over **20%** saw increased trips to destinations near essential services

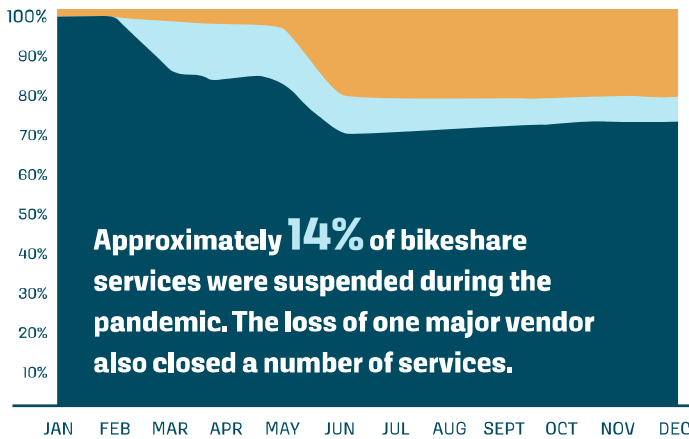


\*Equity zones are areas including higher proportions of low income and other communities that have been historically underserved by transportation. Shared micromobility can play a key role in improving transportation access for these communities.

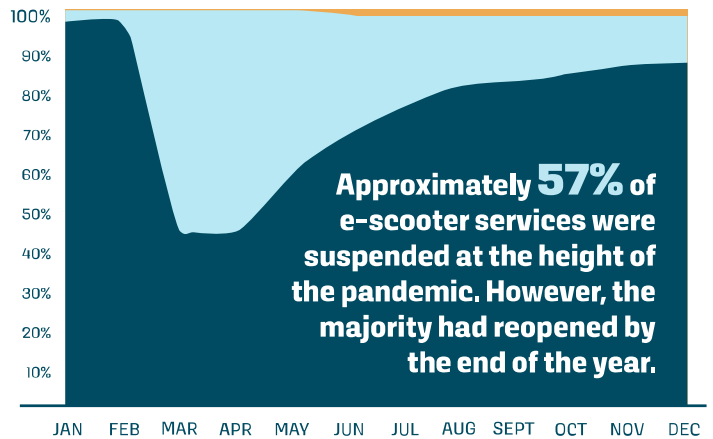
# Impact and Rebound During the COVID-19 Pandemic

During the height of the pandemic, some systems and regulators made the decision to suspend service due to health concerns. The charts below show data collected by the USDOT's Bureau of Transportation Statistics and shows that of those systems suspended, 75% had been reopened by the end of the year.

**Bikeshare Service Changes during 2020**



**E-Scooter Service Changes during 2020**



■ Open ■ Suspended ■ Permanently Closed

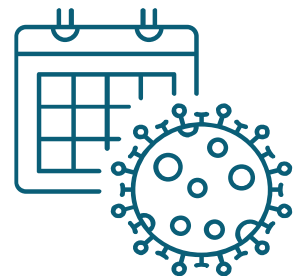
**75% of suspended systems had been reopened by the end of the year.**

**Systems were able to reopen because of the efforts of agencies and operators. Some of these measures included:**

- Agencies requiring operators to submit COVID-19 protocols to the city
- Operators introducing PPE and other measures for employee protection



- Operators increasing cleaning and sanitation of bikes, scooters, and stations
- Agencies and operators issuing communications describing the safety precautions being implemented





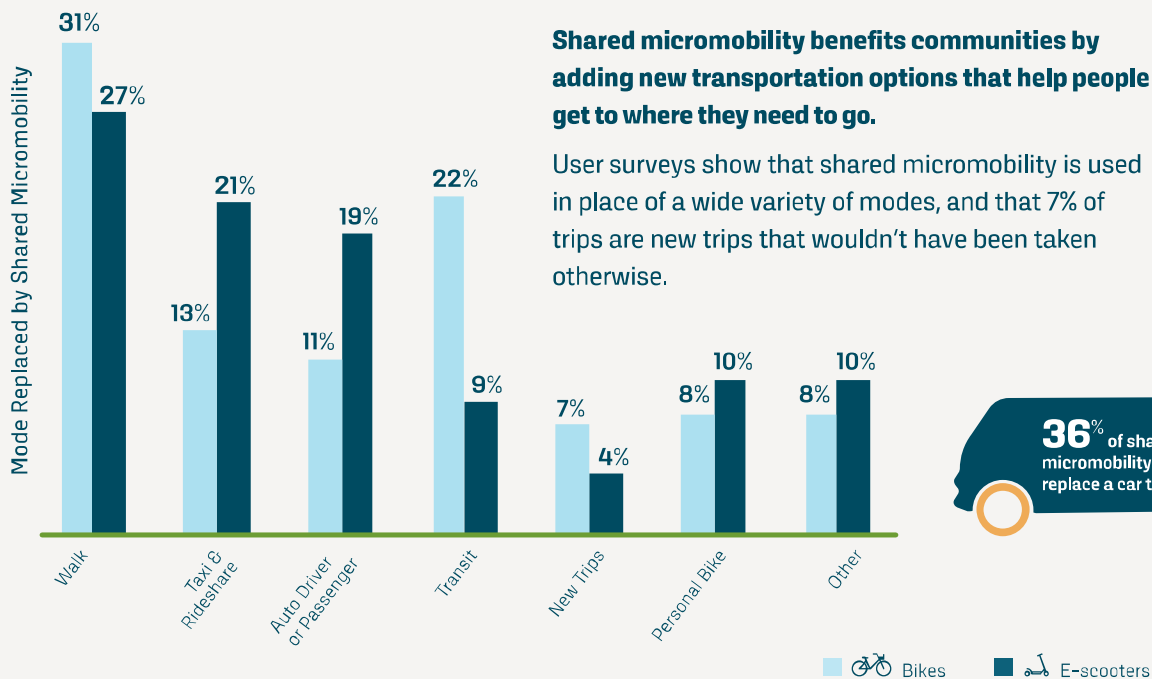
# Why Shared Micromobility?

# Industry Impact

## Transportation Options

**Shared micromobility benefits communities by adding new transportation options that help people get to where they need to go.**

User surveys show that shared micromobility is used in place of a wide variety of modes, and that 7% of trips are new trips that wouldn't have been taken otherwise.



## Physical Activity & Exercise



**North Americans gained almost 12.2 million hours of additional physical activity** through shared micromobility, by creating new trips and replacing motorized trips:

- 6.5 million hours on pedal bikes**
- 1.8 million hours on e-bikes**
- 3.9 million hours on e-scooters**

## Reduced Greenhouse Gas Emissions



Riding shared micromobility produces considerably fewer greenhouse gas emissions.

Compared to auto trips, shared micromobility trips reduce GHG emissions by:

**100% on pedal bikes**

**97% on e-bikes**

**98% on e-scooters**





In 2020, shared micromobility trips offset approximately **29 million pounds of CO<sub>2</sub> emissions** by replacing auto trips.

These reduction factors do not take into account operations, externalities, or lifecycle costs for shared micromobility or for driving, as data for these calculations was unavailable.

# Economic Benefits of Shared Micromobility

NABSA compiled the results of user surveys conducted in cities with shared micromobility to understand why people ride, and what users see as the main benefits. This is supported by research showing the economic benefits of shared micromobility and NABSA's estimate of the number of people employed in the industry.

## Why People Ride:

-  **Faster and easier travel**
-  **Fun**
-  **Save money**
-  **Increase travel options/flexibility**

## Benefits to the Community:

-  **Environmental benefits**
-  **Personal health / exercise benefits**
-  **Reduced need for parking**
-  **Reduce traffic or time driving**

Studies conducted across 9 cities found that

**44% more jobs were accessible within 45 minutes**

or less when pairing shared micromobility with walking and transit.

**A recent study conducted by Emory University found that e-scooter programs increased unplanned spending at quick service restaurants and food and beverage stores.**

The study found:

**\$921 per scooter**

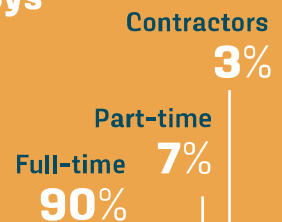
**of additional spending during the 6-month study period, and a 0.6% increase in total sales.**



**It is estimated that shared micromobility employs at least:**

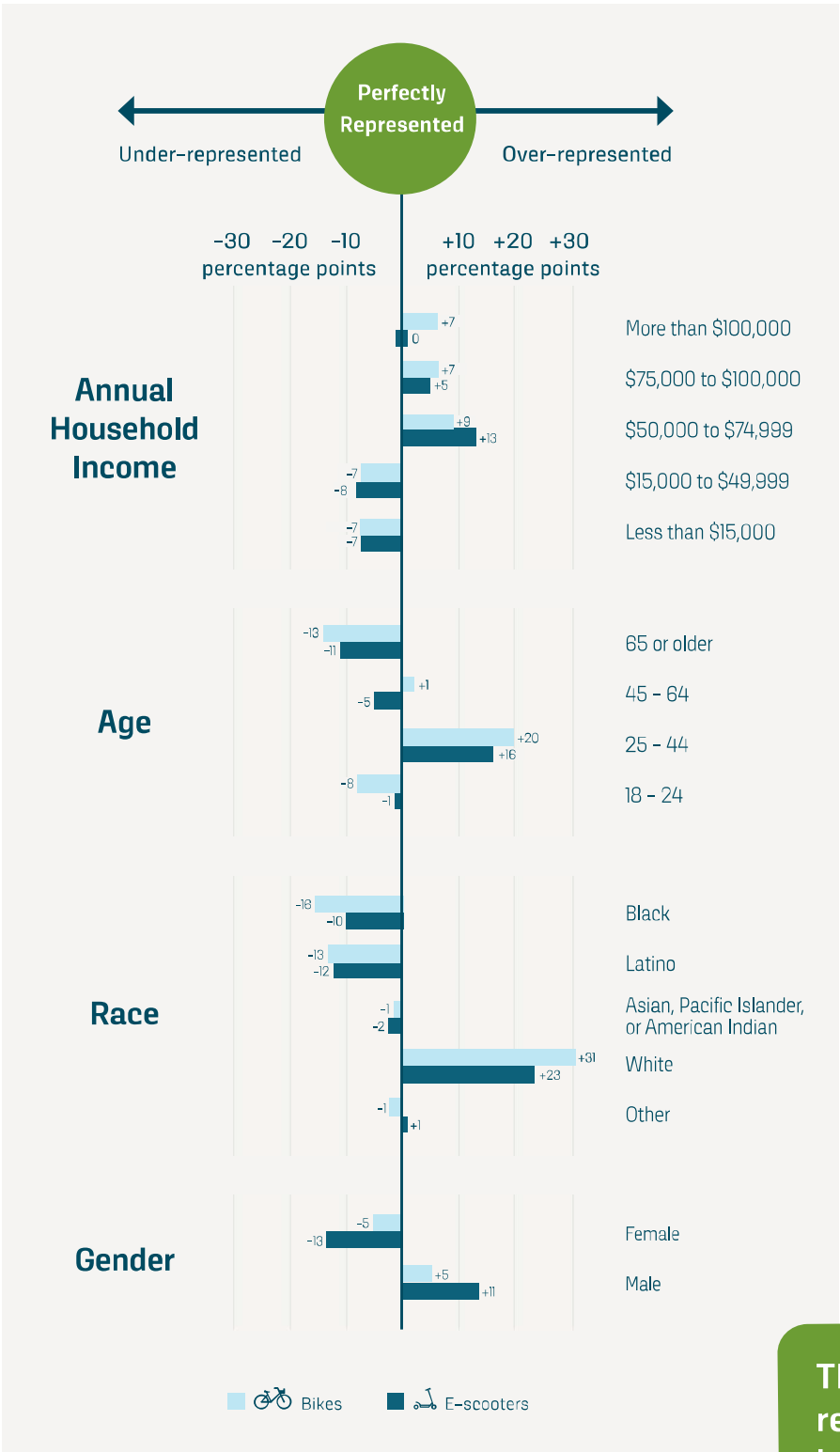
**5,000 people**

This represents about **1 job for every 30 vehicles**





# Who Uses Shared Micromobility



\*People under 18 years old were omitted from the analysis, as were nonbinary and other genders not counted in the Census since data was unavailable.

The chart shows the average number of percentage points by which shared micromobility users over- or under-represent local demographics. For example, if women represent 50% of the population of a particular city, but they represent only 40% of that city’s shared micromobility users, then women are under-represented by 10 percentage points.

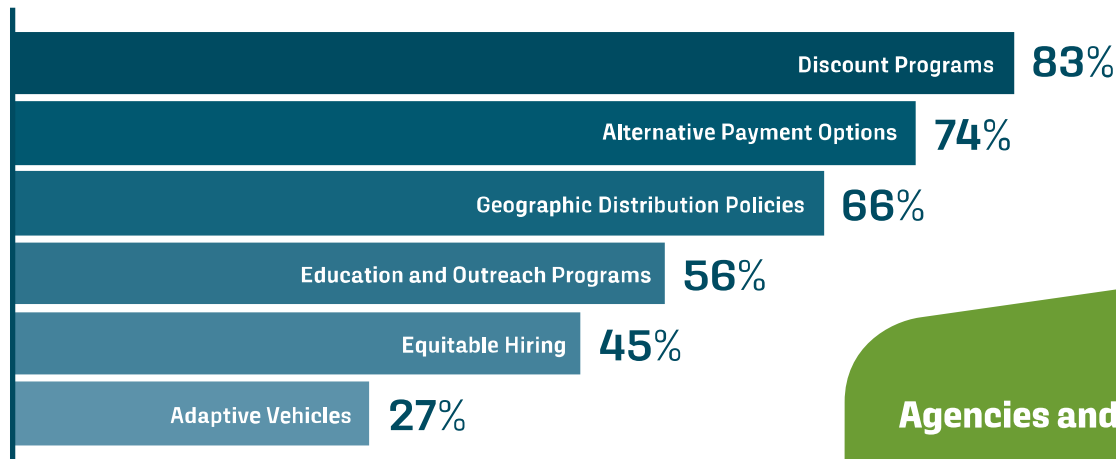
Compared to last year’s findings, the biggest changes came in income, race, and gender representation:

- **Income:** the highest and lowest income brackets were more under-represented in 2019; low-to-middle income earners got closer to representation this year; and middle-to-high income groups dramatically increased representation.
- **Age:** there were minimal changes from last year.
- **Race:** the biggest changes came from e-scooters with increased representation of Black and Hispanic or Latino populations among users. White users are still over-represented.
- **Gender:** There was a shift in bikeshare usage with female participation being closer to representative.

There was better representation of low income, Black, Hispanic or Latino, and female users compared to 2019.

# Transportation Equity

Shared micromobility systems offer a range of equity programs. Below is the percentage of bikeshare and shared e-scooter programs in North America that have:



## Agencies and operators responded to questions outlined in NABSA's Workforce Diversity Toolkit:

- 71%** stated that diversity is part of every hiring conversation.
- 69%** reported that women and people of color are represented at all levels of their organization.
- 57%** reported that staff is representative of the populations being served.
- 55%** reported that their staff have completed cultural competency or diversity training.

**\$149**

Annual average price for discounted vs non-discounted membership programs across 23 cities

**\$40**

Non-discounted Cost

Discounted Cost

07-19-22 City Council Meeting

## Agencies and operators supported racial justice demonstrations in 2020 by...

- Continuing to make service available during the demonstrations
- Donating and fundraising for racial justice non-profits
- Offering discounts for solidarity and protest rides
- Creating organizational change to better represent diversity, equity, and inclusion
- Recognizing Juneteenth as an observed holiday



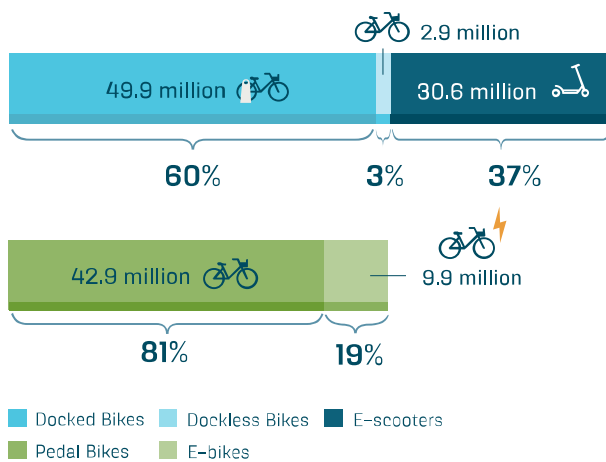


# Shared Micromobility By the Numbers

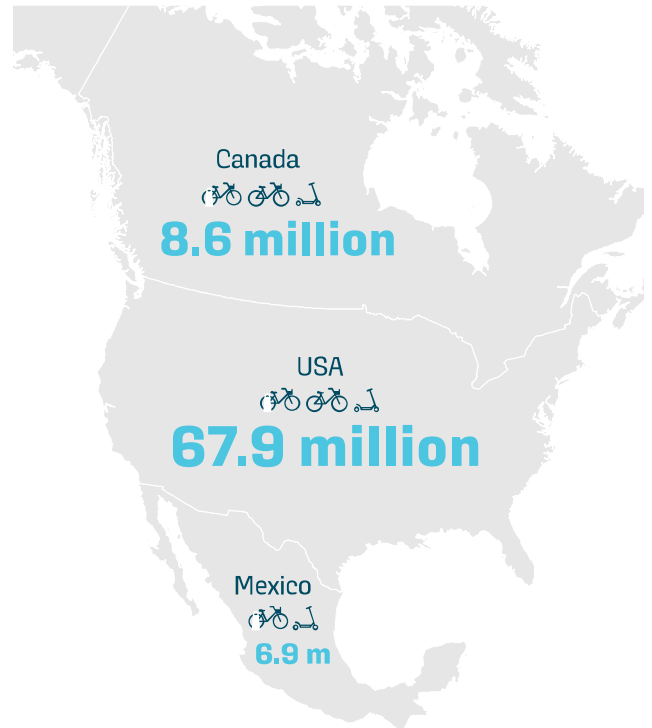
## Comparison of Trip Trends

North Americans took an estimated 83.4 million trips on shared micromobility vehicles in 2020. This is just over half of the total trips taken during 2019. E-scooters accounted for just over a third of all trips. Pedal bikes and e-bikes formed almost two-thirds of all trips and the number of e-bike trips increased from 7 million to almost 10 million trips despite all other trip trends reducing during the COVID-19 pandemic.

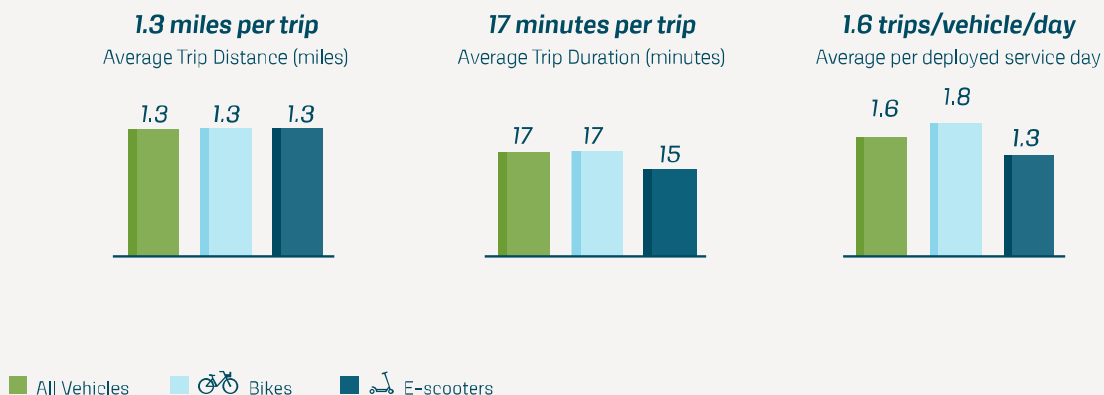
### 83.4 Million Trips Across North America in 2020



### Country-by-Country Shared Micromobility Trip Breakdown



The reduction in trips from the COVID-19 pandemic resulted in lower utilization compared to 2019. The average shared micromobility vehicle was used for approximately 1.6 trips per vehicle per service day. The average trip length stayed at 1.3 miles and was shorter in duration than last year, lasting for 17 minutes. Bikes had higher utilization than e-scooters and longer durations than in 2019. These numbers are based on aggregate data, individual cities will have variations based on local conditions.

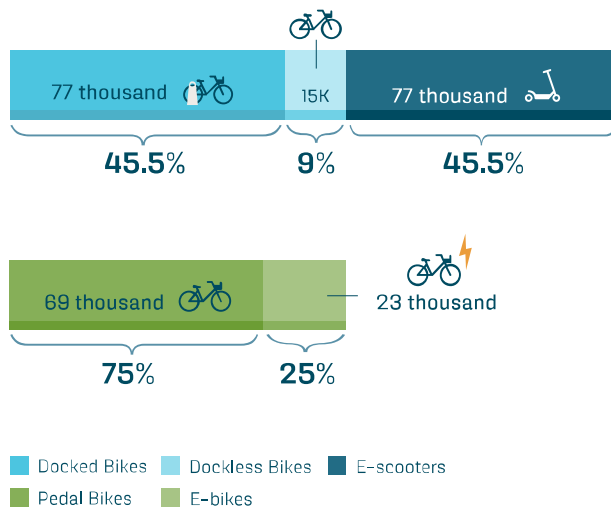


## Comparison of Vehicle Trends

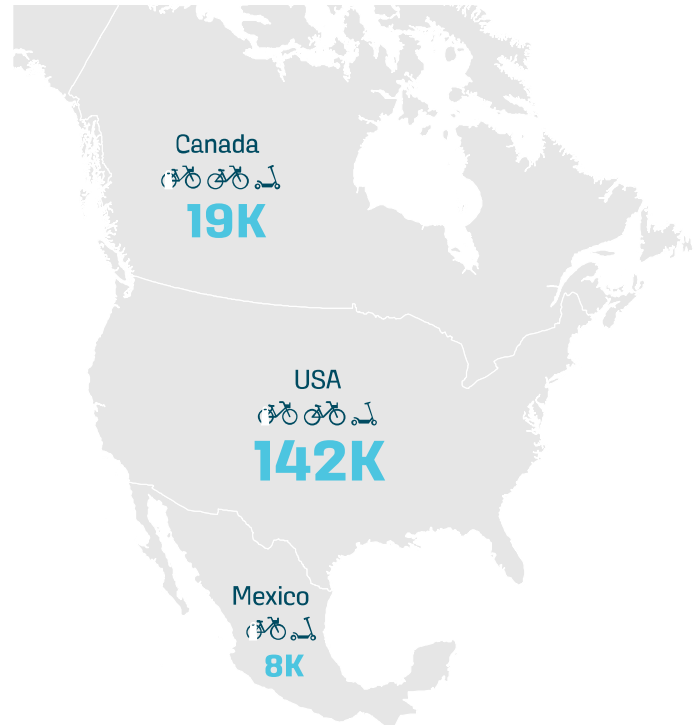
North Americans had access to an estimated 169 thousand shared micromobility vehicles in 2020. This was approximately 87% of the number of vehicles available in 2019. The number of bikes actually increased during 2020 and in particular the number of e-bikes increased from 12 thousand in 2019 to 23 thousand in 2020. The number of e-scooters available reduced by 31% in 2020.

### 169 Thousand Vehicles

Deployed Across North America on an average day in 2020



### Country-by-Country Shared Micromobility Vehicle Breakdown



## E-Bike Trends

The use and acceptance of e-bikes is increasing in the shared micromobility industry.

The percentage of bikeshare systems deploying e-bikes increased from **28%** in 2019 to **44%** in 2020.

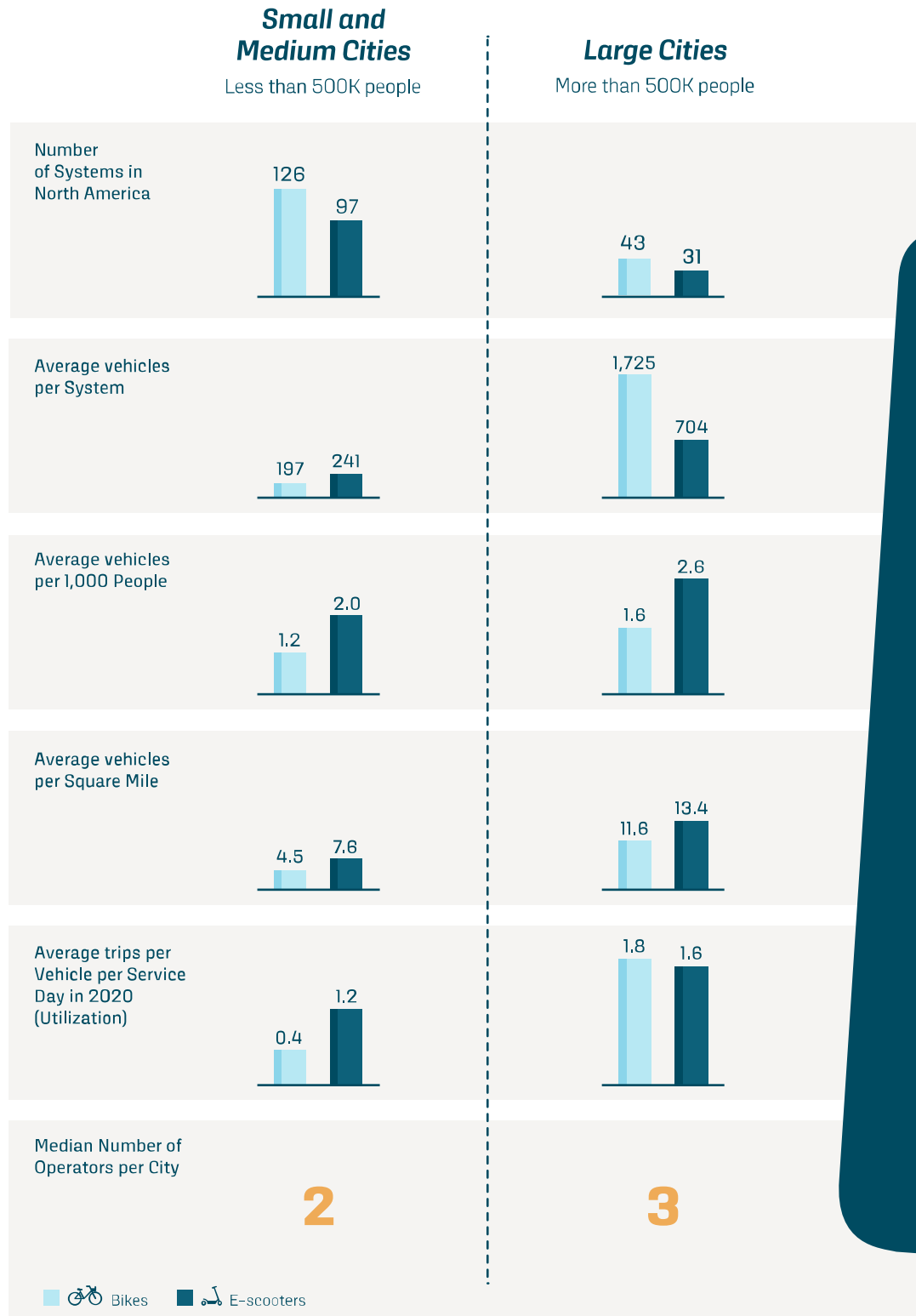


Trips made by e-bike increased from **7 million** in 2019 to **almost 10 million** in 2020.

E-bikes are ridden further with an average trip distance of **2.0 miles** compared with **1.2 miles** for pedal bikes.

# System Statistics by City Size

Shared micromobility systems have different operating characteristics in cities of different sizes. The number of systems, average vehicle counts, system densities, utilization, and the median number of operators for small and medium and large-sized cities are shown below.



Larger cities tend to have more vehicles per system and more per capita.

Vehicle densities were higher in larger cities.

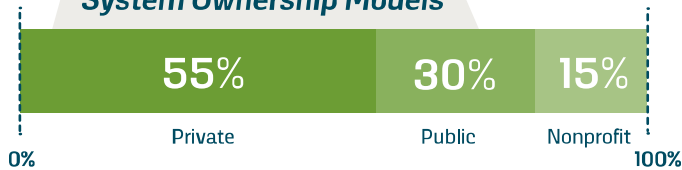
Utilization was higher in larger cities.

Larger cities tended to have more shared micromobility operators than small and medium cities.

# Operating Characteristics

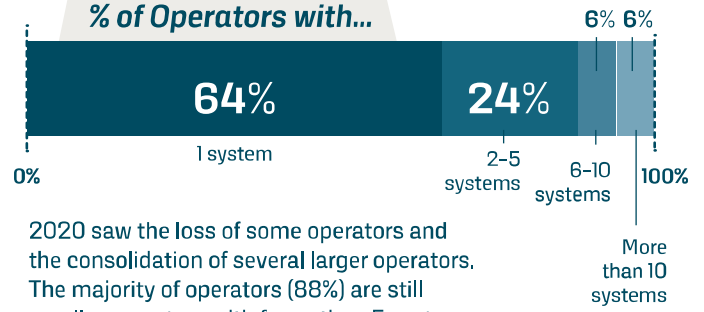
The way that shared micromobility operates continues to evolve. This page shows a 2020 snapshot of system ownership, the range of sizes of operators, and a summary and breakdown of operating costs and revenues.

## System Ownership Models



2020 saw a slight decrease in private systems and a reduction in the number of nonprofit systems, some of which transitioned to public ownership.

## % of Operators with...



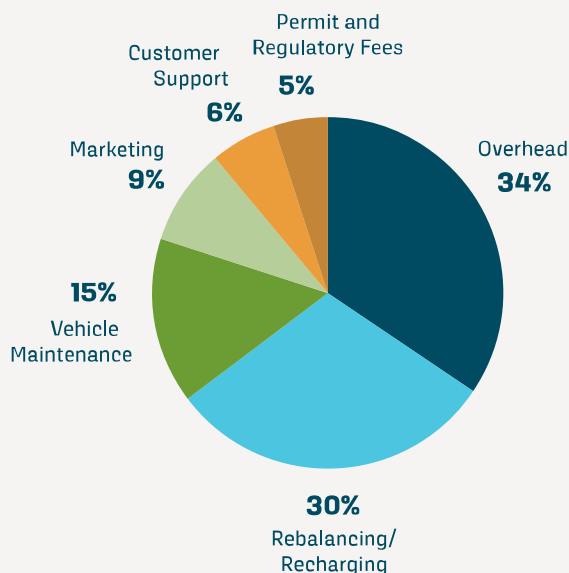
2020 saw the loss of some operators and the consolidation of several larger operators. The majority of operators (88%) are still smaller operators with fewer than 5 systems.

## Private Operators identified their Top 3 program costs as...

- 1 Rebalancing and recharging
- 2 Vehicle maintenance and repair
- 3 Overhead costs (e.g. insurance, fees, etc.)

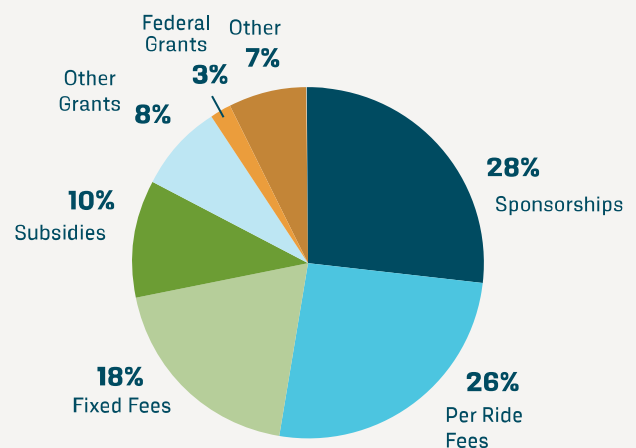
## Operating Costs

for Agency- and Nonprofit-Owned Systems



## Revenues

for Agency- and Nonprofit-Owned Systems



# Shared Micromobility as Public Transportation

Shared micromobility is part of the public transportation ecosystem. As a flexible transportation option with comparatively low overhead and operations costs, shared micromobility can complement higher-volume fixed-route transit services by offering mobility services for many trips at a lower per-traveler cost. Below is a summary of shared micromobility's effectiveness as a public transportation option and how it complements other public transportation modes.

**50% of riders** reported that they use shared micromobility to connect to transit

AND

**16% of all shared micromobility trips** were for the purpose of connecting to transit

**71% of all docked bikeshare stations** are within one block of another public transportation mode.



Does your agency require GBFS feeds from operators?



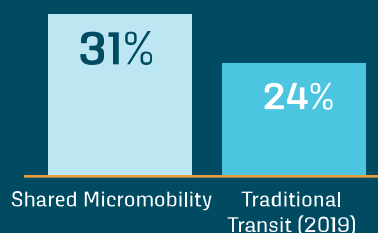
**YES 69%**

**NO 31%**

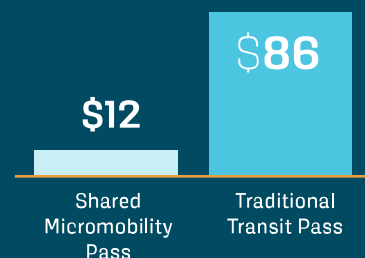
Most cities require the General Bikeshare Feed Specification (GBFS) for use in navigation and trip planning apps.

## Farebox Recovery

*Bikeshare Only*



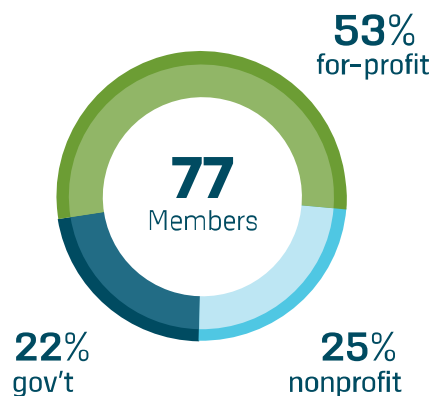
## Monthly Cost to Users





## How NABSA Supports the Industry

The North American Bikeshare and Scootershare Association (NABSA) connects the shared micromobility industry to support, promote and enhance shared alternatives to traditional transportation across North America. NABSA is a nonprofit organization dedicated to providing resources, education, and advocacy for the shared micromobility industry, and to creating spaces for the industry's public, private, and nonprofit sectors to convene and empower each other. In 2020, NABSA had 77 members from 6 countries.



### Six Countries in 2020

Canada  
Mexico  
United States  
France  
Norway  
United Kingdom

## NABSA Highlights for 2020



**394**

NABSA Annual  
Conference  
attendees



**993**

Webinar  
registrants



**141**

Bills tracked  
affecting the  
industry



**325**

Knowledge  
Share and  
Member Center  
users



**1,740**

Website sessions  
per month by 1,118  
unique users



**1,290**

Newsletter  
recipients

# Methodology

## Survey Tools

Primary data for this report was collected through two surveys: an Operator Survey and an Agency Survey. The Surveys were distributed to all known shared micromobility operators and agencies and included questions about the attributes of shared micromobility systems operating within those agency jurisdictions and operator markets.

## Page 1 – Shared Micromobility in North America

Population data sources for the map include:

- The US American Community Survey 5-Year Estimates, 2015–2019
- The 2016 Canadian Census
- Mexico's Encuesta Intercensal 2015 (Intercensal Survey 2015)

System data was derived from an internal database of all known shared micromobility systems in North America that is maintained and updated by NABSA.

## Page 2 – COVID-19 Pandemic Response & Resilience

The response of operators and agencies to the COVID-19 pandemic were calculated from data collected from the Agency and Operator Surveys.

## Page 3 – Trends During COVID-19 Pandemic

Trip-making comparisons were made using monthly ridership data for 2019 and 2020 for the following shared micromobility systems: Austin Dockless Pilot, Bay Wheels (San Francisco Bay Area), Bike Chattanooga (Chattanooga), Bike Town (Portland, OR), Bixi (Montreal), Blue Bikes (Boston Metro Area), Capital Bikeshare (Washington D.C. Metro Area), CitiBike (Jersey City and New York City), CoGo (Columbus, OH), Divvy (Chicago), EcoBici (Mexico City), Indego (Philadelphia), Metro Bike Share (Los Angeles), Nice Ride (Minneapolis), Norfolk E-Scooter Pilot (Norfolk, VA), Seattle Dockless Bikeshare Pilot, ValleyBike (Pioneer Valley, MA). Data sources included the U.S. Department of Transportation's Bureau of Statistics and publicly available ridership data.

Monthly transit ridership data was obtained from the Federal Transit Agency's National Transit Database.

All other statistics were calculated from responses to the Agency and Operator Surveys.

## Page 4 – Impact and Rebound During the COVID-19 Pandemic

Service disruption data was obtained from the US Department of Transportation's Bureau of Statistics. All other statistics were calculated from responses to the Agency and Operator Surveys.

## Page 6 – Industry Impacts

### Mode Replacement

Mode-replacement statistics were calculated as averages of published survey data collected in 17 systems or cities between 2018 and 2020: Alexandria, Arlington, Atlanta, Bloomington, Calgary, Chicago, Denver, Hoboken, Milwaukee, Norfolk, Oakland, Portland, San Antonio, San Francisco, Seattle, Tucson, and Vancouver, BC. "Other" modes include other shared micromobility, personal e-scooters, and non-identified "other" options. The automobile trip replacement percentage (36%) and the percentage of trips that would not have otherwise been made (7%) are calculated as the average of all studies combined.

## Physical Activity

Reported physical activity statistics were calculated from shared micromobility trips replacing taxi, rideshare, auto driver or auto passenger, transit, and new trips and applying the average trip duration calculated from responses to the Operator and Agency Surveys.

Research citations for the benefits of light physical activity include: *Association of Light Physical Activity Measured by Accelerometry and Incidence of Coronary Heart Disease and Cardiovascular Disease in Older Women* (LaCroix et al 2019), and *Dose-Response Associations Between Accelerometry Measured Physical Activity and Sedentary Time and All Cause Mortality: Systematic Review and Harmonised Meta-Analysis* (Ekelund et al 2019).

E-bike riders use about 76 percent of the energy expenditure of pedal-bike riders. Riding an e-bike provides moderate metabolic activity on flat segments (metabolic equivalent of task [MET] of 3) and vigorous activity on uphill (MET of 6). This is based on the research in *Comparing Physical Activity of Pedal-Assist Electric Bikes with Walking and Conventional Bicycles* (Langford et al 2017).

E-scooters provide light physical activity (MET of 2.5). This is based on the research in *Evaluating the Physical Activity Impacts of Riding Electric Kick Scooters* (poster session presented at the 2019 Conference on Health and Active Transportation, Washington D.C.; Wen et al 2019).

## Greenhouse Gas Emissions

Reduction in total Greenhouse Gas (GHG) emissions was calculated based on taxi, rideshare, and auto driver/passenger trip replacement; an estimate of total trips taken on shared micromobility modes; and average trip distance calculated from responses to the Operator and Agency Surveys. Reduction factors do not take into account externalities, operations, or lifecycle costs for shared micromobility or for driving.

GHG emission factors for e-bikes and e-scooters were calculated based on energy factors from the following sources: *Electric Two-Wheelers in China: Analysis of Environmental, Safety, and Mobility Impacts* (Cherry 2007) and *The Environmental Impacts of Shared Dockless Electric Scooters* (Hollingsworth et al 2019); and average US Grid emission factors were obtained from the *US EPA eGrid2018 Database* (EPA, 2020). The automobile emission factor was taken from the *US EPA Memorandum on GHG Emissions from a Typical Passenger Vehicle* (EPA, 2018).

## Page 7 – Economic Benefit of Shared Micromobility

### Why People Ride & Community Benefits

These use cases were derived from published survey data of shared micromobility users. Not all response options are presented. This report lists the four most frequent answers for each of the two categories.

### Jobs Access

These statistics were reported directly from the following research (assumes a 45-minute travel time):

- Micromobility Coalition's job access studies: <https://micromobilitycoalition.org/reports/>
- *E-Scooter Scenarios: Evaluating the Potential Mobility Benefits of Shared Dockless Scooter in Chicago* (Smith and Schwieterman 2018).

Research that further supports these statistics can be found in *High Impact Prioritization of Bikeshare Program Investment to Improve Disadvantaged Communities' Access to Jobs and Essential Services* (Quian & Niemeier 2019).

### Increased Spending

These statistics were reported directly from the following research: Kim, Kyeongbin and McCarthy, Daniel, *Wheels to Meals: Measuring the Economic Impact of Micromobility on the Local Economy*. Emory University (March 10, 2021).

### Shared Micromobility Job Estimates

Employment statistics were calculated from responses to the Agency and Operator Surveys. However, the sample was limited in size and coverage. Industry employment was estimated from the aggregate number of vehicles and applying average employment rates observed in the sample.

## Page 8 – Who Uses Shared Micromobility

These statistics were calculated based on a comparison of the demographics of shared micromobility users (as reported by a selection of cities conducting their own user surveys) and the equivalent demographic data for those cities from the 2019 American Community Survey (ACS). User survey data from 2016 to 2020 collected in the following cities was used in this analysis: Honolulu, Ithaca, Philadelphia, Salt Lake City, San Antonio, Seattle, Vancouver BC, and Washington D.C. (bikeshare) and Alexandria, Arlington, Chicago, Denver, Oakland, Ottawa, Portland, OR, San Antonio, San Francisco, and Tucson (e-scooters). Not all cities reported in all categories. Over-/under-representation for each demographic (by vehicle type) is an average of the over-/under-representation for each city. People under 18 years old were omitted from the analysis, as were nonbinary and other genders not counted in the Census since data was unavailable.

## Page 9 – Transportation Equity

The distribution and median number of equity programs were calculated from responses to the Agency and Operator Surveys. Equity program categories are adapted from *Evaluating Efforts to Improve the Equity of Bikeshare Systems* (McNeil, MacArthur, Dill, and Broach, 2019).

Annual costs were calculated as averages based on publicly available data for the full and discounted prices of annual, monthly, or weekly passes or subscription costs for shared micromobility systems in the following cities: Atlanta, Austin, Boston, Chicago, Cincinnati, Cleveland, Detroit, Fort Worth, Honolulu, Indianapolis, Los Angeles, Milwaukee, Minneapolis, New York City, Philadelphia, Portland, San Francisco, Toledo, Vancouver, BC, various Bird systems, and Washington D.C.

All other statistics were calculated from responses to the Agency and Operator Surveys.

## Page 11 – Comparison of Trip Trends

Trip data was obtained from responses to the Agency and Operator Surveys and supplemented by online data. Some data for smaller systems was unavailable and supplemented by online data.

Reported overall utilization rates were calculated from aggregate industry-level data. Duration and distance statistics were calculated from trip-weighted Operator Survey responses. It is noted that docked bikeshare and bikeshare not fitted with GPS uses only point-to-point data and may result in data showing shorter trip lengths.

## Page 12 – Comparison of Vehicle Trends

Vehicle data was obtained from responses to the Agency and Operator Surveys and supplemented by online data. However, some vehicle data for smaller systems was unavailable. Missing data was estimated based on that system's number of trips and the calculated utilization rate and average number of service days for the technology type as estimated from the Agency Survey responses. Systems reported as smart bike systems were classified into either docked or dockless systems based on their technology type and operating characteristics.

The e-bike and pedal bike system statistics were calculated from NABSA's shared micromobility system database and utilization comparisons were calculated from system average utilization rates.

## Page 13 – System Statistics by City Size

The number of systems was derived from NABSA's shared micromobility system database. All other statistics were calculated as averages of system data collected from the Agency and Operator Surveys; city population and size were drawn from the 2018 American Community Survey 5-Year Estimates and from the U.S. Census Bureau, respectively.

## Page 14 – Operating Characteristics

Ownership model statistics were calculated from responses to the Operator and Agency Surveys. The reported number of systems per operator is based on completed Operator Surveys. Operating cost and revenue percentages were calculated from responses to the Operator and Agency Surveys.

## Page 15 – Shared Micromobility as Public Transportation

Usage and connection to transit statistics were calculated from responses to the Operator and Agency Surveys.

Proximity to transit statistics were obtained from the U.S. Department of Transportation's Bureau of Statistics. Reported agency data requirements were calculated from Agency Survey responses.

Bikeshare farebox recovery was calculated as an average of data from the Agency and Operator Surveys, and transit farebox recovery data was obtained from the Federal Transit Administration's National Transit Database for the same set of cities that responded to the farebox recovery Survey question.

Monthly user cost was calculated as an average of publicly available data on the cost of monthly passes for shared micromobility and transit systems in the following cities: Atlanta, Austin, Boston, Chicago, Cincinnati, Cleveland, Detroit, Fort Worth, Honolulu, Indianapolis, Los Angeles, Milwaukee, Minneapolis, New York City, Philadelphia, Portland, OR, San Francisco, Toledo, and Washington D.C. These cities were chosen as a sample of different geographies and system types. New York, Philadelphia, Portland, Vancouver (bikes); Baton Rouge and Fort Collins (e-bikes); and Portland, San Francisco, and Baton Rouge (e-scooters). These cities were chosen as a sample of different geographies and system types.

## Page 16 – How NABSA Supports the Industry

These statistics were drawn from data recorded by NABSA.

# Acknowledgments

The North American Bikeshare and Scootershare Association (NABSA) connects the biggest minds in shared micromobility to support, promote, and enhance shared alternatives to traditional transportation across North America. NABSA is the industry's membership organization with representation from system owners, operators, host cities, equipment manufacturers and technology providers.

North American Bikeshare and Scootershare Association (NABSA) (2021):  
*2nd Annual Shared Micromobility State of the Industry Report.*  
<https://doi.org/10.7922/G2XD0ZZZ>



Supported by: ClimateWorks



For more information, contact [hello@nabsa.net](mailto:hello@nabsa.net)

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## Davis Shared Micromobility Draft Terms and Conditions

Below are the draft terms and conditions for a contract amendment between SACOG and Lime for bike share and scooter share in the City of Davis (City). These are draft terms and conditions are subject to approval by the SACOG Board of Directors and the City. This is a one-year pilot that will be terminable at any point if the City is unsatisfied with Lime's performance or has concerns about the rollout of the program.

### Goals:

1. Provide a path to launching a one-year pilot (with options to extend) for bike share and scooter share ("shared micromobility") in the near term to test ridership levels and inform a longer-term shared micromobility system for the City.
2. Use the information gathered during this one-year pilot to inform the financials and service level agreements that create a sustainable shared micromobility system for the City.

### 1. Number of bikes and scooters

Lime will operate a fleet of 500 active bikes and 300 scooters in the City. The bikes and scooters will be the newest generation of Lime devices available.

### 2. Rider pricing

Lime will offer the following pricing options:

- Standard pricing of \$1 to unlock and 0.32 per minute
- Lime Access (low-income program): no annual fee, free 30-minute rides up to 5 times a day, .15/minute thereafter
- \$5.99 monthly unlock pass (the waves the \$1 unlock fee for each trip; riders would only pay the \$0.32 per minute for the rest of the month)
- \$9.99 daily pass (unlimited rides up to 90 minutes per ride) \$14.99 Unlock pass + 100 minutes (.14/min)
- \$49.99 Unlock pass + 400 minutes (.12/min)

### 3. Parking

- Lime will resolve any complaints about improperly parked devices within 90 minutes.
- Lime will use lock-to technology for all devices, geofencing for no parking/riding zones, and automatic parking detection features to encourage responsible behavior and good parking practices
- Lime will provide in-app notifications to riders reminding them where they need to park the devices.
- Lime will work with the City to incorporate any available bike rack data in app to help riders know where they should park.
- Lime will work with the City to identify areas to allow on-street parking (should the City want to authorize on-street parking) to encourage riders outside of the downtown area to park on-street where bike racks are not available.
- When a user improperly parks a device, Lime will first give a warning to the rider that the next offense will result in a fee. Lime will charge users a fee (amount to be agreed upon by the City and Lime) after the second time a rider has improperly parked a device.

- If the City issues a parking citation for an improperly parked devices, Lime will pass this fee along to the last rider.

#### **4. Exclusivity**

Lime will be the exclusive micromobility provider for the one-year pilot program, with an option for the City to extend or terminate the agreement.

#### **5. Innovation**

Lime will bring opportunities for piloting new device types, payment integration, trip planning and other innovative transportation solutions to SACOG and the City.

#### **6. Safety & Outreach**

Lime will offer at least one educational course per month to riders through online courses such as Cycling Savvy or in-person events (pending public health orders). Lime will provide in-app reminders to riders about how to safely ride and park devices. Lime will partner with local nonprofit, private, and public agencies to attend and host events where Lime will promote the low-income program (Lime Access).

Lime will work with the City to identify areas where it may be appropriate to implement low-speed zones and/or sidewalk detection technologies to mitigate pedestrian safety issues.

#### **7. Cost**

Lime will not charge the City or UC Davis any subsidies for this service.

#### **8. Permit Fees & Deposits**

Lime will deposit \$15,000 to cover City staff time, if necessary, managing violations and any costs incurred for the repair or maintenance of public property damaged by Lime or its users. City Staff will log time and damages and provide Lime with a statement of funding used by City. If the deposit funds are expended, Lime will pay another deposit to the City. Lime will not pay any ongoing trip or device fees (beyond an annual application fee of \$2,500), so long as all terms and service level agreements are met.

#### **9. Surveys**

Lime will work with the City to develop and send out a survey to users in the third quarter of the pilot to collect information about demographics of riders, trip purposes (commute, school, recreation, etc.) and feedback on the service.

#### **10. Service Level Agreements – Equity Plan, Redistribution Plan, parking, rack maintenance**

- Meet all service level agreements outlined in the existing Program Agreement between Lime and SACOG including but not limited to, inspecting bikes once every six weeks or 200 miles for maintenance issues, inspecting bicycle racks once every two weeks for maintenance, acknowledging receipt of customer service report within one hour and resolving complaints within 24 hours.
- Lime will implement a fleet of swappable-battery devices, thus vehicles that have not been moved may still be properly parked, fully operational, and ready for public use. Upon notice that any device has been in the same location for more than 48 hours, Lime will assess the device's functionality, availability for use, and parking position and report back to the City.

- Implement the regional Bike Share Equity Plan including free Lime Access pricing, redistribution of bikes to equity zones, and outreach/education activities to promote the Lime Access program and assist users with signing up for the program.
- Implement the Redistribution/Rebalancing Plan that focuses on rebalancing the bike fleet each morning and evening in zones where people are likely to use the devices for regular commute or errand trips.
- Lime will prominently display contact information on vehicles for general public and riders to reach Lime regarding any customer service issues.
- Lime will track the number of parking and general complaints on a monthly basis and report them SACOG and partners to aid in evaluation of the pilot

#### **11. Data Sharing**

Lime shall meet all data sharing requirements as outlined in the existing Bike Share Program Agreement between Lime and SACOG. These requirements include providing micromobility device location and usage information which shall at a minimum include, number of devices, total number of trips, trip duration, trip distance, trip start (by block segment), trip end (by block segment), number of trips per block segment, and device type (" Usage Data") to SACOG, its member jurisdictions, and/or a third party data processing vendor identified by SACOG (a "Data Vendor") via an Application Programming Interface (API) that meets the Specification of the Open Mobility Foundation Mobility Data Specification (MDS) as published online at <https://github.com/openmobilityfoundation/mobility-data-specification> ("MDS Data").

#### **12. Term of agreement**

This will be a one-year pilot to test ridership demand and Lime's ability to address community concerns around parking and safety. After one year, if all parties agree, the time of performance could be extended. The City retains the right to terminate this agreement at any time for any reason.