

INTRODUCED: November 13, 2018

AN ORDINANCE No. 2018-288

As Amended

To amend ch. 24, art. II of the City Code by adding therein a new div. 4.1 [~~(§§ 24-125—24-132)~~] (§§ 24-125—24-133), to amend City Code § 27-197, concerning parking prohibited in specified places, and to amend Appendix A of the City Code by adding therein new fees for §§ 24-128, concerning permit applications for the parking of certain vehicles, [~~and~~] 24-129, concerning the reinstatement of revoked permits, and 24-133, concerning increasing the number of permitted shared mobility devices, for the purpose of establishing a permit program for parking certain vehicles on sidewalks.

\_\_\_\_\_  
Patron – Mayor Stoney

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: DEC 10 2018 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That Chapter 24, Article II of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein a new** Division 4.1, consisting of sections numbered 24-125 through 24-132, as follows:

**DIVISION 4.1**

**PERMIT PROGRAM FOR PARKING OF SHARED MOBILITY DEVICES ON**

**SIDEWALKS**

AYES:                    6                    NOES:                    3                    ABSTAIN:                    \_\_\_\_\_

ADOPTED:            JAN 28, 2019            REJECTED:                    \_\_\_\_\_                    STRICKEN:                    \_\_\_\_\_

**Sec. 24-125. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Applicant* means any person who files an application in accordance with this division.

*Application* means an initial application, any renewal application, and any reinstatement application filed in accordance with this division.

*Director* means the Director of Public Works or the designee thereof.

*Permittee* means any person who holds a permit issued in accordance with this division.

*Shared mobility device* means a vehicle, including a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or motorized skateboard or foot-scooter, (i) for which no docking station is provided and (ii) which is offered by the owner thereof for rent to the public for a fee. For purposes of this definition, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, and motorized skateboard or foot-scooter shall have the meaning set out for those terms in Code of Virginia, § 46.2-100.

*Trip* means each period of exclusive use of a shared mobility device by an individual.

**Sec. 24-126. Administration of permit program for shared mobility devices.**

The Director shall administer the permit process for which this division provides. The Director shall issue, enforce, and, from time to time, modify rules, regulations, or guidelines consistent with this division and other applicable law to carry out the requirements of this division. Such rules, regulations, and guidelines, and any and all modifications thereto, must be approved as to form by the City Attorney or the designee thereof prior to issuance.

**Sec. 24-127. Permit requirement.**

No person shall park a shared mobility device on any sidewalk within the city of Richmond unless such person has obtained or such shared mobility device is covered by a permit in accordance with this division. Any shared mobility device not parked pursuant to a permit issued in accordance with this division may be removed as an unattended motor vehicle as provided in subsection (b) of section 27-330.

**Sec. 24-128. Application; issuance and denial of permits.**

(a) Any person may file an application on forms provided by the Director to obtain a permit or, as applicable, a renewal permit, or a reinstated permit for the parking of one or more shared mobility devices on sidewalks within the city of Richmond. The Director shall review all applications according to the provisions of this division and the rules, regulations, and guidelines issued in accordance the Section 24-126.

(b) Permits issued in accordance with this division shall be subject to the following general terms and conditions:

(1) The applicant shall demonstrate on such applicant's application that the applicant has met all of the requirements of this division.

(2) Each application to obtain, renew, or reinstate a permit shall be accompanied by payment of an application fee and the annual fee set forth in Appendix A to this Code, except as may be provided otherwise in this division.

(3) Each application to obtain or renew a permit shall, in accordance with the rules, regulations, and guidelines issued in accordance with Section 24-126, be accompanied by a certificate of insurance demonstrating evidence of commercial general liability insurance coverage of at least \$3,000,000.00 for each occurrence and at least \$5,000,000.00 in the aggregate, listing the City as an additional insured, and indicating

that the City will receive at least 30 days' notice of cancellation or material modification of the policy.

(4) Each permit issued by the Director shall state the following:

a. The name of the permittee and the name, address, and phone number of the authorized representative of the permittee, if applicable.

b. The date and time period during which the permit shall be effective.

c. Specifications concerning the parking of the shared mobility device on City sidewalks, including, but not limited to, a requirement that the shared mobility device shall be parked in an upright position on City sidewalks so as not to create a hazard for or interfere with public use and travel.

d. A prohibition against the parking of the shared mobility device on shared-use paths, and in parks and athletic fields owned by the City. For purposes of this subparagraph, the term "shared-use path" shall have the meaning set out for that term in Code of Virginia, § 46.2-100.

e. A prohibition against the parking or leaning of the shared mobility device on park benches located on City-owned real estate.

f. A requirement that the permittee ensure that each user of shared mobility devices covered by a permit issued in accordance with this division have a valid driver's license to the extent that a driver's license is required by law for operation of a shared mobility device.

g. Any other information, as permitted by law, that the Director deems necessary for the administration of the permit.

(5) Permits may be issued and renewed annually for a period [~~not to exceed~~] of 12 months from the date of any such issuance, subject to the requirements of this division and the rules, regulations, and guidelines issued in accordance with Section 24-126. The Director shall not issue any more than one permit to the same person during all or any part of a 12-month period covered by a permit issued in accordance with this division.

(6) Permits shall incorporate by reference the provisions of this division and the rules, regulations, and guidelines issued in accordance with Section 24-126.

(7) No permit shall be issued to any person for more than 500 shared mobility devices, except as provided in section 24-133. Any impounded shared mobility devices shall count against the total number of shared mobility devices that the permittee may have in operation under such permittee's permit. [~~Multiple permits covering all or part of the same period shall not be issued to the same person for more than 500 shared mobility devices in the aggregate.~~]

(8) The permittee shall execute a release, waiver of liability, and indemnification agreement prior to the issuance of any permit. This subdivision (8) shall not apply to governmental organizations.

(9) Upon revocation or expiration of a permit, the permittee shall be responsible for ensuring that any and all shared mobility devices to which a permit relates are removed permanently from every sidewalk unless another permit is obtained and are otherwise stored in the manner provided in the rules, regulations, and guidelines issued in accordance with Section 24-126.

(10) The Director may deny a permit to any applicant upon determining that the applicant has not complied with any requirement of this division or the rules, regulations, or guidelines issued in accordance with Section 24-126.

(11) The Director may deny a permit to any applicant upon determining that the applicant has not complied with any applicable federal, state, or local law or that the applicant is delinquent on any tax, fee, fine, or other obligation to the City.

~~(12) [The total number of shared mobility devices covered by any permits issued in accordance with this division shall not exceed 1,500 at any given time.]~~

~~(13) The Director shall issue permits based on completed applications on a first come, first served basis.~~

~~(14)~~ No permits shall be issued for any shared mobility device that is not equipped with a speed controller limiting the maximum motor-assisted speed of such device to no more than ~~[ten]~~ 15 miles per hour or that is not equipped with a global positioning system.

~~[(15)]~~ (13) Permits issued in accordance with this division may be transferred or assigned, subject to the express written approval of the Director. The person to whom any permit is transferred or assigned shall be responsible for compliance with all terms and conditions applicable to the permit transferred or assigned.

~~[(16)]~~ (14) Permits issued in accordance with this division may be modified by the Director upon request of the permittee or as the Director determines may be necessary for the preservation of the safety, health, and welfare of the citizens of the City.

**Sec. 24-129. Revocation of permit; reinstatement; unlawful actions.**

(a) The Director shall have the authority to revoke, which revocation shall not be appealable, a permit issued in accordance with this division if the Director determines that any of the following have occurred:

(1) The permittee has not complied with the requirements of such permittee's permit, this division or the rules, regulations, or guidelines issued in accordance with Section 24-126, other applicable federal, state, or local law, or that the permittee is delinquent on any tax, fee, fine, or other obligation to the City.

(2) The permittee has misrepresented or provided false information in an application.

(3) The permittee has parked, or suffered to be parked, a shared mobility device in such manner as to create a public nuisance or to constitute a hazard to the public health, safety, or welfare.

(4) The permittee has any unsatisfied final judgments arising out of the permittee's operations within the city of Richmond.

(5) The permittee has transferred or assigned such permittee's permit without the express written approval of the Director as required by this division.

(b) An applicant whose permit has been revoked pursuant to this section may submit a reinstatement application to reinstate such permit. If such reinstatement application is submitted before the expiration of the permit period covered by the permit that was revoked, such application shall be accompanied by the reinstatement fee set forth in Appendix A to this Code and the reinstated permit issued shall cover only the period remaining on the revoked permit. If such application is submitted on the date of or after the expiration of the permit period covered by the permit that was revoked, such application shall be accompanied by the

application fee set forth in Appendix A to this Code and an annual fee set forth in Appendix A to this Code. Any permittee who has a permit revoked during any part of a period covered by a previously issued permit that has been revoked shall not be eligible to file a reinstatement application for a reinstated permit until after the expiration of the period covered by the permit that was previously revoked.

(c) It shall be unlawful for any permittee whose permit has been revoked, or any employee or agent thereof, to park, or suffer to be parked, on any sidewalk a shared mobility device owned or controlled by that permittee or to commit, or suffer to be committed, any act that is a violation of this division or any applicable law or regulation. The Director shall provide the permittee with written notice of any costs incurred by the City for removing from sidewalks any shared mobility device owned by the permittee whose permit has been revoked, which costs the permittee shall reimburse the City within 30 days from the date of the written notice.

**Sec. 24-130. Permission to park granted.**

A permit issued pursuant to this division shall permit a person authorized by the permittee to operate a shared mobility device owned by the permittee, for the period specified in the permit and the shared mobility device or shared mobility devices covered by such permit, to park such shared mobility device on sidewalks within the city of Richmond, in accordance with the provisions of this division and the rules, regulations, and guidelines issued pursuant to Section 24-126.

**Sec. 24-131. Safety requirements.**

In accordance with the powers granted by section 2.04 of the Charter and to ensure that permits issued in accordance with this division for the parking of shared mobility devices on the



City's sidewalks do not create hazards to the safety, health, and welfare of the citizens of the City, the City hereby requires that all permittees follow the following safety requirements:

(a) Permittees shall perform regular maintenance on the shared mobility devices covered by a permit issued in accordance with this division to ensure that each such device is in safe working condition.

(b) Permittees shall ensure that all shared mobility devices covered by a permit issued in accordance with this division are equipped with brakes, reflectors, a bell, and front and rear lighting.

(c) Permittees shall ensure that all shared mobility devices covered by a permit issued in accordance with this division are only operated from [~~sunrise~~] 5:00 a.m. to [~~sunset~~] 9:00 p.m.

**Sec. 24-132. Reporting requirements.**

~~[Each]~~ Upon the request of the Director, each permittee shall provide to the Director at such intervals, no more frequently than once a month, from the date of issuance of the permit as may be determined by the Director [~~and based on the length of the permit period~~], reports demonstrating the permittee's compliance with the requirements of this division, the rules, regulations, and guidelines issued in accordance with section 24-126, and any other applicable federal, state, or local laws. Each permittee shall also provide the Director, as may be requested by the Director, reports containing trip origination and destination information and such other information as may be necessary for the Director to determine the allocation of City resources to carry out the requirements of this division.

**Sec. 24-133. Increasing the number of permitted shared mobility devices.**

(a) On a quarterly basis from the date of the issuance of a permit issued in accordance with this division and upon payment of the annual fee set forth in Appendix A to this Code for

each additional shared mobility device permitted by this section, any permittee may submit a written request to the Director to increase the maximum number of shared mobility devices covered by such permittee's permit issued in accordance with this division. Upon receipt of such request and payment of the fee set forth in Appendix A to this Code, the Director shall consider such request in accordance with the requirements of this section. Within 30 days from the date of the receipt of such request, the Director shall increase the maximum number of shared mobility devices covered by such permittee's permit by an amount equal to 25 percent of the maximum number of shared mobility devices covered by such permit on the date of issuance of such permit if the permittee, along with such written request, provides the Director with such evidence as the Director may lawfully require demonstrating that the following conditions have been met:

(1) The shared mobility devices covered by a permit issued in accordance with this division have been operated on an average of three or more trips per day, which trips may begin or end in the city, either or both, for each day of the applicable quarterly period covered by the permit.

(2) The permittee has complied with all of the requirements of (i) the permit for which an increase in the maximum number of shared mobility devices has been requested, (ii) this division, and (iii) all applicable state, federal, and local laws.

(b) The number of shared mobility devices covered by any permit issued in accordance with this division may only be increased as provided in this section. Notwithstanding any provision of this division to the contrary, the Director, upon application therefor by the permittee, shall issue to a permittee a renewal permit or reinstated permit covering a number of shared mobility devices that is equal to the total number of shared mobility

devices permitted on the date of the expiration of such permittee's immediately preceding permit for which the number of shared mobility devices was increased one or more times in accordance with this section, provided that such preceding permit expired no more than 30 days prior to the filing of an application for a renewal permit or reinstated permit.

(c) Any application to renew a permittee's permit for which the maximum number of shared mobility devices permitted resulted from one or more increases made by the Director in accordance with this section shall be filed in accordance with the requirements of this division. In addition, such application shall be accompanied by the payment of the annual fee set forth in Appendix A to this Code for each additional shared mobility device covered by an increase made by the Director during all preceding permit periods in accordance with this section and shall be filed no later than 30 days after the expiration date of the immediately preceding permit for which an increase was made by the Director.

(d) Any application to reinstate a permittee's permit for which the maximum number of shared mobility devices permitted resulted from one or more increases made by the Director in accordance with this section shall be filed in accordance with the requirements of this division. In addition, such application shall be accompanied by the payment of the annual fee set forth in Appendix A to this Code for each additional shared mobility device covered by an increase made the Director during all preceding permit periods in accordance with this section and shall be filed no later than 30 days after the expiration date of the immediately preceding permit for which an increase was made by the Director.

(e) For any permit, renewal permit, or reinstated permit, the maximum number of shared mobility devices of which resulted from one or more increases made by the Director in accordance with this section, the Director shall reduce the fee set forth in Appendix A to this

Code according to the number of days, if any, within the applicable permit period that each additional shared mobility device permitted in accordance with this section was not covered by a permit issued in accordance with this division. In the alternative, any permittee may file an application to obtain a new permit in accordance with the requirements of this division.

§ 2. That section 27-197 of the Code of the City of Richmond (2015) be and is hereby **amended** and reordained as follows:

**Sec. 27-197. Parking prohibited in specified places.**

(a) No person shall park a vehicle, except as may be permitted in accordance with Chapter 24, Article II, Division 4.1 or when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:

- (1) On a sidewalk.
- (2) In front of a public or private driveway.
- (3) Within an intersection.
- (4) Within 15 feet of a fire hydrant.
- (5) On a crosswalk.
- (6) Within 20 feet of a crosswalk at an intersection.
- (7) In front of a ramp leading to the crosswalk at an intersection or located at any other point along a curb, constructed for use of persons with disabilities.
- (8) Within 30 feet upon the approach to any flashing beacon, stop sign or traffic control signal located at the side of a roadway.

(9) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by official signs or markings.

(10) Within 50 feet of the nearest rail of a railroad grade crossing.

(11) Within 15 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of the entrance when properly signposted.

(12) Alongside or opposite any street excavation or obstruction where such parking would obstruct traffic.

(13) On the roadway side of any vehicle parked at the edge or curb of a street.

(14) At any place where official signs prohibit parking or during street cleaning.

(15) At any place where an order, rule, or regulation issued under section 2-428 prohibits or restricts parking.

(16) On a curb, or with any wheels off of the roadway and on the far side of the curb from the roadway.

(17) On a median.

(b) No person other than a police officer shall move a vehicle into any such prohibited area or away from a curb such distance as is unlawful; start or cause to be started the motor of any motor vehicle; or shift, change or move the levers, brake, starting device, gears or other mechanism of a parked motor vehicle to a position other than that in which it was left by the owner or driver thereof or attempt to do so.

§ 3. That Appendix A of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein a new** fee for sections 24-128 and 24-129 of the Code of the City of Richmond (2015) as follows:

<i>Code Section</i>	<i>Description</i>	<i>Fee</i>
24-128	Application fee	\$1,500.00
	Annual fee:	
	From one to 100 shared mobility devices	<del>[\$25,000.00]</del>
		<u>\$20,000.00</u>
	From 101 to 200 shared mobility devices	<del>[\$40,000.00]</del>
		<u>\$30,000.00</u>
	From 201 to 500 shared mobility devices	<del>[\$60,000.00]</del>
		<u>\$45,000.00</u>
24-129	Reinstatement fee	\$2,500.00
<u>24-133</u>	<u>Annual fee for each additional shared mobility device in excess of the number of shared mobility devices permitted on the date of permit issuance</u>	<u>\$72.00</u>
	<u>Annual fee for each additional shared mobility device covered by an increase made during all preceding permit periods and to be covered by a renewal permit or reinstated permit</u>	<u>\$72.00</u>

§ 4. This ordinance shall be in force and effect ~~upon~~ 45 days from the date of adoption.



CITY OF RICHMOND
INTRACITY CORRESPONDENCE

O & R REQUEST
4-8336
NOV 09 2018
Office of the Chief Administrative Officer

O&R REQUEST

RECEIVED

DATE: November 8, 2018

EDITION: 1

NOV 09 2018

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney (By Request)

OFFICE OF CITY ATTORNEY

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

for 466

THROUGH: Robert Steidel, Deputy Chief Administrative Officer - Operations

CF for Bob Steidel

THROUGH: Bobby Vincent Jr., Director Department of Public Works

[Handwritten signature]

THROUGH: M.S. Khara, P.E., City Engineer Department of Public Works

[Handwritten signature]

FROM: Brian Copple, Right of Way Manager Department of Public Works

[Handwritten signature]

RE: AUTHORIZATION FOR THE CREATION OF A MOTORIZED DOCK-LESS SCOOTER AND BICYCLE SHARE PROGRAM PERMIT AND TO AMEND CITY CODE SECTION 27-197 TO ALLOW PARKING OF PERMITTED MOTORIZED SCOOTERS/BICYCLES ON THE PUBLIC SIDEWALK

ORD. OR RES. No.

PURPOSE: To authorize the Chief Administrative Officer (CAO) to regulate shared motorized dockless scooters and bicycles and to authorize the creation of a Motorized Dockless Scooter/Bicycle Share Program Permit within the public right-of-way; and to amend City Code Section 27-197 to allow parking of permitted shared motorized scooters/bicycles on the public sidewalk.

REASON: To enable the Department of Public Works to regulate shared dockless scooters and create standard operating procedures, a permit process, and guidelines for the safe operation of Motorized Dockless Scooter/Bicycle Share Program.

The Program will:

- Enhance the public transit network;
- Promote travel to landmarks, parks, trails, and shopping districts;
- Increase access to job opportunities and education;
- Expand mobility options for low-income neighborhoods;
- Create equitable and accessible system for all;
- Serve visitors and tourists;
- Connect neighborhoods;
- Improve air quality and reduce motor vehicle

**RECOMMENDATION:** The adoption of this ordinance is recommended by the Department of Public Works that will allow the Director of Public Works to regulate and update motorized dockless scooter/bicycle operations in the City by creating a Motorized Dockless Scooter/Bicycle Share Program permit.

**BACKGROUND:** Over the past year, motorized dockless scooters have gained popularity and are showing up overnight on city sidewalks across the country. Local governments need to ensure that the devices do not compromise the safety and utility of the public right of way. In several cities, companies have deployed hundreds of scooters unannounced or without permission from the city. Cities across the country are in the process to regulate motorized dockless scooters.

These compact two-wheelers are leading what is being called the “micro-mobility revolution.” Due to the increasing demand for alternative mobility options to reduce traffic congestion, parking problems and carbon emissions the City of Richmond (The City) will create a Motorized Dockless Scooter/Bicycle Share Program Permit authorizing the use of Shared Dockless Motorized Scooters and Bicycles. The City will permit qualified vendors to operate, maintain, manage and market a modern dockless scooter/bicycle share program located in the city. Ideally, this program would enable the public to access shared scooters available in the public right-of-way as an extension of the public transportation system and as a new mobility option for residents and visitor to the city. Share Programs are fast becoming an expected mobility option in American cities, complementing other mobility options, resulting in reduced car usage, increased rates of transit use, lower parking demand, increase sales for local small businesses, and improved public health, among other positive outcomes.

The Motorized Dockless Scooter/Bicycle Share Program Permit will outline the City’s policies and regulations pertaining to dockless scooter/bicycle operations in the City of Richmond. Safety, operational, parking, reporting guidelines and requirements have been developed and will be implemented for this permit process.

The Director of Public Works or designated Program Administrator will review the completed applications and determine whether each applicant is in conformity with the requirements outlined in the standard operating procedures. The Director of Public Works or the Program Administrator may issue a permit for dockless scooter operation within the Central Business District or other areas as deemed appropriate. No business, company or entity, may engage in the business of offering and providing dockless scooters within the City without obtaining a permit from the



Department of Public Works. The permit will authorize vendors to operator only within the City of Richmond, VA.

City Code 27-197(a)(1) prohibits parking of a motor vehicle on a sidewalk. Motorized Dockless Shared scooter/bicycles are considered a 'motor vehicle' per VA Code 46.2-100. Pursuant to City Code Section 27-237, motorized dockless scooters/bicycles parked on a City sidewalk are considered "unattended motor vehicles" and may be removed from the City's right-of-way pursuant to City Code Section 27-330. Also, the placement of scooters and bicycles on City sidewalks is an unauthorized use of the City's right-of-way under City Code Section 24-59. Proposed Permit process will allow the use of the City's right-of-way for this use. Requested revision in the City Code will allow permitted motorized shared dockless scooters/bicycles to park on the public sidewalk pursuant to permit guidelines and rules and regulations. Proposed drafts of the permit guidelines, rules, and regulations are attached.

The Program and proposed changes to Section 27-197 are intended to apply to dockless shared motorized bicycles, tricycles, scooters, hoverboards, skateboards, pedal cars, and other similar devices.

Total number of shared mobility devices covered by all issued permits shall not exceed 1,500 at any given time. Permits will be issued based on the completed applications on a first come, first served basis. No permit shall be issued to any person for more than 500 shared mobility devices. Devices cannot be parked on shared-use paths, in parks and athletic fields or on park benches located on City owned real estate.

This permit process will have a one-time \$1,500 non-refundable Application fee; and the Annual fee of 1) 1 to 100 devices - \$25,000, 2) 101 to 200 devices - \$40,000 and 3) 201 to 500 devices - \$60,000. A non-refundable reinstatement fee of \$2,500 will be applied in instances where a permit is revoked.

The Program and Permit Application will be reviewed and evaluated one year after the adoption of the ordinance.

**FISCAL IMPACT COST/CITY:** Permit application costs and Program Administration costs. Estimated 6,000 man-hours annually and supporting resources will be required to administer the program for up to 1,500 scooters and bicycles Program/City wide.

**FISCAL IMPLICATIONS:** None. Annual permit fees will provide funding support to administer the Permit Program.

**BUDGET AMENDMENT NECESSARY:** No amendment necessary at this time.

**REVENUE TO CITY:** \$1,500 Application Fee; Annual Fees per Fee Structure on the Permit Application Checklist.

**DESIRED EFFECTIVE DATE:** 30 days upon adoption

**REQUESTED INTRODUCTION DATE:** November 13, 2018

**CITY COUNCIL PUBLIC HEARING DATE:** December 10, 2018

**REQUESTED AGENDA:** Consent Agenda

**RECOMMENDED COUNCIL COMMITTEE:** Land Use Housing and Transportation Committee

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** None

**AFFECTED AGENCIES:** Public Works; Law Department; Planning and Development Review; Economic and Community Development; Public Utilities; Assessor; Budget and Strategic Planning; Fire Department; Police Department; CAO's Office; Finance; Mayor's Office.

**RELATIONSHIP TO EXISTING ORD. OR RES.:** None

**REQUIRED CHANGES TO WORK PROGRAM(S):** None

**ATTACHMENTS:** Draft Powered Scooter Share Program Application Instructions; Draft Application Checklist; Draft Powered Scooter Share Program Rules and Regulations,

**STAFF:**

Prepared for Bobby Vincent, Director DPW

Prepared by Brian Copple – RW Manager DPW

Research and Coordination by:

Lynne Lancaster – Deputy Director Parking – DPW 646-6006

Jakob Helmboldt – Pedestrian, Bicycle and Trails Coordinator - DPW  
646-7141

**CITY OF RICHMOND**  
**MOTORIZED DOCKLESS SCOOTER/BICYCLE**  
**SHARE PROGRAM**  
**PERMIT APPLICATION AND CHECKLIST**



**Applicant Information:**

Please Print Clearly			
Business Name:		Business Phone:	
Contact Person:		Phone:	
Mailing Address:			
Street Address if different than above:			
Email Address:		Website:	

**Application Requirements (attach):**

- Applicant Information
- Applicant Signature
- Pricing Structure
- Motorized Dockless Scooter and Bicycle Availability and Service Area
- Plan for Safe Riding and Storage of Scooters and Bicycles
- Scooter and Bicycle Recharging Plan
- Maintenance and Cleaning Plan
- Hiring and Labor Plan
- Community Outreach Plan
- Experience and Qualifications
- Privacy Policy, User Agreements and Terms of Service
- Images and Description of Motorized Dockless Scooter or Bicycle
- Images and Description of Mobile Application
- Proof of Business License
- Proof of Insurance / Proof of Indemnification
- Non-refundable Application Fee: \$ 1,500



## City of Richmond

### *Motorized Dockless Scooter/Bicycle Share Program*

### Permit Application Instructions



The Motorized Dockless Scooter and Bicycle Share Program Permit was created by the City of Richmond's Department of Public Works (DPW). The Motorized Dockless Scooter and Bicycle Share Program Permit allows permitted Motorized Dockless Scooters and Bicycle Share Operators to implement a Motorized Dockless Scooter and Bicycle Share Program in the City of Richmond. DPW will review completed applications, determine whether each applicant is in conformity with the requirements listed in the subsequent pages meeting DPW's guidelines and requirements.

After evaluating an applicant's permit application, the Director of DPW and/or designee shall either grant the Permit as requested, grant the Permit with modifications, or deny the Permit. Where the Permit is granted with modifications or denied, the Director and/or designee shall explain the basis for the decision.

**Table of Contents**

Submission Instructions ..... 3

Permit Costs ..... 3

Application Materials ..... 4

    A. Pricing Structure ..... 4

    B. Scooter Availability and Service Area ..... 4

    C. Plan for Safe Riding and Storage of Scooters ..... 4

    D. Scooter Recharging Plan ..... 5

    E. Maintenance, Cleaning and Zero Waste Plan ..... 5

    F. Hiring and Labor Plan ..... 5

    G. Community Outreach Plan ..... 5

    H. Experience and Qualifications ..... 5

    I. Privacy policy, User Agreements, and Terms of Service ..... 6

    J. Images and Description of Powered Scooter ..... 6

    K. Images and Description of Mobile Application ..... 6

    L. Proof of Business Registration ..... 6

    M. Proof of Insurance ..... 6

Appendix I. Permit Requirements ..... 7

    General Requirements ..... 7

    Customer Service Requirements ..... 8

    Equitable Service Requirements ..... 8

    User Protections ..... 8

    Vehicle Specifications ..... 9

    Safe Riding and Storage of Scooters ..... 10

    Distribution of Scooters ..... 10

    Data Sharing Requirements ..... 10

Appendix II. Insurance and Indemnification Requirements ..... 12

    I. Indemnification ..... 12

    II. Insurance Requirements ..... 13

Appendix III. Rendering showing 'Buffer Zone' ..... 15

## Application Submission Instructions

The City of Richmond will only consider completed applications. A completed application must include the following components:

- Application Fee of \$1,500 made out to City of Richmond
  - This non-refundable application fee covers the cost to evaluate the application
- Signed Application
  - 1 copy mailed or delivered to the City of Richmond offices
  - PDF sent by email
- Application Materials per Application Checklist
  - 2 hard copies mailed or delivered to the City of Richmond offices
  - PDF sent by email

Mail: City of Richmond  
Department of Public Works  
Attn: Lynne Lancaster  
900 E Broad St, Room 104  
Richmond, VA, 23219

In Person  
Delivery:

City of Richmond Motorized Dockless Scooter/  
Bicycle Share Program Permit  
900 E Broad St, Room 104  
Richmond, VA, 23219

## Permit Costs

The following payments must be made in order for a Motorized Dockless Scooter/Bicycle Share Program Permit application to be accepted and a permit issued:

1. A non-refundable permit application fee of \$1,500, due at the time of application. This covers the cost of staff time to review applications and no application will be considered complete before this payment is remitted.
2. Annual Fee Structure (due at time of permit issuance)

Tier

I	0 - 100 scooters/bicycles	\$25,000/year (annual fee)
II	101 - 200 scooters/bicycles	\$40,000/year (annual fee)
III	201 - 500 scooters/bicycles	\$60,000/year (annual fee)

3. Reinstatement Fee (non-refundable) \$ 2,500

## Application Materials

Applicants seeking a Motorized Dockless Scooter/Bicycle Share Program Permit should provide the following information along with the Permit and Application Checklist Form:

### A. Pricing Structure

- Description of pricing structure including low-income and other discounted customer plans, including cash payment

### B. Motorized Dockless Scooter and Bicycle Availability and Service Area

- Proposed Hours of operation
- Storage of scooters and bicycles during non-operational hours
- Proposed fleet size and service area at launch
  - How many scooters and/or bicycles would you deploy in different portions of the service area, including disadvantaged communities?
  - Would your deployment area change depending on the number of scooters and bicycles you are permitted for?
  - Describe methods for deploying and redistributing scooters and/or bicycles
  - Would your service area apply to where users are allowed to deposit scooters and/or bicycles?
  - Provide map of proposed service area

### C. Plan for Safe Riding and Storage of Scooters and Bicycles

- Proposed approach to ensure compliance with laws - The City of Richmond will monitor the degree to which motorized scooter and bike share program users comply with applicable laws, particularly related to riding on sidewalks and safe parking of scooters and bikes. If the City of Richmond in its sole discretion determines that the permittee's users are not sufficiently compliant with applicable laws, the City of Richmond may require that the permittee implement additional measures or may revoke the permit.
  - Describe any education, incentives, training, scooter modifications, notification systems, infrastructure, etc. you propose.
  - Describe how you would monitor compliance, including any technology innovations that allow monitoring, and how you would address users who are noncompliant.
- Describe how you would phase in additional measures if your initial approach does not achieve desired levels of compliance.
  - The City of Richmond is potentially interested in a tethering/locking pilot. Describe opportunities to consider a tether or locking mechanism for the scooters to be secured to fixed objects and how much notice would be needed in order to deploy such a program if determined necessary by the City of Richmond.
- How will you ensure customers have valid driver's licenses as allowed by law?



#### **D. Scooter and Bicycle Recharging Plan**

- Describe how scooters and bicycles will be recharged
  - How will you know when a scooter and/or bicycle needs to be recharged?
  - Will independent contractors be used to charge scooters and/or bicycles? If so, describe the incentive structure for charging scooters and/or bicycles and any information provided to contractors concerning safe charging practices.
  - How will the permittee minimize potential negative impacts associated with practices related to collecting, redistributing, and recharging scooters and/or bicycles? Will the permittee document new vehicle miles generated by collecting, redistributing and charging activities?

#### **E. Maintenance and Cleaning**

- How will you know when a scooter and/or bicycle needs maintenance?
- Describe approach to maintenance, cleaning, and repair of scooters and/or bicycles, including scooter and bicycle battery lifespan
- Describe how you will comply with the producer responsibility policies, including taking responsibility for the scooters and bicycles throughout their life cycles by properly managing hazardous components including batteries, reducing the need for new scooters and bicycles through repair, redistributing for reuse, and recycling or otherwise properly disposing of all component parts.
- What fleet size is needed to maintain a given number of active scooters and/or bicycles?

#### **F. Hiring and Labor Plan**

- Describe the staffing plan, including hired staff and contractors, for operation and maintenance of your scooter and bicycle share program

#### **G. Community Outreach Plan**

- What community outreach have you done or would you plan to do with stakeholder groups, merchants, and residents in the neighborhoods you are considering serving? If applicable, describe any strategies to partner with community benefit organizations, minimize disruption in neighborhood commercial districts, provide community benefits, implement a culturally relevant and multilingual communications plan, an equitable implementation plan, or promote the use of scooter sharing systems citywide among low income communities.

#### **H. Experience and Qualifications**

- Describe your qualifications to operate a Motorized Dockless Scooter and Bicycle share program including experience operating shared mobility programs in North America.

- If you have ever operated a Motorized Dockless Scooter and Bicycle program in the City of Richmond, describe how you complied with applicable laws, including your efforts to ensure compliance by your users with applicable laws, your efforts to work in good faith with staff from the City of Richmond, and your expeditious compliance with previous enforcement efforts and payment of administrative charges to the City of Richmond for right-of-way violations (including sidewalk obstruction).

**I. Privacy Policy, User Agreements, and Terms of Service**

- Provide any privacy policies, user agreements, and/or terms of service in plain text for review
- Provide screen shots of all locations where this language would be shared with customers including method for obtaining user acknowledgement/agreement.

**J. Images and Description of a Motorized Dockless Scooter or Bicycle**

- Provide images and equipment specifications of scooters and/or bicycles meeting the Rules and Regulations Safety Requirements.

**K. Images and Description of Mobile Application**

**L. Proof of Business Registration**

Please attach a copy of your business registration. If your business is not yet registered with the City of Richmond, supply a statement of intent to register your business in advance of being issued a permit. The City of Richmond will require proof of registration before issuing a permit to accepted permittees.

**M. Proof of Insurance / Proof of Indemnification**

Please attach a certificate of insurance as well as an endorsement of additional insured, per specifications included in Appendix II. If you have not yet purchased insurance meeting these specifications, supply a statement of intent to obtain this insurance in advance of being issued a permit. The City of Richmond will require certificates of insurance as well as an endorsement of Commercial General Liability and Commercial Automobile Liability insurance showing the City as an additional insured before issuing a permit to accepted applicants.

## Appendix I. Permit Requirements

The following requirements will be included in the Terms and Conditions of any permits issued under the City of Richmond Motorized Dockless Scooter/Bicycle Share Program. In submitting an application, applicants acknowledge that they agree to abide by these requirements if issued a permit.

### General Requirements

1. If the City of Richmond Public Works, or any other City agency, department, or commission, including the City Attorney's Office, incurs any costs for addressing or abating any violations of law, including repair or maintenance of public property, the Permittee, upon receiving written notice from the City of Richmond regarding such costs, shall reimburse the City for these costs within thirty days. Any payment made pursuant to this paragraph shall not substitute for any payment otherwise owed or to be paid to the City of Richmond. If the Permittee fails to reimburse the City within thirty days, the City may suspend the permit temporarily.
2. The City of Richmond reserves the right to terminate any permit issued if the permittee violates any terms of the permit or is found to have misrepresented any aspect of their application.
3. A permit may not be transferred without the prior written approval of the Director of Public Works or designee. Permittee shall promptly notify City of Richmond of any changes to Permittee's corporate structure or ownership. Failure to do so, shall be cause for revocation of the permit. For purposes of this paragraph, "transfer" shall include the sale or other exchange of 50% or more of the ownership or control of a permittee to a third party.
4. Permittee agrees to indemnify and hold the City of Richmond, its departments, commissions, boards, officers, employees, and agents (collectively, "Indemnitees") harmless in accordance with the indemnification requirements set forth in Appendix II.
5. Permittee shall comply with all applicable federal, state, and local laws.
6. Permittee agrees to limit the total number of their scooters and/or bicycles parked or in use in the City of Richmond to the number assigned by the City in their permit. This number shall include the total number of scooters and/or bicycles that are either being rented or that have been left on public property, whether they are available for hire, or whether they are unavailable due to needing recharging.
7. Any impounded shared mobility devices shall count against the total number of shared mobility devices that the permittee may have in operation under such permittee's permit.
8. Permittee shall provide compliance reports to the City of Richmond at 3, 6, and 12 months from date of permit issuance documenting the permittee's implementation of the plans proposed in their application.
9. Adhere to City Parking laws. (Section 27, Article VI, Division I of the City Code)
10. A Permit may be revoked at any time by Director of Public Works and/or designee for non-compliance with conditions set forth in approved permit or for non-conformance with City of Richmond rules and regulations for Motorized Dockless Scooters/Bicycle Program. A \$2,500 reinstatement fee will be required should a Permit be revoked. Two (2) revocations of an approved Permit within the annual term of the permit shall result in denial of future permit applications by the Applicant.

### **Customer Service Requirements**

1. Permittee shall provide the City of Richmond with an up to date contact name and direct phone number for staff that are responsible for collecting and rebalancing scooters and bicycles.
2. Upon notification by the City of Richmond any scooter and/or bike belonging to Motorized Dockless Scooter/Bike Share Program Operator that is improperly parked, left standing, or unattended on any sidewalk, street, or public right-of-way under the jurisdiction of the City, the Motorized Dockless Scooter/Bike Share Operator shall remove the scooter and/or bicycle within 24 hours.
3. Permittee shall have a customer service phone number, staffed during hours when permittee has scooters and/or bicycles in the public right of way, for customers to report safety concerns, complaints, or ask questions.
4. Customers using scooters and/or bicycles that are permitted under this program must be provided with a mechanism to notify the Permittee that there is a safety or maintenance issue with the scooter and /or bicycle.

### **Equitable Service Requirements**

1. Permittee is encouraged to maintain a multilingual website and app.
2. Permittee is encouraged to offer a low-income customer plan that waives any applicable scooter and/or bicycle deposit and offers an affordable cash payment option to any customer with an income level at or below the federal poverty guidelines, subject to annual renewal.
3. Mobile apps and other customer interface technology must be fully accessible to persons with disabilities.
4. Permittee shall notify the City in writing prior to implementing any changes to their approved Service Area Plan.

### **User Protections**

1. Permittee is encouraged to employ an electronic payment system that is compliant with the Payment Card Industry Data Security Standards (PCI DSS).
2. Permittee is encouraged to provide a Privacy Policy that safeguards customers' personal, financial, and data security.
3. Permittee is encouraged to provide customers the opportunity to explicitly assent to any privacy policy, terms of service, or user agreements. Permittee is encouraged to provide customers the ability to decline sharing any data not required to enable the Permittee to process and complete the transaction.
4. Permittee shall produce a Privacy Policy that complies with the City of Richmond and any applicable data protection laws.

## City of Richmond Motorized Dockless Scooter/Bicycle Share Program Permit

5. Permittee is encouraged to not claim any legal right in its Terms of Use, Privacy Policy, or elsewhere to institute retroactive changes to its Privacy Policy and encouraged to provide an opportunity for the customer to explicitly assent prior to any changes to its data practices, including uses of data Permittee collected under a prior policy.
6. Permittee may not collect Personal Data related to, nor sort Personal Data nor individual data subjects according to race, gender, religion, national origin, age, sexual orientation, or gender identity except for survey data collected on an opt-in basis and for a public purpose expressly set forth by the City of Richmond. Permittee may not deny service to any user on the basis of their refusal to provide any such survey information.
7. Permittee is encouraged to disclose any and all existing data sharing agreements and encouraged to notify the City of Richmond in advance of any prospective partnership, acquisition or other data sharing agreement. Permittee is encouraged not to engage in or facilitate any inter-app operability or other form of private partnership that includes data acquisition or other data sharing model with any entity if the entity does not meet the standards set forth herein.

### **Vehicle Specifications**

1. The current contact phone number for the Motorized Dockless Scooter/ Bicycle Share Operator Customer Service line shall be prominently displayed on all Motorized Dockless Scooters and Bicycles.
2. A unique identification number shall be prominently displayed on both sides of the Motorized Dockless Scooter/ Bicycle Share.
3. Each Motorized Dockless Scooter/Bicycle shall be equipped with an on-board GPS device capable of providing real-time location data.
4. All Motorized Dockless Scooters/Bicycles shall be equipped with equipment meeting all specifications, including but not limited to brakes, reflectors, a bell, and front and rear lighting.
5. All Motorized Dockless Scooters/Bicycles must be certified as safe to operate under any applicable standard by Underwriters Laboratories or an equivalent safety rating agency.
6. All Motorized Dockless Scooters/Bicycles should be equipped with devices that allow the permittee to remotely render a Motorized Dockless Scooter and/or Bicycle inoperable that has been reported as being either damaged or defective.
7. All Motorized Dockless Scooters shall have a top speed of 10 mph.

### **Safe Riding and Storage of Motorized Dockless Scooters and/or Bicycles**

1. Permittee is responsible for educating their employees and Motorized Dockless Scooter/Bicycle Share users regarding state and local laws governing the safe operation and parking of Motorized Dockless Scooters/bicycles in Richmond. This includes providing notification about key laws governing operation on each scooter.
2. If the City of Richmond determines in its sole discretion that the Permittee's users' failure to comply with applicable laws governing the safe operation and parking of Motorized Dockless Scooters/bicycles, including but not limited to, operation on sidewalks, and parking requirements, has created a threat to public health and safety, such determination shall be grounds for permit revocation at the discretion of the Director.

City of Richmond Motorized Dockless Scooter/Bicycle Share Program Permit

3. Motorized Dockless Scooters and Bicycle shall be parked standing upright and outside the path of travel in the buffer zone as shown in Appendix III. The City of Richmond will provide detailed specifications to clarify existing City regulations prohibiting obstruction of the right of way (Figure 1 – Rules and Regulations). The Permittee shall instruct customers how to park a Motorized Dockless scooters/bicycle properly.

**Distribution of Motorized Dockless Scooters and/or Bicycles**

1. Permittee is responsible for monitoring distribution of scooters and/or bicycles available to customers according to parameters proposed by the Permittee through this application and approved by the City of Richmond. Each daily scooter deployment must match agreed upon parameters for the number of Motorized Dockless Scooters and/or Bicycles within sub-areas of the Permittee’s approved service area.
2. If determined by DPW Director or designee for the reason of safety or to insure free flow of traffic, Permittee shall stop placing scooters or allowing contractors to place scooters and/or bicycles in front of any address provided by the City of Richmond, within 48 hours of notice.
3. Permittee shall apply geofencing specifications provided by the City of Richmond to prohibit parking/locking scooters and/or bicycles in specified areas and geographic areas of the City or to direct users to specified designated parking area (e.g., at an event venue), within one week of notice.
4. During deployment and rebalancing, employees and contractors of the Permittee shall obey all City of Richmond operating guidelines and shall not block traffic lanes, parking lanes, and bus lanes without receiving prior permit approval.

**Data Sharing Requirements**

1. Permittee agrees that the City may use a third-party researcher to evaluate the Motorized Dockless Scooter/Bicycle Share Program. Permittee is encouraged to share all data with the third-party researcher necessary for purposes of the evaluating or enforcing the requirements in this permit.
2. Permittee is encouraged to administer two customer surveys within the permit year, using questions provided by the City of Richmond. The survey will include questions regarding travel behavior and basic socioeconomic indicators that will help the City of Richmond evaluate how the provider’s services support the agency’s goals for transportation in Richmond.
3. Permittee is encouraged to keep a record of maintenance activities, including but not limited to Motorized Dockless Scooter and Bicycle identification number and maintenance performed. These records should be shared with the City of Richmond on a monthly basis.
4. Permittee is encouraged to make available real-time and archival information for their entire City of Richmond Motorized Dockless Scooter/Bicycle fleet. This data will ensure the City of Richmond can successfully manage the Motorized Dockless Scooter and Bicycle Program and execute related planning efforts in support of the agency’s strategic goals. Data provided will include real-time location, event, and status information provided by on-board GPS devices put on all Motorized Dockless Scooters/bicycles, anonymized data for each trip record, historic/archival data, and key system information. Real-time data will be shared via documented Application Programming Interface (API). The City of Richmond will also provide details regarding historic/archival transfer protocols, including the frequency and schedule for data to be delivered. Except as otherwise provided herein, Permittee will not share personally identifiable information with the City. At a

City of Richmond Motorized Dockless Scooter/Bicycle Share Program Permit  
minimum, providers will supply:

- a. Vendor/operator information
  - b. Daily drop-off locations or aggregation sites/zones
  - c. System alerts
  - d. Pricing plans
  - e. Real-time location, event, and status information
  - f. Trip-level details including start/end location/time, duration, and distance traveled
  - g. Trip-level breadcrumb trails listing all GPS readings for each scooter
  - h. Vendor calendars detailing planned hours of operation and planned exceptions
5. The Permittee is directly responsible for providing the API key to the City of Richmond and shall not refer the City to another subsidiary or parent company representative for API access. The City of Richmond shall be permitted to publicly use Permittee's API and display real-time data.
  6. Permittee may be asked to provide monthly reports of all calls and emails received through their customer service hotline and contact email including telephone wait times, email response times, and the nature of the customer inquiry.
  7. Permittee is encouraged to submit any collected aggregate user demographic data gathered by the system application that does not identify individual users, payment methods or individual trip history, to the City of Richmond not less than monthly, using anonymized keys.
  8. Permittee shall share personally identifiable information in Permittee's possession about a Motorized Dockless Scooter/Bicycle user with the City where there is an injury alleged to be related to a Motorized Dockless Scooter/Bicycle, or a claim or lawsuit against the City and the scooter user may have information about, or responsibility for, the claim.

## **Appendix II. Insurance and Indemnification Requirements**

### **I. Insurance Requirements**

#### **A. Required Coverages**

a. The Applicant shall provide and keep in full force and effect during the performance of the contract the kinds and amounts of insurance prescribed in this section, and shall comply with all other provisions of this section. Such insurance shall be provided and kept in full force by insurance companies authorized to do business in the Commonwealth of Virginia and acceptable to the City. The Applicant shall pay all premiums and other costs of such insurance. It will be assumed that the consideration paid or to be paid to the Applicant for the performance of the contract includes the premiums and other costs of such insurance and that the City shall not be responsible therefore. Each insurance policy and certificate of insurance shall be signed by duly authorized representatives of such insurance companies, which shall be licensed to business in the Commonwealth of Virginia and shall be countersigned by duly authorized local agents of such companies. The certificates and evidence of coverage must be complete before the City issues the permit.

b. All Certificates of Insurance shall show the Permit Application Number. The Applicant shall not be required to furnish the City with copies of the insurance contracts required by this paragraph unless requested from time to time by the Director of Public Works but the Applicant shall provide a Certificate of Insurance issued by such insurance companies in which the company shall irrevocably warrant that the insurance is provided to enable the Applicant to comply with and provide the required insurance provided. However, in no event shall the Insurance Contract be expanded to afford coverage which is greater than the maximum coverage approved for writing in the Commonwealth of Virginia, and that it will not be canceled or modified by the insurer for non-payment of premiums or otherwise unless at least ninety (90) days prior notice to that effect is given the Director of Public Works by registered mail, return receipt requested, anything in such Insurance Contract to the contrary notwithstanding; and that the Insurance Contract has been endorsed accordingly. The City reserves the right to require, without cause, insurance in greater amounts than those set out below in this paragraph on any Permit, provided notice of such requirements is given prior to final acceptance of the Permit. The insurance contract shall provide that the insolvency or bankruptcy of any of the insured shall not release the insurer from its obligation to satisfy claims otherwise within the coverage of such policies

#### **B. Schedule of Insurance Coverages**

- a. Commercial General Liability Insurance with a combined single limit of not less than \$3,000,000 per occurrence/\$5,000,000 aggregate. May be accomplished with underlying coverage and an excess or umbrella policy.
- b. Automobile Liability Insurance with a combined limit of not less than \$1,000,000 per occurrence.
- c. Statutory Workers' Compensation and Employers' Liability with the Alternate Employers Endorsement WC 000301. If any employee of the Applicant is not subject to the provisions of the



Virginia Worker's Compensation Act, the Applicant shall nevertheless insure payment of the same compensation to such employee as is provided for by the Virginia Workers' Compensation Act.

d. Professional Errors and Omissions Insurance with limits of not less than \$1,000,000 per occurrence. (Submit only if applicable.)

e. Other insurance as required based upon the nature of the Permit.

f. All insurance contracts (other than workers' compensation) shall name the City as an additional insured, and the Applicant shall furnish the City with a copy of the policy endorsement naming the City, as an additional insured for each policy required under this section before the City issues the Permit.

Further, the Applicant shall assume the entire responsibility and liability for any and all damages to persons or property caused by or resulting from or arising out of any negligent act or omission or any willful misconduct on the part of the Applicant, its subcontractors, agents or employees under or in connection with the Permit. The Applicant shall hold harmless and indemnify the City and its agents, volunteers, servants, employees and officers from and against any and all claims, losses or expenses, including but not limited to court costs and reasonable attorney's fees, which either or both of them may suffer, pay or incur as the result of claims or suits due to, arising out of or in connection with any and all such damage, real or alleged, to the extent caused by the Applicant's negligence or willful misconduct. The Applicant shall, upon written demand by the City, assume and defend at the Applicant's sole expense any and all such suits or defense of claim.

### **C. Indemnity and Liability**

a. Indemnification. The Applicant shall indemnify, defend and hold harmless the City, its officers, agents and employees from and against any and all losses, liabilities, claims, damages and expenses (including court costs and reasonable attorneys' fees) arising from any material default or breach by the Applicant of its obligations specified in this Permit, as well as all claims arising from errors, omissions, negligent acts or intentional acts of the Applicant, its officers, agents and employees.

b. Insurance. The Applicant shall furnish the City with evidence of the following types of insurance in the amounts specified with an insurer licensed to do business in the Commonwealth of Virginia:

c. Commercial General Liability Insurance with a combined limit of not less than \$3,000,000 per occurrence/\$5,000,000 aggregate through a primary or excess or umbrella policy.

d. Automobile Liability Insurance with a combined limit of not less than \$1,000,000 per occurrence.

e. Statutory Workers' Compensation and Employers' Liability Insurance with the Alternate Employer Endorsement WC 000301. If any employee of the Applicant is not subject to the Virginia Workers' Compensation Act, the Contractor shall nevertheless compensate such employee at the level required by that Act.

f. Other insurance as required based on the nature of the Permit.

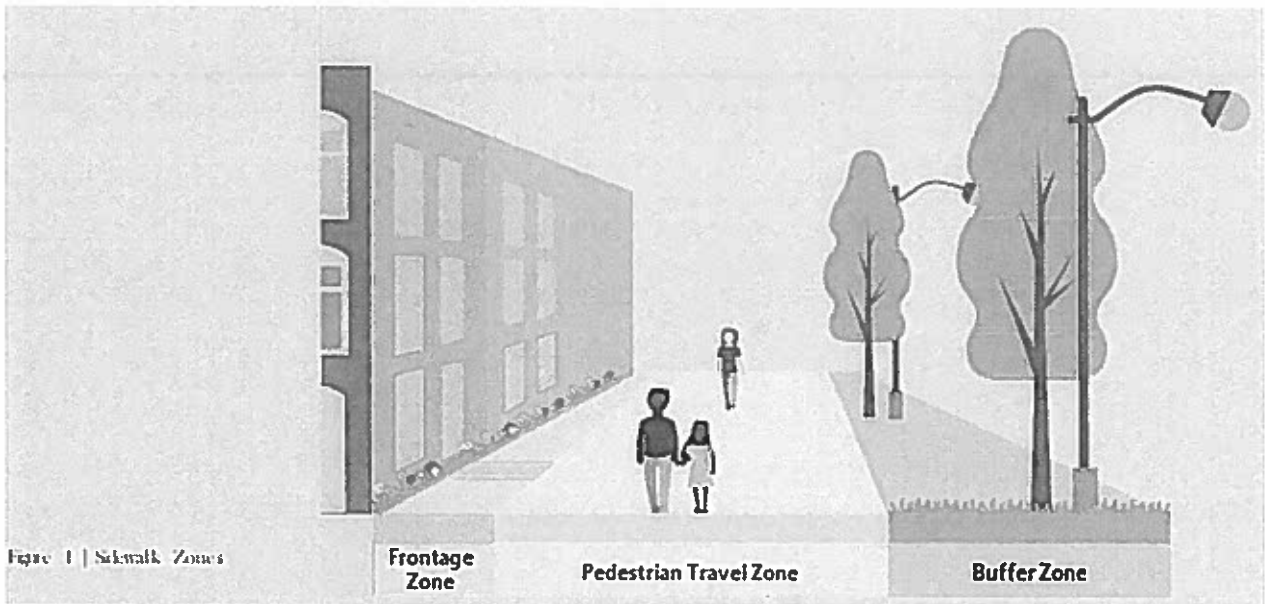
The Applicant shall furnish the City a certificate of insurance evidencing the above coverage, naming the City, its officers and its employees as additional insured (excluding workers' compensation) and providing that the coverage will not be canceled, modified or non-renewed without ninety (90) days' written notice to the City.

Further, the Applicant shall assume the entire responsibility and liability for any and all damages to persons or property caused by or resulting from or arising out of any act or omission on the part

of the Applicant, its subcontractors, its agents or its employees under or in connection with this Permit. The Applicant shall hold harmless and indemnify the City and its agents, its volunteers, its servants, its employees, and its officers from and against any and all claims, losses or expenses, including but not limited to court costs and attorneys' fees, which either or both of them may suffer, pay or incur as the result of claims or suits due to, arising out of or in connection with any and all such damage, real or alleged. The Applicant shall, upon written demand by the City, assume and defend at the Applicant's sole expense any and all such claims or legal actions.

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### Appendix III. Rendering of Buffer Zone for the scooter parking



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**CITY OF RICHMOND**  
**MOTORIZED DOCKLESS SCOOTER/BICYCLE SHARE**  
**PROGRAM**  
**RULES & REGULATIONS**



**Rules and Regulations for the Operation of Shared Motorized Dockless Scooters and Bicycles**  
**Operational and Safety Requirements**

Permittees are required to ensure the safety of both their permitted users, and the general public with respect to the operation of Shared Motorized Dockless Scooters and Bicycles in the public right-of-way. Permittee shall:

- Have a 24-hour customer service phone number for customers to report safety concerns, maintenance issues, complaints, or ask questions. In addition, Permittee is required to provide contact information for local operation staff for publishing on City's website and/or other materials;
- Any inoperable scooter or bicycle shall be removed from the right-of-way within 24 hours of notice by any means from the City to the Permittee by any individual or entity, and shall be repaired before placing back into the City right-of-way;
- The City shall remove Motorized Dockless Scooters and Bicycles from the right-of-way if it interferes with pedestrian or vehicular traffic or impedes or obstructs the right-of-way;
- If notified of public access and safety concerns by the City or the public, Permittee is encouraged to rebalance Motorized Dockless Scooters & Bicycles within two hours of notification;
- Motorized Dockless Scooters and Bicycles remaining in the same location for 72 hours without being used or rebalanced is encouraged to be removed pursuant to written notification by the City.

Permittees shall educate and inform their customers/users of safety practices and legal requirements, including, but not limited to the following:

- Strongly promote helmet use through their electronic user interface;
- Strongly promote use of Motorized Dockless Scooters and Bicycles on the streets, not on sidewalks;
- Strongly encourage single riders;
- Notify users of State and City Code requirements including push notifications informing users of legal requirements, including, but not limited to use of a bell when passing, yielding to pedestrians, and obeying traffic signals;
- All devices shall be equipped with:
  - Front and rear lights that operate whenever in use;
  - A bell or other device to warn of overtaking other users of the right-of-way
  - Brakes and reflectors.
- Permittee shall provide routine maintenance to ensure the safety features are properly functioning;

- Repeated violations of the safety requirements by permittee or their users, frequent crashes and/or injuries, and complaints from the public regarding the unsafe operation of the Permittee's devices shall be cause for revocation of the permit.

### Parking Requirements

Specific requirements for parking Shared Motorized Dockless Scooters and Bicycles:

- 1) Motorized Dockless Scooters and Bicycles shall not, at any time, for any reason, impede the free flow of pedestrian and traffic.
- 2) Devices shall be parked upright on hard surfaces in the buffer zone of the sidewalk which is defined as the zone containing tree wells, utility poles, signage, and street furniture;
- 3) Where there is no buffer zone, or the zone is less than three feet (3') wide, Motorized Dockless Scooters and Bicycles shall be parked upright on the portion of the sidewalk closest to the curb only if the six-foot-wide pedestrian travel zone is not impeded. (see attached figure)
- 4) Motorized Dockless Scooters and Bicycles shall be parked on the street only when specifically designated by signage, pavement markings, and/or enclosures (e.g. "corrals"). Such designated locations, when located in a paid parking space will require an annual payment from the permittee in an amount consistent with the City's parking Code to offset lost parking revenue together with a separated Parking Permit. Corrals shall also require separate encroachment permit application.
- 5) Motorized Dockless Scooters and Bicycles parked on private property, including privately owned sidewalks outside of the City-owned public right-of-way are subject to impoundment by the property owner.
- 6) In addition to Parking prohibited in specified places per City Code Sec. 27-197; Any Motorized Dockless Scooters and Bicycles that are not in use must not be placed or parked in the following areas:
  - a) Any portion of the sidewalk designated or intended for the passage of pedestrians;
  - b) Any shared-use paths parks, park benches and athletic fields owned by the City
  - c) Any vehicle travel lane;
  - d) Any vehicle parking space, unless otherwise specifically allowed;
  - e) Any RVA Bike Share docking station;
  - f) Any GRTC Pulse BRT boarding platform;
  - g) Within the sidewalk ten (10) feet of any GRTC bus stop sign or bench;
  - h) Within the sidewalk fifteen (15) feet of any ADA ramp or access of any kind;
  - i) Within the sidewalk fifteen (15) feet of any traffic signal pole;
  - j) Within the sidewalk next to a disabled parking zone;
  - k) Within the sidewalk next to a designated loading zone;
  - l) Within a pedestrian plaza or park;
  - m) Within the sidewalk ten (10) feet of any building access or egress, including driveways;
  - n) No more than ten (10) devices may be parked at a single location at any one time, to include within a single block face unless parked in an area specifically designated for Motorized Dockless Scooters and Bicycles parking. Motorized Dockless Scooters and Bicycles users shall park elsewhere if the allowed number of parked devices in that location has been exceeded.

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- 7) Permittee is encouraged to require Motorized Dockless Scooters and Bicycles operators to take a photograph of their properly-parked Motorized Dockless Scooter or Bicycle, or otherwise verify that the operator has properly parked the Motorized Dockless Scooter and Bicycle, as part of the process for completing a Motorized Dockless Scooter and Bicycle transaction.
  - 8) Motorized Dockless Scooters and Bicycles that have not been placed in accordance with the restrictions set forth in the approved Permit shall be impounded by the City at the Permittee's expense.
  - 9) Hours of Operation shall be sunrise to sunset as established by the National Weather Service.
  - 10) Maximum speed of Motorized Dockless Scooters shall not be more than 10 mph.