

2019 District of Columbia Dockless Vehicle Permit Application – FAQs

Introduction

On November 5, 2018, the District Department of Transportation (DDOT) released a permit application to allow companies that offer dockless sharing vehicles to submit requests for permits in DDOT's dockless vehicle program for 2019. DDOT received several questions from companies related to both the permit application and the templates for the terms and conditions agreements that were released along with the application.

DDOT has collected these questions and developed responses to them. Questions from the companies and DDOT's responses are in this Frequently Asked Questions (FAQ) document. Questions are paraphrased as necessary for clarity and when similar questions were received from more than one company.

Interested stakeholders are advised of the following items in particular:

- Questions regarding the original permit application's reference to the requirements for proper parking have resulted in DDOT updating Questions 1 and 2 in Section 6 of the application (Parking). These updates are minor, and better reflect the full range of parking requirements that both bike and scooter companies should follow.
- DDOT received a question regarding a reference to a requirement that permit holders must be members in good standing with the North American Bikeshare Association (NABSA). As a result, DDOT has noted that this requirement would not be relevant to companies that offer only scooters. DDOT has updated the terms and conditions template for scooters to remove that requirement.
- DDOT received questions regarding the provisions in the terms and conditions template that relate to cooperation with criminal investigations. As a result, DDOT has updated the terms and conditions templates to clarify the legal processes that should be followed when requests for cooperation are issued.
- DDOT received questions regarding the logistics of payment of permit fees. Checks should be made out to the DC Treasurer. Before permits are issued, payments, including the bonds, will need to be deposited. DDOT will provide payment instructions for applicants with an invoice once starting fleet sizes have been determined.

Because the questions have generated only minor clarifications to the permit application and the terms and conditions documents, the application deadline remains November 19, 2018.

General Questions

1. Is DDOT willing to consider a 2 hour response time for removing improperly parked vehicles only if they are a public health or safety risk? It is burdensome for our operations team to fix any and all reports of improper parking within this timeframe.

A: DDOT's goal is to have improperly parked vehicles moved within 2 hours. Companies should plan accordingly to have resources in place for response.

2. Would DDOT consider re-word the terms and conditions regarding Criminal Investigations to ensure that the information requested is subject to legal process such as documenting exigent circumstances or obtaining a warrant if required?

A: DDOT will add the following requirement to this section of the terms and conditions: "For emergency cases involving the imminent threat of death or serious physical injury to any person or place, the permit holder must have an established Emergency Disclosure Request process to allow the release of data and customer information to a law enforcement agency."

3. How would DDOT like operators to prevent the use of vehicles by multiple riders at one time?

A: Operators are responsible for the use of their vehicles and we rely on the companies to communicate the rules and enforce the safe use of their vehicles.

4. Why is DDOT asking about our staffing plan?

A: DDOT is asking about the staffing plan to ascertain if the operator is able to adequately staff commitments described in the terms and conditions agreement, all applicable regulations, and the operational plan, parking communication plan, distribution plan, safety plan, maintenance, charging and disposal plan that are detailed in the permit application.

5. What is DDOT's opinion on ID scanning as a verification method for users?

A: The terms and conditions do not have specific requirements regarding ID or other document scanning.

6. Why are the speeds limited for scooters and e-bikes to 10 and 20mph respectively?

A: The e-bikes are being permitted as a Motorized Bicycle which is restricted to having a motor incapable of propelling the device at a speed of more than twenty miles per hour (20 mph) on level ground (18 DCMR 9901.) We are permitting scooters as personal mobility devices that are subject to the Personal Mobility Device Amendment Act of 2006 (DC Law 16-224). This law established a maximum speed of 10mph. As motorized bicycle requirements dictate a maximum motorized speed of 20mph, we are aligning the speed restriction mechanism for scooters with the requirements in the DCMR. DDOT is asking in this application for companies' assurances that their vehicles will be governed by the limits that are applicable to them.

7. What vehicle standards is DDOT referring to for both the bicycle and personal mobility device permit?

A: Vehicle standards can be found in the terms and conditions for both permits. All bicycles deployed must meet the standards outlined in 16 CFR Part 1512 and 18 DCMR 1204. All scooters that are deployed must meet the UL Standard for Electrical Systems for Personal E-Mobility Devices (UL Standard 2272).

8. How did DDOT arrive at a cap of 600 and is DDOT willing to explore alternative methods for expansion and cap allocation?

A: DDOT developed the initial cap per permit after careful consideration using historical caps and observing best practices among other US cities. DDOT has expanded the cap on the initial fleet size by up to 800 vehicles per operator if both permits are utilized, and we have built in the ability for fleets to grow throughout the year. The cap is inclusive of vehicles in communities of concern. DDOT is not considering changing the initial maximum number of vehicles per permit at this time. If you have suggestions or solutions for alternative performance cap models and enforcement mechanisms to go along with these models please email them to dockless.bikeshare@dc.gov.

9. What is the maximum increase in fleet size for 2019?

A: If a company is awarded a permit to operate 600 vehicles starting January 1, 2019 and is subsequently issued a fleet expansion of 25% (150 vehicles per quarter) after the first quarter, second quarter, and third quarter review they would be able to operate 1,050 vehicles in the fourth quarter of 2019.

10. How does DDOT plan to use metrics to review operator's performance for fleet size increase?

A: Permit holders may be allowed to increase the size of their fleets of dockless sharing vehicles on a quarterly basis. The assessment tool is still under development. The performance assessment tool may use the performance measures listed in terms and conditions, B. Performance-Based Fleet Expansion. The evaluation criteria will be released publicly prior to allowing any fleet expansions. If you have suggestions for methodology, please email them to dockless.bikeshare@dc.gov.

11. How does DDOT envision the operators verifying a customer's income level?

A: The operator may use any reasonable process to verify the customer's income level. If the operator chooses to verify income with documentation from current government programs that verify income, DDOT will not object to this standard. Requirements to serve low-income riders exist in other cities where many dockless vehicle providers already operate.

12. How does DDOT envision the operators offering the ability to be located and unlocked without a smartphone?

A: DDOT envisions the operator coming up with solutions that would be able to fulfill this requirement. If the operator is not able to provide the ability to be located and unlocked without a smartphone on January 1, 2019 when the permit commences, please explain how you intend to move forward with this requirement and when you will be able to offer this option.

13. Will operators be given a grace period to set up effective cash payment and non-smartphone payment options?

A: If the operator is not able to have the effective cash payment and non-smartphone payment options available on January 1, 2019 when the permit commences, please explain how you intend to move forward with this requirement and when you will be able to offer this option.

14. Which languages will be required on the company websites to be in compliance with the District of Columbia Language Access Act of 2004?

A: Please find the District of Columbia's Language Access Act of 2004 here:

<https://ohr.dc.gov/publication/dc-language-access-act-2004-english>

15. Can DDOT provide more specific expectations for how dockless mobility providers can contribute to the District's sustainable mobility goals?

A: Sustainable DC (link: http://www.sustainabledc.org/wp-content/uploads/2017/03/SDC_Plan_2016_compressed2.pdf) and moveDC (link: <http://www.wemovedc.org/>) are long-term plans for the sustainability of DC.

Payment and Administrative Questions

16. We already have a Certificate of Insurance in place - do you need an updated one or will the current one suffice?

A: Yes. This is a new permit application and all required documents should be included.

17. How do we submit payment for our permit application?

A: Checks should be made out to the DC Treasurer. Before permits are issued, payments, including the bonds, will need to be deposited. We will provide payment instructions for applicants with an invoice once starting fleet sizes have been determined.

18. Will the dockless vehicle fee be required each time a vehicle is replaced?

A: The dockless vehicle fee would be per fleet vehicle per year. If a vehicle is replaced, the replacement vehicle will not incur a per-vehicle fee, as long as the company's total fleet size under the permit does not increase.

Scooter Permit Questions:

19. Handicap scooter adaptations are unknown at this point, will you hold scooter company growth to this metric?

A: The terms and conditions, in Section B. Performance-Based Fleet Expansion, does mention "Adaptive Vehicle Operations" as a domain in which we may assess performance. This should be interpreted to mean that if adaptive vehicles are provided, we will review requests to increase the number of those vehicles based on performance of the initial deployment. We provide examples of adaptive vehicles that are related to bicycles in the definition. Those examples are not exclusive. DDOT is interested in proposals that offer innovative means to increase accessibility for people with disabilities. If an applicant does not have such technology, the applicant does not need to address this policy area.

20. Tethering, Speedometers, and Tip-over alerts for scooters are not required in the application. Why are you asking for information about these features?

A: We recognize that there a number of requests for information that are not required in the permit, however the additional information will assist DDOT in reviewing applications and operations plans. Tethering, Speedometers, and Tip-over alerts for scooters are not a requirement.

21. You require good standing with the North American Bikeshare Association—and the permit is for scooters.

A: This will be removed from the terms template for scooters.

22. The permit application refers to 18 DCMR 1209.3 and asks how applicants will incentivize proper parking. Does this apply to scooters as well as bikes?

A: All of 1209 and Section C of the terms and conditions document should be referenced. The revised application includes this update. Section C refers to both bikes and scooters.

Data Collection & Reporting:

23. We believe that it is not technically possible to create a user ID that cannot be traced or linked to PII. Can DDOT explain their reasoning behind the user id requirement?

A: A random alphanumeric code should be generated for users. This should have no relationship to personable identifiable information (definition of PII: Any representation of information that permits the identity of an individual to whom the information applies to be reasonably inferred by either direct or indirect means. Further, PII is defined as information: (i) that directly identifies an individual (e.g., name,

address, social security number or other identifying number or code, telephone number, email address, etc.) or (ii) by which an agency intends to identify specific individuals in conjunction with other data elements, i.e., indirect identification. (These data elements may include a combination of gender, race, birth date, geographic indicator, and other descriptors). Additionally, information permitting the physical or online contacting of a specific individual is the same as personally identifiable information. This information can be maintained in either paper, electronic or other media.) The only additional data linked to the user id should be the number of trips, vehicle type, and general statistics on trip length. This data was purposely uncoupled from trips data and aggregated to remove the threat of re-identification. The user data is important in understanding the success of the program. It is important to determine how many people the program is serving and the distribution of use across those using the service. This requirement has been in effect throughout the duration of the demonstration program, and all current permit holders have agreed to this condition.

24. Would DDOT consider requesting user trip data metrics on an operator system-wide basis as opposed to wanting to see the habits of each individual user?

A: Please see response above. Because there are multiple vendors, if this data is aggregated by each company for the month, statistics like “average number of rides per user” and “average trip length per user” will not be decipherable for the program as a whole.

25. We noticed an additional requirement for real-time information on active rides that was not included in the pilot program. Was it DDOT’s intent to add this additional requirement, and if so, could DDOT explain its reasons for requesting this information and how this information would be used?

A: DDOT now requires a private API in addition to the public GBFS API. In the private API, companies must provide additional information for compliance. The new requirement includes whether a vehicle is in use (on an active ride). This is required to provide a real-time to near-real time feed of the number of vehicles in use, which, in conjunction with that public API that shows the number of vehicles available to be rented, allows DDOT to know how many active vehicles are in the field at any point in time and ensure compliance with vehicle caps.

26. Some of the specific metrics listed as criteria in Section B.1 seem to add administrative reporting burdens for both operators and the District while the insights they produce are similar and at face value seem as though they could be captured by one single criteria. In particular, total trips and vehicle idle time both are roughly captured by a “trips per vehicle per day.” Does DDOT have any plans to consolidate any of these metrics and criteria?

A: DDOT does not have any plans to consolidate metrics and criteria at this point. The metric of trips per vehicle per day is derived from measures such as number of trips, number of vehicles, and number of days in a given time range. This metric may be calculated differently in different circumstances. For instance, the total vehicles that have been in fleet can be used or the average number of vehicles in service on any day during the given time range can be used. In these cases, two different results are produced. There are multiple companies providing data and ensuring that derived metrics are calculated consistently adds administrative burden to District staff. Furthermore, trips per vehicle per day is not the same as idle time per vehicle or total trips. Trips per vehicle per day provides an operational performance metric. Although high operation performance is important to DDOT, a bigger concern is the use or misuse of the public space. The idle time of a vehicle denotes the burden on the public space. Unfortunately, the suggested trips per bike per day is not the inverse of idle time and does not provide the same insight. Total trips is a standard metric that will always be important for any mobility service.

27. What is the purpose of allowing DDOT to install temporary GPS trackers on a random sample of dockless sharing vehicles for research purposes?

A: The purpose of this provision is to enable research opportunities to understand usage patterns across operators. We would discuss this further with the permit holder before moving forward with any specific project.

28. If DDOT requires the permit holder to conduct a member survey, what parameters does DDOT envision placing on these survey questions? What is the scope of this survey? Will operators be required to survey all of their users?

A: Similar to the survey conducted in Phase I of the dockless demonstration, this survey would be voluntary for users and provide DDOT with users' opinions of the program. Past survey questions have included how and why dockless services were used, how the program and services can be improved, and general demographic questions such as "how do you typically travel" and "what is your age". Companies will be required to disseminate the survey to all users.

29. Is DDOT considering working with a third-party data platform (e.g., Ride Report, Populus, Remix) that could directly handle and analyze operator data?

A: At this time, DDOT is not considering eliminating monthly reports in place of a third party data aggregator. The provision that references is not specific to third-party data platforms and refers to entities that may conduct research or analysis on behalf of DDOT.

30. How does DDOT intend to use the reported safety/crash data?

A: Safety is DDOT's primary priority. The most direct way to track safety incidents is to have them reported directly by the companies. This data will provide critical insights on incidents with dockless vehicles, especially scooters as a new form of shared mobility.

31. When would DDOT anticipate making any changes to the existing data reporting requirements to the Los Angeles Mobility Data Standard (MDS)?

A: As many micro-mobility companies are aware, MDS is a fixture in conversations around data standards and specifications. This question asks if the applicant is capable of meeting this format in the event of convergence on MDS or a similar standard.