CODE OF BALTIMORE REGULATIONS ANNOTATED

EDITOR'S NOTE:

The attached regulations have been submitted to the Director of the Department of Legislative Reference for COBRA codification in accordance with § 4-401, Title 4 {*Administrative Procedure Act – Regulations*} of the General Provisions Article of the Baltimore City Code. The attached regulations have not been reviewed by the Department of Legislative Reference for adherence to COBRA formatting and are subject to non-substantive formatting changes.

Title 14 DEPARTMENT OF TRANSPORTATION

Subtitle 01 *{RESERVED}*

Subtitle 02 DOCKLESS VEHICLES FOR HIRE

CHAPTER 01 GENERAL PROVISIONS

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CHAPTER 01 GENERAL PROVISIONS

Authority: Baltimore City Code Article 31, § 38-3

14.02.01.01. Scope.

These regulations establish:

(1) The number of dockless vehicle operating permits the Department of Transportation ("BCDOT") may issue annually from permit renewals or a competitive application process;

(2) The size and composition of the daily fleet a dockless vehicle permit holder is required to maintain;

(3) Rules regarding for how long a permit is valid and eligibility of a permit holder for annual renewal of the permit;

(4) The specifications a dockless vehicle shall meet in order to be offered for rent in Baltimore City;

(5) Standards for deployment of a dockless vehicle;

(6) Standards for parking and operation of a dockless vehicle;

(7) Rules governing when BCDOT may seize and impound a dockless vehicle and the cost of seizure and impoundment for a permit holder whose dockless vehicle has been seized or impounded;

(8) Rules regarding education to be provided by a permit holder to a customer or potential customer explaining how to properly operate and park a dockless vehicle;

(9) Rules regarding the standards for equitable dockless vehicle access, including cash payment for use and discounts for low-income customers;

(10) Rules regarding advertising by a permit holder of its dockless vehicle service, and the prohibition of third-party advertising displays by a permit holder;

(11) Rules regarding the provision by a permit holder of a Publicly Accessible Application Program Interface, and required data reporting by a permit holder to BCDOT;

(12) Rules regarding permit fees and a required security bond;

(13) Rules for required insurance to be maintained by a permit holder;

(14) Standards for compliance by a permit holder; and

(15) Standards for the permit revocation process of a dockless vehicle permit.

14.02.01.02. Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

    (1) "Adaptive dockless vehicle" means a dockless vehicle that is accessible to people with various physical disabilities, including motorized or non-motorized:

        (a) Recumbent bicycles;

        (b) Tricycles; and

        (c) Hand cycles.

    (2) "API" means application programming interface endpoint.

    (3) "Application Programming Interface endpoint" means an officially defined and adopted schema for the computer code which allows data to be

        (a) communicated between computers, and

        (b) regularly exchanged information to be requested and received in a uniform matter between multiple sources.

    (4) "BCDOT" means the Baltimore City Department of Transportation.

    (5) "Beta endpoint" means an API endpoint that has been officially released in a testing mode by its regulatory authority but not formally adopted.

    (6) "Bi-monthly" means something that occurs twice in one month.

    (7) "Block face" means one side of a street between two intersections of other streets, excluding alleyways.

    (8) "CPSC" means Consumer Product Safety Commission.

    (9) "Consumer Product Safety Commission" means the United States government agency that develops uniform safety standards and conducts research into product-related illness and injury.

    (10) "Deployment" means the location where a dockless vehicle is placed by the permit holder when it is made available for rent.

    (11) "Deployment district" means a geographic area designated by BCDOT for tracking the deployment of dockless vehicles.

    (12) "Director" means the Director of the Department of Transportation.

    (13) "Dockless corral" means a geographic location designated by BCDOT where a dockless vehicle may be parked.

    (14) "Dockless vehicle" has the meaning stated in City Code Art. 31, § 38-1(b).

(15) "E-bike" has the meaning stated in City Code Art. 31, § 38-1(d).

(16) "E-scooter" has the meaning stated in City Code Art. 31, § 38-1(e).

(17) "Equitable access" means an attempt to make dockless vehicles and services available for use by the public by removing barriers to use including:

   (a) Geography,

   (b) Income,

   (c) Banking status,

   (d) Inclusion in a federally protected class, or

   (e) An immutable physical characteristic.

(18) "Equity zone" means geographic locations designated by BCDOT where dockless vehicles shall be deployed for equitable access as defined in BCDOT's MDS Policy API.

(19) "Fleet" means all dockless vehicles operated by a permit holder in Baltimore City, regardless of whether they are available for rent.

(20) "Geo-fencing" means a location-based service by which an app or other software program uses GPS or cellular data to identify when a mobile device or dockless vehicle enters or exits a virtual geographic boundary.

(21) "GitHub" means a code hosting platform.

(22) "Low-income population" means a person whose family taxable income for the preceding year did not exceed 150 percent of the federal poverty guidelines.

(23) "MDS" means Mobility Data Specification.

(24) "MDS Policy API" means the Open Mobility Foundation standards, schema, and code available on GitHub for secure mobility data exchange.

(25) "New permit holder" means a provider of dockless vehicles for hire who has

   (a) Not previously been issued a permit to operate on a public right-of-way by BCDOT, or

   (b) Not held a permit the previous year.

(26) "OMF" means Open Mobility Foundation.

(27) "Open Mobility Foundation" means an open-source foundation led by cities to govern MDS.

(28) "Overconcentration" means more than 25 percent of a Permit Holder's fleet is deployed in a deployment district.

(29) "Payment Card Industry Data Security Standards" means security standards designed to ensure that all companies that accept, process, store or transmit credit card information maintain a secure environment.

(30) "Permit Holder" means a provider of dockless vehicles for hire who has been issued a permit to operate on a public right-of-way by BCDOT.

(31) "Referral agency" means a government assistance program that provides services to individuals who qualify as low-income.

(32) "Speed governor" means a device that ensures the motor of a dockless vehicle is incapable of propelling the vehicle at a rate of speed in excess of the mandated speed limit on level ground.

(33) "Third-party aggregator" means an organization that collects data from one or more sources, provides some value-added processing, and repackages the result in a usable form.

(34) "Towing Division" means the division of BCDOT responsible for managing the towing of vehicles on all City property including roads, alleys, and public parking lots.

(35) "Undeserved population" means people that have limited or no access to resources or that are otherwise disenfranchised.

(36) "Vehicle model" means a vehicle of the same type, but with different features or appearance.

(37) "Vehicle type" means a vehicle that meets specifications in the City's vehicle code for that vehicle.

(38) "WCAG" means Web Content Accessibility Guidelines.

(39) "Web Content Accessibility Guidelines" means guidelines published by the World Wide Web Consortium's Web Accessibility Initiative to make web content more accessible.

14.02.01.03. Standards for Issuing a Permit.

A. BCDOT may issue up to three dockless vehicle permits annually through either or a combination of the following:

   (1)   A renewal of an existing permit, or

   (2)   A competitive application process.

B. BCDOT shall require a permit holder to maintain a daily fleet of

   (1) Two or more vehicle types, or

   (2) One vehicle type and an adaptive vehicle program.

C. A permit is valid for one year and a permit holder may be eligible for annual renewal.

D. If a dockless vehicle provider is awarded a permit under these regulations and fails to meet one or more of the standards in these regulations, BCDOT shall:

   (1) review the performance of the permit holder under the permit issued; and

   (2) assess the violation for any potential penalty.

14.02.01.04. Standards for Renewal of a Permit.

    A. A permit holder may be eligible for renewal of a dockless vehicle permit if the permit holder:

        (1) Signs a renewal agreement that includes current rules and regulations; and

        (2) Pays all annual fees.

    B. BCDOT may renew a dockless vehicle permit without requiring a permit holder to reapply if the permit holder has not been issued a citation in the previous permit year.

14.02.01.05. Standards for Deployment.

A. A permit holder shall ensure that dockless vehicles are deployed in compliance with City Code Article 31, § 38-19, Unlawful Parking.

B. A permit holder may not designate a public right-of-way within the Baltimore City limits as an un-serviced area.

C. Equitable Distribution Requirements.

    (1) Deployment districts.

        (a) On each day of service, a permit holder shall deploy a minimum of 5 percent and a maximum of 25 percent of their fleet to each deployment district defined in BCDOT's MDS Policy API.

        (b) BCDOT shall evaluate daily compliance as specified in § 05C(1)(a) based on at least one hour of compliance between 5:00 a.m. and 9:00 a.m.

        (c) A permit holder shall redistribute dockless vehicles during each day of service if more than 35 percent of their fleet is located in one deployment district.

        (d) BCDOT may waive the rule in § 05C(1)(c) to accommodate a special event.

        (e) A permit holder shall redistribute dockless vehicles within three hours of notification from BCDOT that a concentration of dockless vehicles in excess of the limit in § 05C(1)(c) has been found through the MDS API feed.

    (2) Equity zones.

        (a) A permit holder shall deploy a minimum of three dockless vehicles to each equity zone.

        (b) If the permit holder operates two or more types of dockless vehicles, the permit holder shall deploy a minimum of four dockless vehicles to each equity zone.

        (c) BCDOT shall evaluate daily compliance based on at least one hour of compliance between 5:00 a.m. and 9:00 a.m.

D. A permit holder may not deploy:

    (1) A dockless vehicle outside of a parking corral on any block face that contains an official parking corral designated by BCDOT, unless the corral is full;

    (2) In excess of ten dockless vehicles per block face, unless permitted by BCDOT to accommodate a special event;

    (3) A dockless vehicle on a block face which contains the front entrance to a K-8 school;

    (4) A dockless vehicle in any tree pit or landscaped area;

    (5) A dockless vehicle in front of a property with an approved non-deployment request no longer than 48 hours after the request is reported to the permit holder; or

(6) A dockless vehicle in a location BCDOT has notified the permit holder is unavailable for deployment of a dockless vehicle no longer than 48 hours after notification.

E. Non-Deployment Requests.

(1) A property owner or manager may submit a non-deployment request in writing to BCDOT for the area adjacent to their property.

(2) A request approved by BCDOT may prohibit deployment of a dockless vehicle to the location by the permit holder, but may not prohibit parking of a dockless vehicle in that location by a user.

F. In the event of severe weather or other emergency, if BCDOT provides at least 24-hour prior notice, BCDOT may:

(1) Suspend deployment requirements;

(2) Require the removal of:

(a) The entire fleet; or

(b) Large parts of the fleet in defined geographic locations including:

(i) Snow emergency evacuation routes, and

(ii) Low lying areas and flood plains.

G. For large festivals or events, BCDOT may suspend deployment requirements including concentration limits.

H. Temporary Exemptions from Deployment Regulations.

(1) A permit holder may apply for a temporary exemption from the deployment requirements in these regulations.

(2) An application shall be reviewed by BCDOT

(a) within 24 hours for an application based on an immediate safety concern, and

(b) within five business days for other exemption requests.

(3) An application for a temporary exemption shall include a plan for communicating operational changes to affected users and the general public.

I. Upon application for a dockless vehicle permit, a permit holder shall submit a detailed operations plan including:

(1) hours and days of operation, and any relevant limitations;

(2) procedures for responding to extreme weather events and special events;

(3) procedures for responding to complaints; and

(4) procedures for ensuring availability of dockless vehicles in each deployment district and for avoiding overconcentration of a permit holder's fleet in any one deployment district.

J.   A permit holder shall notify BCDOT of any changes to the detailed operations plan required by § 05I.

14.02.01.06. Standards for Compliance.

A. Compliance with Code Provisions.

    (1) A permit holder may be issued a citation, under City Code Art. 1, § 40-14.

    (2) A permit holder may be issued a citation following a compliance inspection.

    (3) If a permit holder is found to be in violation of a dockless vehicle code provision during a compliance inspection, the following procedure shall apply:

        (a) A permit holder shall receive a first warning that they are not in compliance with a dockless vehicle provision,

        (b) A permit holder shall receive a second warning if the violation recurs within 60 days of the first warning,

        (c) A permit holder shall receive a citation if the violation recurs within 60 days of the second warning.

    (4) A permit holder who receives a citation shall be granted an abatement period to fix the violation.

    (5) A permit holder who commits an additional violation of a dockless vehicle code provision within 60 days of an abatement period shall receive a citation.

    (6) A permit holder may appeal a citation to the District Court.

B. Compliance Scores.

    (1) BCDOT shall calculate a compliance score to determine whether a permit holder is in compliance for the equitable distribution and parking of a dockless vehicle fleet.

    (2) A compliance score shall be reported to a permit holder bi-monthly.

    (3) Compliance for Equitable Distribution.

        (a) A permit holder shall score a minimum of 85 percent compliance for each bi-monthly reporting period in

            (i) A deployment district and

            (ii) An equity zone.

        (b) To be eligible for a fleet cap increase, a permit holder shall score a minimum of 90 percent compliance for each bi-monthly reporting period in

            (i) A deployment district and

            (ii) An equity zone.

    (4) Compliance for Fleet Parking.

(a) A permit holder shall have no more than 5 percent of a dockless vehicle fleet parked for longer than 5 days for the period from April 1 through November 30.

(b) A permit holder shall have no more than 10 percent of a dockless vehicle fleet parked for longer than 5 days for the period from December 1 through March 31.

(5) A permit holder who fails to meet the compliance standards for equitable distribution and fleet parking shall be subject to the procedure described in § 06A.

14.02.01.07. Standards for Vehicles.

A. A dockless vehicle for hire shall meet the standards of operation provided in these regulations for permission to operate in Baltimore City.

B. A dockless vehicle model intended to operate on public right-of-way shall be approved by the Director prior to its deployment on public right-of-way.

C. A permit holder who wants to deploy a new vehicle model or vehicle type shall submit the following to BCDOT a minimum of two weeks prior to the date of the vehicle's intended deployment:

   (1) specifications;

   (2) safety certificates;

   (3) deployment plan; and

   (4) changes to operations or maintenance plans.

D. A permit holder may not deploy the new vehicle model or type until receiving written approval from BCDOT.

E. Timeline for Compliance with Vehicle Standards.

   (1) BCDOT shall notify a permit holder if its previously approved vehicles no longer meet vehicle standards due to changes in laws or regulations.

   (2) BCDOT shall set a timeline for compliance with the new vehicle standards in the notification of no less than 60 days and no more than 6 months.

   (3) BCDOT shall calculate the timeline for compliance based on the extent of the changes required to a permit holder's fleet.

F. A permit holder shall certify that its deployed vehicles meet:

   (1) Applicable federal, State, and Baltimore City laws and regulations pertaining to vehicle code;

   (2) CPSC Safety Standards: ISO 43.150 for Pedal Bicycles; and

   (3) CPSC Public Law 107-319 for all E-Scooters and E-Bicycles.

G. A dockless vehicle shall have the following required features:

   (1) Weigh no more than 100 pounds;

   (2) Be equipped with an operational kickstand or other structural feature so that the vehicle can be stably parked upright without needing to lean on any structure or object;

   (3) Be equipped with built-in front and back lights that:

       (a) Illuminate while the dockless vehicle is in use; and

       (b) Are visible from a distance of at least 500 feet away under normal atmospheric

conditions at night;

(4) Be equipped with a bell or noise emitting device;

(5) Have tires with a diameter of at least 9 inches;

(6) Have tactile identification which:

   (a) Meets State requirements; and

   (b) Is located on the stem near the handlebars, if handlebars are present; and

(7) Have legible decals listing:

   (a) The name of the permit holder displayed in a minimum of 16-point font;

   (b) The following contact information for a permit holder to notify the permit holder displayed in a minimum of 16-point font:

      (i) A toll-free telephone number,

      (ii) E-mail address, and

      (iii)Website address; and

   (c) a unique identification number displayed in:

      (i) A minimum of 48-point font; or

      (ii) Font that is at least 1 inch in height.

H. An e-scooter shall:

   (1) Have a speedometer that is legible, and

   (2) Be equipped with a speed governor capable of throttling speeds to specific speed limits in geographical areas designated in the MDS Policy API.

I. A bicycle or an e-bicycle shall have a locking device that enables the bicycle or e-bicycle to be secured to a bicycle rack.

J. A dockless vehicle or its associated apps may not provide false information to BCDOT or the public, including:

   (1) Inaccurate speedometer readings; and

   (2) Alarms that announce that a vehicle can notify the police.

K. Vehicle Inspections.

   (1) BCDOT may perform regular vehicle inspections to ensure that a rentable dockless vehicle or other equipment deployed on public right-of-way is functioning safely and is properly equipped.

   (2) BCDOT shall provide advance notice to a permit holder about the details of an inspection to be performed.

L. A permit holder warrants that all dockless vehicles it deploys in the City shall be:

   (1) Designed, constructed, and maintained to be free of defects in materials or workmanship and;

   (2) Safe for members of the public to use in the ordinary course of usage.

M. Remote Shutdown of Dockless Vehicles.

   (1) A permit holder shall remotely shut down any vehicle reported to have a safety issue so that it is inoperable by a user until the vehicle can be repaired.

   (2) A vehicle shall be remotely shut down after the first report of a vehicle safety issue by a mobile application user.

   (3) If a reported safety issue is due to an equipment failure potentially present in additional dockless vehicles, a permit holder shall remove their entire fleet of vehicles from the right-of-way within 24 hours until:

      (a) Further investigation is completed, and

      (b) A relaunch of the fleet is approved by the BCDOT.

N. A permit holder shall

   (1) Submit a vehicle maintenance plan to BCDOT upon application for a dockless vehicle permit, and

   (2) Notify BCDOT of a change to the plan.

O. A maintenance plan shall include:

   (1) A procedure for ensuring that the vehicle fleet is safe for use and well-maintained,

   (2) A schedule for inspection of the permit holder's dockless vehicle fleet,

   (3) A description of the training method used for a permit holder's mechanics, and

   (4) A description of

      (a) the life expectancy for each component, including batteries, of a dockless vehicle, and

      (b) A method of long-term monitoring by the permit holder of the condition of the vehicles in its dockless vehicle fleet.

14.02.01.08. Standards for Fleet Size.

A. Minimum and Maximum Fleet Sizes.

    (1) For each permitted vehicle type, a permit holder may initially operate a fleet consisting of a minimum of 150 dockless vehicles and a maximum of 1000 dockless vehicles.

    (2) A permit holder's total fleet may include any combination of vehicle types allowed by their permit as long as there is a minimum of 150 vehicles of each type.

    (3) A permit holder that maintains a fleet of dockless vehicles and adaptive dockless vehicles

        (a) May not be required to maintain a minimum of 150 adaptive vehicles, but

        (b) Shall maintain a minimum of 150 vehicles for all other permitted dockless vehicle types.

    (4) An adaptive dockless vehicle:

        (a) Shall be officially approved by the Director; and

        (b) Is not included in the count for the maximum number of vehicles allowed in a permit holder's fleet.

    (5) A permanent fleet increase granted to a permit holder during the previous permit cycle shall remain in effect.

B. Timelines for Reaching Minimum Fleet Size.

    (1) A permit holder that received a permit renewal or that held a permit for the previous year shall reach the minimum fleet size per vehicle type within 20 days of being awarded a permit for the current year.

    (2) A new permit holder shall reach the minimum fleet size within 60 days of being awarded a permit.

    (3) A permit holder who introduces a new vehicle type shall reach the minimum fleet size within 60 days of receiving approval of the new vehicle type from BCDOT.

C. Fleet Increases.

    (1) A request by a permit holder to operate a number of vehicles in excess of the limits established in section 04.A will be evaluated quarterly by BCDOT.

    (2) BCDOT may grant a request by a permit holder to operate a number of vehicles in excess of the limits established in § 08A based on a permit holder's compliance during the subsequent quarter with the fleet increase criteria outlined by BCDOT at the start of the permit.

    (3) A permit holder may propose a fleet increase of up to 250 vehicles each quarter.

    (4) BCDOT may

        (a) Set an overall fleet cap; and

        (b) Revoke fleet increases.

14.02.01.09. Standards for Parking and Operation.

A. A permit holder shall instruct users to

    (1) Park a dockless vehicle in compliance with City Code Article 31, § 38-19, and

    (2) Operate a dockless vehicle in compliance with City Code Article 31, § 38-18.

B. A permit holder shall require end of trip pictures from riders that show where and how the vehicle was parked.

C. A permit holder shall use the end of trip pictures

    (1) when a parking violation is reported by BCDOT, and

    (2) to disable rider accounts when three or more end of trip pictures:

        (a) show unlawful parking, or

        (b) do not show the parking of the vehicle.

D. A permit holder shall display all applicable parking and operating laws within the mobile application, within 4 clicks from the home screen of the mobile application.

E. A permit holder shall display parking corrals installed by BCDOT in the mobile application within ten business days of notification of installation.

F. A permit holder shall provide a discount through the permit holder's mobile application to riders who end their trip by parking a dockless vehicle in a parking corral installed by BCDOT.

G. No Parking Zones.

    (1) BCDOT may establish a no parking zone on the public right-of-way.

    (2) A no parking zone shall be identified in BCDOT's MDS Policy API.

    (3) Within 72 hours of notification by BCDOT that a no parking zone has been established, a permit holder shall prohibit a user from ending a trip in the no parking zone.

H. If a dockless vehicle has been parked at the same location and not ridden for five consecutive days, a permit holder shall:

    (1) Perform a mechanical check of the dockless vehicle;

    (2) Relocate the dockless vehicle to another block face; or

    (3) Perform a mechanical check of the dockless vehicle and relocate the dockless vehicle to another block face.

I. A permit holder will be subject to the compliance inspection process in § 06A if a parking violation occurs.

J. A permit holder shall obtain permission to deploy a dockless vehicle in an area other than the public right-of-way including:

(1) A park,

(2) A plaza,

(3) A parking lot,

(4) Private property, or

(5) A transit station.

K. A permit holder shall obtain permission to deploy a dockless vehicle in an area other than the public right-of-way from:

(1) BCDOT,

(2) A private property owner; or

(3) A public agency.

L. A permit holder shall communicate the permission to deploy a dockless vehicle in an area other than the public right-of-way to users via:

(1) Signage approved by the person or entity granting permission,

(2) A mobile or web application, or

(3) Both signage approved by the person or entity granting the permission and a mobile or web application.

M. A permit holder shall apply speed geo-fencing to a dockless vehicle by using a speed governor to establish a City-wide speed limit of 15 mph with the following exceptions:

(1) In reduced speed zones as defined in BCDOT's MDS Policy API where speeds are limited to eight mph, and

(2) In no ride zones as defined in BCDOT's MDS Policy API where a dockless vehicle is limited to a speed of no more than three mph.

N. Unless a permit holder receives approval from BCDOT, a permit holder may not designate a public right-of-way in Baltimore City:

(1) A no parking zone,

(2) A reduced speed zone, or

(3) A no ride zone.

14.02.01.10. Standards for Seizure.

A. When a permit holder receives a notification that a dockless vehicle is improperly parked, a permit holder shall reposition or remove the improperly parked dockless vehicle within

    (1) Three hours of notification by BCDOT, and

    (2) Six hours of notification by a member of the public.

B. BCDOT may perform parking complaint response time checks, during which BCDOT may report illegally parked vehicles officially or anonymously as a member of the public.

C. BCDOT may seize, tow, and impound a dockless vehicle when

    (1) A permit holder fails to comply with a request to reposition or remove an improperly parked vehicle within the time frame in § 10A, or

    (2) A dockless vehicle is no longer in a location where it can be accessed by a permit holder.

D. Seizure, Towing, and Impoundment Procedures.

    (1) A permit holder shall be notified that a dockless vehicle has been seized in accordance with City Code Article 31, § 38-24.

    (2) At the time of seizure, BCDOT shall:

        (a) Take pictures showing that a dockless vehicle is improperly parked,

        (b) Record the unique identification number of the dockless vehicle, and

        (c) Record a property number which is assigned to the dockless vehicle by the Towing Division.

E. If BCDOT seizes a dockless vehicle BCDOT shall charge a permit holder for that vehicle the following fees from the refundable performance bond:

    (1) If five or fewer e-scooters are seized at the same time, the permit holder shall be charged $220.00;

    (2) If more than five e-scooters are seized at the same time, the permit holder shall be charged $220.00 plus $44.00 per every e-scooter beyond the fifth e-scooter;

    (3) If three or fewer bicycles or e-bicycles are seized at the same time, a permit holder shall be charged $220.00;

    (4) If more than three bicycles or e-bicycles are seized at the same time, the permit holder shall be charged $220.00 plus $73.33 per bicycle beyond the third bicycle or e-bicycle; and

    (5) After the first 48 hours from the initial impoundment date, a permit holder shall be charged $15.00 for each 24-hour period for each group of up to five e-scooters or up to three bicycles or e-bicycles.

F. A permit holder shall retrieve an impounded dockless vehicle from:

    BCDOT Towing Division
    6700 Pulaski Hwy
    Baltimore, Maryland, 21237

During the following hours:

> Monday-Friday 8:30 am – 5:00 pm
> Saturday 9:00 am – 4:30 pm
> Closed Sundays and Holidays.

G. A permit holder shall notify the Towing Division of the identity of the person who shall retrieve the impounded vehicles by calling 410-396-9958 or 410-545-3417.

14.02.01.11. Standards for User Education and Engagement.

A. A permit holder shall provide in-app user education to explain how to properly operate and park a dockless vehicle by:

  (1) Developing an in-app quiz for new users that:

  (a) Contains a minimum of five questions approved by BCDOT pertaining to parking, operations or general safety;

  (b) Shall be completed with an 80 percent score by new users before their third rental of a dockless vehicle; and

  (2) Displaying a banner on the in-app home screen for up to one week of each month that highlights a law or safety tip determined by BCDOT.

B. A permit holder shall provide in-person user education to explain how to properly operate and park a dockless vehicle by:

  (1) Hosting or actively participating in a minimum of one community event per deployment district annually to display safety information;

  (2) Attending a minimum of two community events in each quarter, except for the Winter quarter (December – February); and

  (3) Attending a minimum of four public meetings per BCDOT invitation.

C. If notified by BCDOT, at special events with over 5,000 people in attendance, a permit holder shall maintain staff to encourage proper parking and operation of a dockless vehicle by:

  (1) Designating an individual as a staff contact for event organizers and security;

  (2) Providing up to two staffers for events expecting 5,000-9,999 people in attendance for:

  (a) Up to one hour before the event,

  (b) During the event, and

  (c) Up to one hour after the conclusion of the event;

  (3) Providing up to three staffers for events expecting over 10,000 people in attendance for:

  (a) Up to one hour before the event,

  (b) During the event, and

  (c) Up to one hour after the conclusion of the event.

14.02.01.12. Standards for Equitable Dockless Vehicle Access.

   A. Cash Payment Plans.

      (1) A permit holder shall offer the option to rent a dockless vehicle using a cash payment.

      (2) A permit holder shall identify on its website and mobile application

         (a) The process for making a cash payment, and

         (b) The locations where a cash payment option is available.

      (3) A permit holder shall offer at least one cash payment option location in each deployment district.

   B. Non-Smartphone Plans.

      (1) A permit holder shall offer the option to rent a dockless vehicle without the use of a smartphone.

      (2) A permit holder shall identify on its website and mobile application the process to rent a dockless vehicle without using a smartphone

   C. Low-Income Plans.

      (1) A permit holder shall offer a low-income customer plan to any individual with an income level at or below 200 percent of the federal poverty guideline.

      (2) Low-income users may be approved by:

         (a) Receiving preapproval from a referral agency; or

         (b) Showing proof of receiving local, state, or federal assistance.

      (3) A low-income customer plan shall waive an unlock fee and do either of the following:

         (a) Offer a minimum 50 percent discount off rental fees for any type of ride or pass; or

         (b) Offer unlimited free rides under 30 minutes.

      (4) A permit holder shall notify BCDOT of any changes to verification methods or low-income customer plans.

      (5) A permit holder shall describe the process to sign up for the low-income plan on its website and mobile application.

   D. A permit holder shall provide a document listing clear instructions to be posted on the BCDOT website summarizing the process to sign up for the cash payment, non-smartphone, and low-income plans.

   E. A permit holder shall inform a user of the availability of cash payment, non-smartphone, and low-income customer plans during first-time sign-up and via email at least twice annually.

   F. Pricing and pricing changes shall be uniform across the City except for pricing variations used to:

      (1) Incentivize proper operations; or

      (2) Increase ridership among underserved or low-income populations.

G. Pricing for a user may not be based on:

   (1) Race,

   (2) Color,

   (3) Religion or creed,

   (4) National origin or ancestry,

   (5) Sex,

   (6) Gender identity,

   (7) Sexual orientation,

   (8) Age,

   (9) Physical or mental disability,

   (10) Veteran status,

   (11) Genetic information, or

   (12) Citizenship.

H. Customer Service Phone Lines.

   (1) A permit holder shall maintain a live, multilingual 24-hour customer service phone line.

   (2) If a caller is required to leave a voicemail when calling the customer service phone line, a permit holder shall respond with a call back within two hours.

   (3) A permit holder shall provide a translation or call back within four hours when a message is left by a customer in:

      (a) Spanish;

      (b) French;

      (c) Mandarin Chinese; or

      (d) Korean.

I. Within 120 days of receiving a permit, a permit holder shall ensure that its software application used for vehicle rental and website are accessible to visually impaired individuals consistent with the latest WCAG standards.

14.02.01.13. Standards for Advertising.

    A. A marketing campaign conducted by a permit holder shall include an effort to reach underserved or low-income populations.

    B. A permit holder may not use the name or logo of BCDOT or other Baltimore City department or agency without prior written permission.

    C. A permit holder may not use a dockless vehicle, a mobile application, a kiosk, or other equipment for the sale or display of third-party advertising.

14.02.01.14. Standards for Data and Reporting.

A. A dockless vehicle shall be equipped with on-board GPS technology that does not rely on a user's mobile device to obtain spatial information.

B. Publicly Accessible Application Program Interface (API).

   (1) Permit holder shall provide a publicly accessible API.

   (2) This API shall be in a gbfs.json file format.

   (3) There are no "stations" in the parlance of GBFS and therefore both station_status.json and station_information.json should return an empty list.

   (4) FreE-Bicycle-status.json is required.

   (5) The field "vehicle_type" shall be added to the public API to describe the vehicle type, which may be a:

      (a) "Bicycle,";

      (b) "E-Bicycle";

      (c) "Scooter"; or

      (d) Another type of specified permitted vehicle.

   (6) The operator shall provide access to at least 50 requests per hour.

   (7) The location of the API on the internet shall be provided to BCDOT so that BCDOT may post this location on the BCDOT website.

   (8) A permit holder shall provide instructions for BCDOT to post publicly about how to request access to the public API which is required but not required to be available without authentication.

   (9) A member of the public, including a commercial entity, shall be provided access to the API data by requesting access.

   (10) A smart phone-based application used to rent a dockless vehicle is not a publicly accessible application program interface.

C. Mobility Data Specification (MDS) API.

   (1) A permit holder shall provide an MDS API to BCDOT with all trips starting, ending, or passing through Baltimore City.

   (2) The MDS API shall follow the specifications:

      (a) MDS 1.0 or newer as set by the OMF; and

      (b) Posted on GitHub under the OMF Mobility Data Specification.

(3) A permit holder shall provide the MDS Provider API endpoints, including:

   (a) Trips;

   (b) Status changes;

   (c) Vehicles; and

   (d) Realtime data.

(4) A permit holder shall change vehicle status to 'Unknown' if a vehicle is suspected to be vandalized or missing for five or more days.

(5) For a dockless vehicle that is on-trip GPS data shall be transmitted from the dockless vehicle at a minimum frequency of every 30 seconds to ensure accurate location data is conveyed.

(6) A permit holder shall develop and maintain connections to ingest all MDS Policy API endpoints provided by BCDOT.

(7) BCDOT may require additional or updated endpoints published by OMF.

(8) A permit holder shall update or add endpoints within:

   (a) 60 days of notification from BCDOT for required published endpoints; and

   (b) 90 days for beta endpoints.

(9) A permit holder shall share accurate and up-to-date data through the API at a minimum frequency of 24 hours.

(10) BCDOT shall share the API with a third-party aggregator for the sole purpose of secure data storage and analysis.

(11) BCDOT may share the API with a third party that enters into a Memorandum of Understanding with BCDOT, for the purpose of data analysis directly related to the permit, which:

   (a) Includes provisions governing the public release of data by a third-party recipient; and

   (b) Is made available for a permit holder to review prior to being finalized.

D. A permit holder shall report the following to BCDOT within 24 hours of gaining knowledge of the following:

(1) A request that a dockless vehicle not be deployed at a location by the adjacent property owner so that BCDOT can verify such requests;

(2) A vehicle that a permit holder has evidence to believe is in a body of water or other location where the permit holder cannot retrieve the vehicle; and

(3) An issue that could affect public safety, including:

   (a) A report of criminal activity involving a dockless vehicle,

   (b) A report of a crash involving a dockless vehicle,

(c) Contact with the Baltimore Police Department,

(d) Contact with the Baltimore Fire Department, and

(e) Defects in equipment.

E. A permit holder shall provide BCDOT with a monthly report within ten business days from the end of the month which

(1) Uses BCDOT's reporting template, and

(2) Is in Excel or CSV format.

F. The monthly report shall include:

(1) A report of a dockless vehicle lost due to theft or vandalism;

(2) Aggregated repair information on a permit holder's dockless vehicles by model of vehicle and by type of repair;

(3) A report of illegal parking or rebalancing requests from the public;

(4) A customer complaint received via app, email, or phone call with response time noted;

(5) A report on attendance at a City meeting or a community event, or marketing efforts;

(6) The number of active users during the past month;

(7) The number of rides by low-income pass, cash, and non-smart phone users within the past month;

(8) The number of low-income, cash, and non-smart phone users, disaggregated by the type of plan and user home zip code;

(9) The number of trips taken by users of the low-income pass; and

(10) An update to maintenance or operational plans.

G. Within 10 days of notification by BCDOT, a permit holder shall:

(1) Include a clickable link to a yearly BCDOT survey in the mobile application; and

(2) Send the survey link to all active users via e-mail.

H. Software Issues and Hacking Events.

(1) A permit holder shall notify BCDOT of any changes to data portals, including responses to notifications from BCDOT about:

(a) Software glitches;

(b) Issues with "hacking"; or

(c) Data portals.

(2) A permit holder shall acknowledge notifications about data and reporting from BCDOT within 24 hours and include a plan for fixing the problem.

(3) A permit holder shall update BCDOT on progress fixing software glitches every 48 hours while the problem persists.

(4) A permit holder shall permanently fix any issues within 60 days of receiving notice of the problem.

I. A permit holder shall protect user privacy by:

(1) Complying with Payment Card Industry Data Security Standards for any Electronic payments;

(2) Notifying a user of any mobile device features that the mobile application accesses; and

(3) Not releasing personal user data to an entity

   (a) Unrelated to operations, or

   (b) One that intends to use the data in commercial sales to third parties.

J. A permit holder may request that customers "opt in" to provide location services or access to files on a user's phone for improved functionality, however, a customer's failure or refusal to grant location services cannot result in the customer being unable to use the permit holder's dockless vehicles.

K. A permit holder shall provide BCDOT an account for its mobile application so that BCDOT employees can access a dockless vehicle without being charged a fee for the purposes of:

(1) Education,

(2) Routine vehicle inspections, or

(3) Vehicle repositioning.

14.02.01.15. Standards for Fees.

A. A permit holder shall follow all rules and regulations adopted by the Department of Finance.

B. Permitting Fee.

   (1) A permit holder shall pay a fee for the issuance of a revocable Public Right-of-Way Occupancy Permit within 30 days of being awarded the permit.

   (2) The fee shall include the costs of:

      (a) Issuing the permit,

      (b) Program administration,

      (c) Associated infrastructure,

      (d) Education and enforcement, and

      (e) Program evaluation.

   (3) The fee shall be approved by the Board of Estimates and disclosed to permit applicants before the application deadline.

   (4) If a permit holder's permit is revoked, BCDOT may not refund any permitting fees paid for the current permit cycle.

C. Security Bond.

   (1) A permit holder shall provide to BCDOT security for performance in the amount of $10,000.

   (2) The security may be in the form of a performance bond, a refundable bond, or other security acceptable to the City.

   (3) The City may draw from the security provided by a permit holder if:

      (a) A permit holder fails to remove from the public right-of-way a vehicle that is unsafe, unpermitted, or abandoned;

      (b) BCDOT has to remove, relocate, impound, or store a dockless vehicles due to improper parking, a safety hazard, or a violation of these regulations; or

      (c) A permit holder's dockless vehicle causes damage to public property.

   (4) BCDOT may draw from the balance of a permit holder's refundable bond deposit(s) to recover all costs due.

   (5) BCDOT shall provide written notice to a permit holder before making a deduction from the security provided by the permit holder which states:

      (a) The reasons for the deduction;

      (b) The amount of the deduction;

(c) That a permit holder shall submit an objection to the deduction in writing no later than 7 days after the date of the written notice.

(6) A decision adverse to the permit holder shall:

(a) Be in writing,

(b) Provide the reasons for denying the objection, and

(c) Be sent to the permit holder three days before a deduction is made.

D. A permit holder shall:

(1) Remit rental tax twice annually with a list of all transactions; and

(2) Send a digital copy of all payments and transactions to BCDOT.

14.02.01.16. Standards for Insurance.

A. Required Insurance.

   (1) A permit holder shall procure and maintain during the term of an initial or renewal dockless vehicle permit:

      (a) Worker's compensation coverage as required by the State, and similar coverage required for this work by applicable federal law or the laws of other states;

      (b) Commercial general liability insurance for claims arising out of bodily injury or death and property damage, that includes contractual liability insurance, with a minimum coverage of:

         (i) $1,000,000, generally, and

         (ii) For policies with aggregate limits, $2,000,000; and

      (c) Business automobile liability coverage worth at least $1,000,000.00 per occurrence for all claims arising out of bodily injury or death and property damage that applies to any owned, non-owned, leased, or hired automobiles used by the permit holder under the dockless vehicle permit.

B. A permit holder shall name The Mayor and City Council of Baltimore as an additional insured on a permit holder's commercial general liability and commercial automobile liability policies.

C. A permit holder shall indemnify the Mayor and City Council of Baltimore from liability relating to the issuance of or provision of services under a dockless vehicle permit.

D. An applicant for a new dockless vehicle permit shall agree to indemnify the Mayor and City Council of Baltimore as part of the dockless vehicle permit application.

E. A dockless vehicle permit holder whose permit is renewed shall sign a renewal agreement in which the permit holder agrees to indemnify the Mayor and City Council of Baltimore.

F. A permit holder shall be notified by the City before resolution or settlement of claims for which the City will seek indemnification

14.02.01.17. Standards for the Permit Revocation Process.

A. A permit holder may request a hearing to determine whether sufficient facts exist to revoke a permit.

B. The hearing shall be held at a time and place designated by BCDOT.

C. BCDOT shall provide a permit holder with:

   (1) Notice of the hearing at least ten business days before the scheduled date; and

   (2) An opportunity to be heard at the hearing.

D. A permit holder may

   (1) waive the right to an in-person hearing for the revocation of a permit, and

   (2) submit a written opposition to the revocation before the scheduled hearing date.

E. A permit holder shall submit the written opposition to:

   BCDOT Transit Bureau
   417 E. Fayette Street
   Baltimore, Maryland 21202.

F. Following the hearing or the review of a written opposition, BCDOT shall record in writing its findings of fact.

G. The Director may revoke the permit if:

   (1) BCDOT finds that sufficient grounds exist to revoke a permit; and

   (2) BCDOT provides at least five days' written notice in advance of the revocation.

H. A permit holder may appeal the revocation of a dockless vehicle permit to the Director.