



# City of Riverside Administrative Manual

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*Policy Owner(s):* Public Works

*Approved:*

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Department  
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City Manager

**SUBJECT:**

**Shared Mobility Device Program**

**PURPOSE:**

To lay out a permitting policies and procedures and to govern the deployment and use of a Shared Mobility Device Operations Permit, pursuant to section 13.22.025 of the Riverside Municipal Code.

**POLICY:**

These policies shall apply to Shared Mobility Device Pilot Program as licensed by the City of Riverside:

**Definitions**

- (a) "Abandon" shall mean leaving an item unattended for any length of time.
- (b) "Director" shall mean the Director of Public Works or designee.
- (c) "Furniture zone" shall mean the section of the sidewalk adjacent to the curb and not within the Pedestrian Zone in which street furniture and amenities, such as lighting, benches, newspaper kiosks, utility poles, tree pits, and bicycle parking are provided.
- (d) "Operator(s)" shall mean shall mean any person, nonprofit, or business entity that offers Shared Mobility Devices for rent or use in a Public Area or the Public-Right-of-Way.
- (e) "Pedestrian Zone" shall mean the section of the sidewalk a minimum of four feet wide which is primarily intended for use by pedestrians and does not contain objects designated for use in the Furniture Zone.
- (f) "Public Area" shall mean any outdoor area that is open to the public for public use, whether owned or operated by the City or a private party.
- (g) "Public Right-of-Way" shall mean any public alley, parkway, public transportation path, roadway, sidewalk, curb ramp, crosswalk, or street that is owned, granted by easement, operated, or controlled by the City.
- (h) "Regulations" shall mean the Administrative Regulations established and recommended herein.
- (i) "Shared Mobility Device (Device)" shall mean any transportation device by which a person can be propelled, moved or drawn that is displayed, offered or placed for rent in any Public Area or Public Right-of-Way, except that a "Shared Mobility

Device” does not include a car share vehicle, a taxicab, or the City-owned bike share bicycles.

- (j) "Utilization Rate (UR)" is the average number of daily rides per device in a calendar month. The UR is calculated by dividing the sum of the daily average number of rides per device for each day within a calendar month by the number of days within the respective calendar month. The daily average number of rides per device is calculated by dividing the total number of rides for one day by the total number of devices deployed that same day.

### Shared Mobility Device Pilot Program and Permits

A pilot period of 18 months has been established to:

1. Assess Shared Mobility operations within the City under the rules and regulations set forth;
2. Based on the assessment, make recommendations for future permitting of Shared Mobility operations; and
3. Adopt, should City Council see fit, a permanent Shared Mobility Permit Program.

No person may display, offer or make available for rent or use any Shared Mobility Device within the City, unless the person has first obtained a valid Shared Mobility Operator Permit and a business license.

### Fees

The City has established the following fees schedule for the Shared Mobility Device Operations Permit Program.

Fee Type	Fee Amount
Permit Fee* *This amount can be prorated after the first 90 days of the program.	\$20,00.00
Daily Per-Device Deployment Fee	\$1.00
Device Relocation/Impound Fee	\$149.14

Permits issued under the pilot will be valid through the duration of the Program (up to 18 months), unless otherwise surrendered or revoked. The Permit Fee is non-refundable and shall be prorated for any permits issued after the first 90 days of the pilot on a month to month basis.

Operators will be required to provide monthly reporting, including a report of the number of vehicles deployed each day for a calendar month. Reports are due on the 7<sup>th</sup> day of every month. Should the 7<sup>th</sup> day fall on a weekend or Holiday, the report shall be due the following weekday.

Operators will be invoiced for a \$1.00 Daily Per-Device Deployment Fee for each device deployed each day for the calendar month reported along with any Device Relocation/Impound Fees incurred during that calendar month. Invoice must be paid within 30 days of the invoice date.

## **Applications**

Any person seeking to obtain a Shared Mobility Operator Permit shall submit a written application, signed under penalty of perjury, using the form designated as Attachment A.

Applications will be accepted during a period of 30 days, commencing upon adoption of the ordinance. The Director shall review the qualifications and proposal of each applicant and either grant or deny the permit within 90 days after the submission of the completed application; however, if good cause exists, the Director may extend the period of review for an additional 30 days, provided the applicant is mailed notification or verbally notified that the review has not been completed.

Each qualified applicant shall be evaluated based upon objective criteria including: experience; proposed operations plan; the impact of the proposed operations plan on total operations of Shared Mobility Device Operators within the City; financial wherewithal and stability; adequacy of insurance; ability to begin operations in a timely manner; public education strategies; relevant record of the applicant's or officers', owners' or principals' violations of Federal, State or local law, or rules and regulations; and any other objective criteria established by the Director.

The Director shall set forth, in writing, the reasons supporting his or her final determinations. The Director may request additional information from City Staff, any applicant, or any other source that would assist in determining the final qualifications of any applicant.

The Director shall grant a Shared Mobility Operator Permit to the highest four (4) ranked applicants that have submitted completed applications. Should two or more applicants receive the same score, a lottery shall be used to establish the final rankings for any applicants that received the same score. Other qualified applicants may be placed on a waitlist in the event permits become available. Qualified applicants who submit after the 30-day application period, but within the first 12 months of the Pilot may be ranked and added to the waitlist. If a permit is revoked or surrendered, the Director may award an additional permit, so long as the total number of issued permits does not exceed four (4) permits at any one time.

The Director may impose, as part of any Shared Mobility Operator Permit issued, any and all conditions that are necessary to effectuate the purposes of Chapter 13.22 of the Riverside Municipal Code, mitigate traffic impacts, ensure accessibility of the Public Right-of-Way and availability of public space for shared use by all, or protect the health, welfare, and safety of the public. No person shall fail to comply with such permit conditions.

A permit issued by the Director shall be valid until the expiration of the pilot program, unless the permit is suspended or revoked. In the event Chapter 13.22 of the Riverside Municipal Code is subsequently repealed, all issued permits will expire upon the effective date of the repeal.

## **Partnership between City and Operator**

Pilot Program Operators must actively engage with City staff to resolve issues and to develop solutions to improve service performance throughout the duration of the Pilot Program. Operators shall be responsible for clearly communicating operational adjustments to the city, promptly responding to city inquiries and requests, addressing public complaints, and resolving any operational issues that may arise. Operators will be evaluated by the City on their commitment to customer service.

Each permitted Operator shall assign a program liaison for the duration of the Pilot Program and supply the City with that person's contact information upon issuance of a permit. An organizational chart of the Operator's team, including contact information must be provided. The assigned liaison shall be available to promptly respond to City staff during the hours 7am-10pm daily. The liaison may identify an off-hours

alternate, or reassignment with at least a 5 day notice to the City.

### **Dynamic Daily Deployment Cap and Adjustment Process**

Company shall begin operations with a daily deployment of no more than 500 devices. Company shall on a no less than monthly basis provide reports to City demonstrating the Utilization Rate (UR) of devices in the Company fleet.

Adjustments to the Dynamic Daily Deployment Cap must occur according to the following process. An Operator may increase the maximum number of devices deployed daily upon request to and approval by the City when the Company can demonstrate with device and utilization data that average ridership exceeds a UR of three (3) rides per day. Requests for changes will not be considered during the first 30 days of operations. Operators shall, without request from the City, reduce its fleet size on a monthly basis in the event ridership does not meet a minimum UR of at least two (2) rides per day.

Increase in the maximum number of Devices deployed daily (Cap Increases):

- Operator submits written request to City with supporting data.
- City will verify data using sources like the “real time” API system.
- City will consider allowing fleet size increases only to the point where the estimated number of devices and UR meets, but does not fall below, three (3) rides per day.
- The City shall provide a response along with reasons supporting the decision within 14 days of the request.
- The City’s final determination shall constitute the final decision and is not subject to further administrative review. Operators must comply with the City’s established device limits.
- Any approved increase cannot be deployed by the Operator until a Notice to Proceed has been issued.

Decrease in the maximum number of devices deployed daily (Cap Decreases):

- On a monthly basis the City will review Operator utilization rates to determine if the minimum UR of at least two (2) ride per day is met.
- If utilization is below the minimum UR, the City may direct Operators to reduce their fleet size such that the estimated number of devices and utilization meets the minimum UR.
- Operators must comply with required fleet reductions within 7 days.

The City will take into consideration market needs, the total number of devices deployed in the City, device utilization, Operator performance, public safety, seasonal and environmental conditions, special events, and criteria outlined in this document in the evaluation of requests for increased devices, or required device decreases.

### **Device Specifications**

Devices deployed in the City must meet the definition of a Shared Mobility Device as defined in this Policy and Section 13.22.020 of the Riverside Municipal Code.

Motorized shared mobility scooters must comply with and come within the meaning of devices defined in

CVC Section 407.5 (a) CVC and must meet specifications set forth in CVC Sections 21220 – 21235, including but not limited to specifications for brakes, reflectors, and lighting, and all other federal, state, and local requirements applicable to safe operation of motorized scooters.

Each Shared Mobility Device must be properly maintained and meet the following minimum criteria:

- Designed to withstand the demands of outdoor and shared use
- Highly durable; theft and vandal resistant
- Safe, comfortable and easy to use by a wide range of users, and in the case of bicycles, include an adjustable seat
- Durable brakes
- Warning bell
- Security hardware
- Front light that emits white light and a rear red light
- Safety information clearly posted on each device legible from a distance of 3 feet
- Display customer service contact information legible from a distance of 3 feet
- Display a clearly visibly unique device identification number, for example a device number visible from a distance of at least 10 feet
- Maximum speed of 15mph or less for scooters
- Non-combustion engine

It is preferred that Operators provide:

- Use of proprietary parts to deter equipment theft and vandalism.

### **Device Technology**

Devices must offer state-of-the art shared mobility technology. Operators must provide the necessary technology to track devices, determine device utilization, enhance customer service, and to educate users about safe riding and the rules of the road.

At a minimum, each device must provide the necessary technology to provide real-time location tracking and recorded trip origin and destination. Devices must be capable of location-based speed regulation and parking restriction.

In areas identified by the City in Attachment A, devices must be capable of being automatically controlled to a maximum of 5mph or safely cease operation, and limiting ride end or ride begin features in order to regulate parking behavior.

Devices must have GPS equipment that provides the locational accuracy needed to virtually designate a "hub" or "station" system for device parking, to track trip path, to restrict speed in designated areas. Devices should be able to implement enforcement mechanisms that can recognize and prohibit sidewalk riding.

Devices must also be equipped sensors that alert Operators when a device is tipped.

RFID and/or NFC technology that enables users to rent bicycles from mobile devices, access cards, or other similar device is preferred

### **System Design and Distribution**

Operators must have a system operations strategy that provides an equitable distribution of devices, which ensures devices are available and accessible throughout neighborhoods, commercial areas, and key destinations citywide. Operations must also limit the excessive concentration of devices in congested areas. Adequate field operations must be provided to ensure the safe, accessible and responsible placement of Shared Mobility Devices. Operators must communicate their strategy for the deployment of devices to the City.

The system design must identify equitable device deployment locations that adequately distributes Shared Mobility Devices and minimizes over-concentrations in high demand locations like the Downtown.

Operators must implement parking confirmation and notification systems to reduce poor parking behavior. Operators must work with the City to create systems for chargers and users to utilize designated parking areas in the public right of way using a geo-fence or equivalent technology where necessary. Users must be informed, directed and should be incentivized by the Operator to return equipment to those predesignated deployment locations or drop zones as identified by the City.

Operators must provide staff or contracted services to:

- Correct improperly parked, staged, abandoned, or tipped over devices.
- Rebalance the distribution of devices throughout the day to achieve an equitable distribution of devices and to prevent over-concentration of devices.

Operators must implement system-wide location-based speed reduction strategies in designated areas of the City and for special events such as the Festival of Lights. Areas with location-based speed reduction include the Main Street Pedestrian Mall (Ped Mall), Mt. Rubidoux, and public parks and are created to notify users of the prohibition of use or speed limits in those areas and increase compliance with the regulations. Speed reduction in other areas may be required and shall be implemented at the request of the City.

## **Deployment, Parking Regulations, and Responsibilities**

Use of public sidewalks and other public right-of-way must not adversely affect the streets or sidewalks, inhibit pedestrian movement, or create conditions which are a threat to public safety and security. Parking and staging regulations are as follows:

- A. Devices shall be upright on hard surfaces in the Furniture Zone of the sidewalk, beside a bicycle rack or in another area specifically designated for bicycle parking;
- B. Devices shall not be parked, staged, or abandoned in such a manner as to block or obstruct the Pedestrian Zone of a sidewalk, ADA access, any fire hydrant, call box, or other emergency facility, bus bench, or utility pole or box;
- C. Devices shall not be parked, staged, or abandoned in such a manner as to impeded or interfere with the reasonable use of any commercial window display or access to or from any building;
- D. Devices shall not be parked, staged, or abandoned in such a manner as to impeded or interfere with the reasonable use of any bicycle rack or news rack;
- E. Devices shall not be parked, staged, or abandoned in on-street parking spaces except, when it is parked, staged, or abandoned in a marked parking space specifically designated for Shared Mobility Devices or in marked parking spaces designated for motorcycles;
- F. Except as provided above, Devices shall not be parked, staged, or abandoned on streets without sidewalks;
- G. Devices shall not be parked, staged, or abandoned in the Furniture Zone directly adjacent to or within the following areas, such that access is impeded:
  - i. Loading zones;

- ii. Disabled parking zones;
  - iii. Street furniture that requires pedestrian access, including but not limited to, benches, parking pay stations, and pedestrian push buttons;
- H. Devices shall not be parked, staged, or abandoned directly adjacent to or within transit zones, including bus stops, shelters, transit information signs, passenger waiting areas and bus layover areas, and staging zones, except at existing bicycle racks;
- I. Devices shall not be parked, staged, or abandoned on private property without the permission of the property owner;
- J. Devices shall not be parked, staged, or abandoned on plazas, courtyards, parks, trails, or other City-owned property which is not a Public Right-of-Way, except as provided in Riverside Municipal Code 13.22.030 or as provided in a written agreement between the City and the Operator. To the extent an Operator desires to park or stage devices in areas other than the public right-of-way (e.g. plazas, parking lots, private property, or transit stations), the Operator must first obtain the right to do so from the appropriate property owner, or public agency and shall communicate this right to users through signage approved by the respective entity and/or through a mobile or web application.

Operators shall be responsible for educating and monitoring users to ensure Shared Mobility Devices are parked, staged, or abandoned in accordance with the provisions of the Riverside Municipal Code and this manual.

Operators shall create systems that maximize behavior of users to park in appropriate locations, including parking confirmation photo verification systems, parking rating, parking reporting systems and creating geo-fenced no-start or no-end ride zones. Systems could include, but are not limited to, education/information, incentives and penalties. Operator must educate customers on how to appropriately park devices at the time of each rental. Operators are encouraged to provide clear and specific parking information during every ride through in-app messaging, video or virtual reality features. Messages should inform users that improper parking puts others at risk. Operators should develop systems to review and link users to violations. Operators should provide incentives for encouraging proper parking.

As the owner of the Shared Mobility Device, the Operator shall be jointly liable with the user for any enforcement measures taken by the City for improperly parked, staged, abandoned, or tipped over Shared Mobility Devices.

Operators shall respond to reports of improperly parked, staged, abandoned, or tipped over Shared Mobility Devices or requests to relocate a Shared Mobility Device within two (2) hours of receipt of notice from the City or other third party, or within 2 hours of Operator's discovery, whether that discovery is through electronic means or physical observation.

Devices parked immediately adjacent to or within a transit stop, immediate waiting/loading/unloading zone, loading zone, accessible parking zone or other facilities specifically designated for handicap accessibility, fire hydrant, curb ramp, entryway, driveway, or parklet, can be considered an immediate hazard or obstruction and are subject to impoundment pursuant to Riverside Municipal Code Chapter 13.22.

The failure to relocate an improperly parked, staged, abandoned, or tipped over Shared Mobility Device or to remove a Shared Mobility Device that has otherwise become a nuisance shall subject the Shared Mobility Device to relocation or impoundment and administrative remedies by the City. Should City staff be deployed to remedy the issue or impound a device, the Operator shall be subject to a Device Relocation/Impound Fee in the amount \$149.14.

Operators must deploy staff teams during daily operational/device deployment hours to address field conditions including, but not limited to, improperly parked, staged, abandoned, or tipped over Shared Mobility Devices, unsafe conditions, and blocked passageways.

## **Maintenance**

Operator must be able to ensure that all devices in their fleet are in good working order, clean, and safe to operate for a wide range of users. Operators must share their system maintenance strategy and process with the City both prior to operations, and upon further request by the City. Maintenance should include:

- Regular device inspection for wear and tear, and stress-based damage that could lead to failure.
- Maintenance and repair consistent with or exceeding manufacturer's recommendations.
- Immediate replacement of worn or damaged parts.
- A strategy for maintaining electric batteries, both for daily use and for long-term replacement.

Operators must keep a record of all maintenance performed for each device, which is made available to the City upon request.

Devices that are not operable must be removed from the public right-of-way promptly, including inoperability due to insufficient battery power, communications failure, or other systems and software failures. Inoperable devices, devices with any damaged or non-functional components, or any device that is not safe to operate, shall be removed or made un-available to the public via device lock-down within 1 hour of notification.

## **Customer Service**

Operators must provide customer service enabling members of the public to ask questions, report damaged devices or improper parking, request refunds, or otherwise receive support. Operators must prominently display customer service contact information on the device including but not limited to telephone number, email address, and website location on each device. Prominent display must include easily visible placement and a text size that is easily readable from a distance of at least 3 feet.

The Operator must provide a Public Safety Hotline to allow City personnel direct contact with Operators 24 hours a day for emergencies and device relocation, with a response time of 2 hours or less.

Customer service must be responsive to community complaints and feedback, and should:

- Coordinate with the City to develop a process to report issues and concerns.
- Allow users to submit notifications on device or system operations issues.
- Strive to use technology to reduce all customer service response times.

Operators are encouraged to provide additional customer support and service mechanisms such as social media mobile applications, texting, and community websites like Nextdoor. Customer support must be available during daily operational/device deployment hours. Service in multiple languages is preferred, with English and Spanish being required.

It is preferred that the Operator establish a separate public safety reporting and response system. It is preferred that Operators use a city-integrated system for customer service delivery or that the City receives auto copies of all complaints to the Operator.

## **Events and Emergencies**

Operators must be prepared to work with the City in the case of emergencies or special events to prioritize the safety of users and the general public and respond to municipal concerns. Operators may be asked

to participate in a plan for special event operations. For example, Operators shall be prepared to work with the City on modified operations during the annual Festival of Lights event, or other large events, by adjusting deployment plans, providing additional operations staff, relocating parking, modifying customer access, and informing users about system changes. Operators must cooperate with public safety personnel in the case of emergencies, and comply with agreed upon operations plans for special events. Operators are expected to proactively communicate with users during events and emergencies. Access to real time device data must be provided to the City public safety personnel during emergencies and requested events.

For devices on public property, the City may require the Operator to temporarily move devices to a nearby location if the approved location needs to be used for emergency, event, construction, or public purposes. Devices may also be moved by City for these purposes.

### **Multi-modal Interoperability**

The City prefers a connected shared mobility system that increases the accessibility of other modes of transportation and builds upon a cohesive regional transportation network. Operators that provide a system that can interact with other modes of transportation, such as public transit, car sharing services, ride hailing services, and existing bike share services, are preferred.

### **Interaction with Multi-modal Transportation Systems**

Operators are required to work in a cooperative manner with the existing and emerging multi modal transportation systems. This includes, but is not limited to, car sharing services, Riverside Transit Authority Bus services, Metrolink, and the City's bike sharing systems, such as Bike Riverside. A map of the city including existing bike infrastructure, must be provided to users for enhanced navigation.

### **Engagement and Education**

Operators must engage with users to protect the safety of customers and all roadway users. Engagements should include virtual (online, video, and other digital media), physical, and in person methods. Regular, repeated, and interactive engagement is strongly encouraged. This engagement should consider the needs and concerns of customers as well as non-users of the system.

Engagement should reflect values consistent with the community, including but not limited to, safety, civic engagement, mobility options, sustainability and wellbeing, and encourage behaviors consistent with those values.

Operators of shared scooter systems must implement a driver's license validation system to ensure compliance with California State law. The system must include periodic re-validation, and a method for performing driver's license validation on any users that signed up prior to the validation system being in operation

Operators shall provide education to users on the City's and State's existing rules and regulations, safe and courteous riding, and proper parking. It should be noted that the City is not responsible for educating users regarding applicable laws. Neither is the City responsible for educating users on how to ride or operate a device. Topics of focus for education efforts should include, but not be limited to:

- Obeying all applicable California Vehicle Code requirements;
- Encouraging the use of helmets;
- Not riding on sidewalks;
- Ride in a manner that is safe and courteous to others; and
- Parking in appropriate locations;

This information should be provided in an interactive format, using images or video as well as text. A knowledge confirmation tool, such as a customer safety and parking test, must be implemented. Software must regularly inform and educate users on rules such as traffic and parking laws, the cost of fines, and staying off of sidewalks. Additional in app notification should be provided for peak events and during peak use periods. Customer service information should also be provided.

Safety information must be clearly posted on each shared mobility device. Safety information should include requirements to obey all traffic signs and rules, including not riding on sidewalks. Safety information should be printed in sizable, legible text or graphics.

Operators must regularly deploy ambassadors and/or street teams to inform users on safety and appropriate device use, including proper parking practices. The number of people, hours and general location of engagement must be communicated to the City. Operators should share information from this outreach to inform problem-solving efforts among the City and Operators.

Operators should host monthly events, classes, rides or other publicly-available means to inform and educate people. Hosting these more frequently than monthly is preferred.

### **Equitable Access**

In addition to equitable device distribution discussed in earlier sections, it is desirable that Operators offer a means of accessing devices that do not require the use of a smartphone and/or access to a credit or debit card.

It is desirable that Operators establish low-income qualified rates, and provide a system for user sign up and payment that enables easy use of the reduced rates. Operators must offer incentives such as education, outreach and payment plans for low-income or other disadvantaged users is strongly encouraged.

### **Data Specifications**

Operators shall provide the City with accurate, complete, and timely data about how Shared Active Transportation services are used and, in an appropriately anonymized fashion, who is riding

Operators must provide accurate data through a publicly accessible Application Programming Interface (API) that meets the requirements of the General Bikeshare Feed Specification (<https://github.com/NABSA/gbfs>) as well as the Specification of the City of Los Angeles Mobility Data Specification (Mobility Data Specification) as published online at <https://github.com/CityOfLosAngeles/mobility-data-specification>. It is desirable that Operators make the API endpoint available to the public for viewing data, querying data, and mapping. The Operator should not change the API URL without notifying the City with at least 30 days' notice.

The City may, in its sole discretion, release subsequent versions and/or updated versions of the Specification and require Operator to use the most current version.

The City is permitted to use all data the Operator provides in accordance with the Mobility Data Specification, including, but not limited to, displaying real-time data and real-time device availability data to the public.

Operators must provide a standardized web-based dashboard interface to support the City in viewing data, querying data, and mapping. Operators must also provide a City-identified third-party researcher

or contractor access to data as directed by the City for the administration and evaluation of the program.

Personal information must be protected by the Operator, and data should be anonymized regarding user information. Summarized program performance information in memos or updates may be shared with the public. Detailed data will be protected to the extent permitted by law.

Notwithstanding the returned results of any of the Mobility Data APIs, it shall be the sole responsibility of the Operator to comply with the City's Program requirements listed herein.

## **System Reports**

Anonymized data reports to the City are required monthly for the following municipal-level data:

- Total users in system by calendar month
- Total number of devices deployed each day of the calendar month
- Trip number by day, week and month
- Detailed, aggregate trip origin/destination information
- Trip length and time
- Utilization Rates

Reports are due on the 7<sup>th</sup> day of every month. Should the 7<sup>th</sup> day fall on a weekend or Holiday, the report shall be due the following weekday.

The City may elect to adjust the reporting timeframes in its sole and complete discretion.

## **Use of Data**

Operators are required to follow all local, state, and federal laws and regulations with respect to personally identifiable information and credit card information. It is strongly preferred that Operators do not resell users' personally identifiable information. If the Operator engages in such a practice, then it is required that a) this is communicated clearly and transparently to users, and b) users have a clear means of opting out if they do not want their data sold. Auto renewal billing procedures should comply with state and federal laws and regulations.

## **Data Security**

Operators must protect users' personal information. Finance transactions must be secure and Payment Card Industry (PCI) compliant. Operators should provide their most recent 3<sup>rd</sup> party PCI audits to the City quarterly.

Personal data should be protected using industry accepted encryption, and customer permission should be sought before sharing data with a third party.

## **User Release**

Operators must include release language, consistent with the language below, in their system's user sign-up process, and each rider registered in the system must affirmatively sign or check a box within the application notating consent to the release.

*"For and in consideration of rental and use of the [Scooter, Device, Etc.], rider, for himself or herself and*

*on behalf of rider's heirs, executors, administrators and assigns, forever releases and relinquishes and discharges the City of Riverside and its elected and appointed officials, officers, employees, agents, contractors, and volunteers (Collectively, the "City") from any and all claims, demands, disputes, losses, liabilities, debts, liens, charges, penalties, proceedings, causes of action and damages including for personal injury, wrongful death, property damage, and injury to rider or to third parties (Collectively, "Claims"), including unknown or unanticipated claims, which arise from or are related directly or indirectly to this agreement or the rental, maintenance, design, placement, use and/or operation of the Operator's equipment, including the Shared Mobility Device, or the Operator's website, including any and all claims related to the sole or partial negligence of the City or any other party. Rider hereby expressly waives any claims against the City which rider does not know or suspect to exist in his or her favor at the time of renting a Shared Mobility Device, and expressly waives rider's rights under any statutes that purport to preserve rider's unknown claims."*

### **Compliance with Applicable Laws**

Operators must abide by all otherwise applicable federal, state, and local laws.

### **Regulation Subject to Amendment**

These Administrative Policies and Procedures may be amended from time to time by the City. Such amendments will become effective upon approval by the City Manager or his designee. Operators will be expected to comply with new Regulations within four calendar days, unless otherwise identified in the adjusted Regulations.

### **Revocation, Suspension or Denial**

A Shared Mobility Operator Permit may be revoked, suspended, or denied by the Director based upon any of the following grounds:

- A. An applicant or Operator, including its employees, managers, officers, principals, directors, owners, contractors, representatives, or agents:
  - I. Making one or more false or misleading statements, or material omissions on the permit application, during the application process, or during the operation of its Shared Mobility Device business;
  - II. Failing to provide information requested or required by the City;
  - III. Operating or proposing to operate in a manner that endangers public health or safety;
  - IV. Operating or proposing to operate in a manner that creates a public nuisance; or
  - V. Failing to comply with any requirement imposed by the provisions of the Riverside Municipal Code (or successor provision or provisions) including any rule, regulation, condition or standard adopted pursuant to Chapters 3.30 and 13.22 of the Riverside Municipal Code, or any term or condition imposed on the Shared Mobility Operator Permit, or any provision of state law.
- B. Conviction of the Operator, to include any of its officers, owners, or principals, of a criminal offense that is substantially related to the qualifications, functions or duties of the shared mobility business or profession, including but not limited to any criminal conviction involving a violent or serious felony, fraud, deceit, or embezzlement.
- C. Suspension or cessation of Shared Mobility Operations within the City for a period of thirty (30) or more consecutive days.

Upon personal service or mailing of notice of revocation, suspension, or denial of a Shared Mobility Operator Permit, the permit holder or proposed permit holder shall have ten (10) calendar days to file a written appeal to the City Clerk of the intent to contest the proposed permit revocation, suspension, or denial. If the tenth (10) day is a weekend or Holiday, the following weekday will be the tenth (10) day. The written appeal shall clearly state the basis for the appeal.

The scope of the appeal hearing pursuant to this section shall be limited to those issues raised by appellant in the written appeal.

Upon the filing of the appeal, the City Clerk shall set the matter for hearing before the City Council, which hearing will be set for a regular meeting not less than thirty (30) days but no more than sixty (60) days thereafter. The City Council may uphold, reverse or modify the decision of the Director.

Should an appeal of a revocation or suspension of a Shared Mobility Operator Permit be filed, the revocation or suspension decision will remain in effect and no Shared Mobility Device operations shall take place until such time as a final decision has been issued for the appeal.

### **Attachments**

Attachment A: Shared Mobility Operator Permit Application

Attachment B: Shared Mobility Operator Permit Agreement