



City of Arts & Innovation

Transportation Committee

TO: TRANSPORTATION COMMITTEE MEMBERS DATE: NOVEMBER 8, 2018

FROM: PUBLIC WORKS DEPARTMENT WARDS: ALL

SUBJECT: UPDATE ON DEPLOYMENT OF SHARED ACTIVE TRANSPORTATION SERVICES - DIRECT SUBMITTAL

ISSUES:

Receive an update regarding the deployment of shared active transportation services in Riverside; authorize staff to negotiate an Interim Operating Agreement with Bird Rides, Inc.; and recommend that staff prepare a shared active transportation services permitting program for City Council consideration.

RECOMMENDATIONS:

That the Transportation Committee:

1. Receive an update on the deployment of shared active transportation services (i.e. scooters);
2. Authorize staff to negotiate an Interim Operating Agreement with Bird Rides, Inc. and additional interested shared active transportation services; and,
3. Recommend that staff prepare a permitting / fee program for City Council consideration in February of 2019.

BACKGROUND:

On September 6, 2018, Bird Rides, Inc. (Bird) deployed approximately 40 electric, dockless scooters within the City of Riverside, primarily located in and around neighborhoods near the University of California, Riverside, and California Baptist University. Staff has met with Bird to discuss their operation and establish some preliminary guidelines. In response to community feedback, staff is seeking to enter into formal agreements with Bird (or any similar company wishing to do business within the City of Riverside) to adequately regulate Bird's operations and seek permitting fees for Bird's operation within the public right of way.

According to the National Association of City Transportation Officials (NACTO), over the past decade shared active transportation systems have exploded in popularity in North American cities. Until about a year ago, most of the shared systems were created through public-private partnerships with local government oversight. With a variety of new shared transportation options,

such as car and bike sharing, and more recently electric scooter sharing, local governments are working to develop solutions to better manage these transportation solutions.

DISCUSSION:

This report addresses the immediate need to manage the introduction of Bird scooters to the City of Riverside, and provides options to develop more detailed guidelines for Bird and other similar companies wishing to provide similar services in the City.

Bird Scooter Rentals

Bird scooters are stand-up electric two wheeled scooters capable of a maximum speed of 15 miles per hour. The company, Bird Rides, rents scooters to the public through use of their mobile application (Bird App). Bird employees, or those who register to charge scooters for a fee at their home, deploy scooters each morning to high-use locations identified by Bird as 'nests'. The Bird App allows users to see a map of the City with the location of all nearby Bird scooters available for rent. Use of a scooter costs \$1.00 plus \$0.15 cents per minute, and the scooter may be left appropriately parked at a location of the user's choosing once their ride is complete.

Users of the Bird system are currently notified within the Bird App that they are required to: a) be 18 years of age or older; b) are encouraged to ride in a bicycle lane and not on a sidewalk unless otherwise signed or striped; c) must wear a helmet; and d) must follow all applicable rules of the road. The State of California recently passed Assembly Bill 2989, which goes into effect on January 1, 2019, and allows standup electric scooter users over 18 years of age to choose whether or not they wish to wear a helmet. (Attachment 1)

City of Riverside Response

Upon the initial deployment of Bird scooters within the City of Riverside, the Public Works Department issued a letter to Bird following consultation with Code Enforcement, the City Attorney's Office, Community Development, and 311 Call Center. This letter (Attachment 2) detailed temporary operating requirements for Bird, and requested that their users be required to maintain compliance with Riverside Municipal Code sections regulating items left within the right of way and regulating bicycle parking.

The City's 311 team currently logs Bird-related complaints and relays such complaints to the Company. Bird is provided three hours to rectify scooters that are reported as left obstructing the right of way or are improperly parked. Bird's failure to correct a violation will result in a first-time citation of \$100, second-time citation of \$200, and \$500 for each violation thereafter. Citations will be issued directly to Bird, and it is at their discretion to resolve disputes with their users.

Staff has been corresponding with Bird employees to gain access to an online portal that will allow the City to view usage statistics, current deployment information, and trends in ridership usage. This portal has been developed as of October 9, 2018, and staff is anticipated to gain access prior to the date of this committee meeting. Bird is working to comply with staff's request to display Riverside Municipal Code sections within the Bird applications to aid in the enforcement of violations.

Interim Operating Agreement

Bird has requested to enter into an Interim Operating Agreement (Agreement) with the City of

Riverside. This Agreement would allow the City to begin regulating Bird, and provides Bird with some assurance of continuity in operations during the term of the Agreement. The Agreement is intended to be a stepping stone towards a full permitting program. Key issues addressed in the Agreement would include:

1. Operating Regulations
2. Parking Guidelines
3. System Operations

Staff is in receipt of a draft agreement and key areas of concern include:

1. Maximum fleet size
2. Requested agreement procedures / timeline for performance for the City
3. Bird's proposed parking guidelines, and the use of regular parking spaces
4. Indemnity language

Staff is currently seeking input from additional shared active transportation services to ensure, and anticipates it will take two months to reach a satisfactory interim agreement.

Permitting and Fee Program

Upon Committee recommendation, staff will bring to the City Council in February 2019 a permitting and fee program to regulate companies such as Bird. This program will draw significantly from the experience of jurisdictions such as Los Angeles, Santa Monica, Seattle, and San Francisco, which have each implemented programs to match the services provided by companies such as Bird. These programs include annual permit fees in amounts ranging from \$150 to \$12,200. Some agencies choose to require an annual per-vehicle fee of approximately \$10-\$50, a permit review fee, performance bonds, and even hourly rates for the removal of bicycles or scooters. Both the National Association of City Transportation Officials (Attachment 3) and the Orange County Transportation Authority have assembled comprehensive sets of best practices that will guide the City of Riverside in the development of its own program.

Timeline

1. September 2018: Provided Bird with basic operating requirements
2. November 2018: Transportation Committee
3. Early January 2019: City and Bird enter into Interim Operating Agreement
4. Late February 2019: City Council presented with draft fee & permit program for shared active transportation services

Potential Planning Implications

While the primary operation and parking for shared active transportation devices such as e-scooters is limited to public roadways and rights-of-way, the potential exists for improved integration with land uses throughout Riverside. Currently, the City's Climate Action Plan includes several measures encouraging alternative transportation options through expanded parking services. Specifically, Measure T-2 states its objective of requiring on-site bicycle parking for all future multi-family and mixed-use developments. Dockless electric scooters fulfill a similar function in providing fossil fuel independent, last mile connections between residences and commercial uses, and their incorporation within this measure can be explored further.

FISCAL IMPACT:

There is no fiscal impact associated with this report.

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Certified as to

availability of funds: Edward Enriquez, Acting Chief Financial Officer/Treasurer

Approved by: Rafael Guzman, Assistant City Manager

Approved as to form: Gary G. Geuss, City Attorney

Attachments:

1. AB 2989
2. Bird Letter
3. NACTO Best Practices
4. Presentation