

## City of Oakland

Mayor's Commission on Persons with Disabilities (MCPD)

Monday, July 16, 2018

5:30 p.m. – 7:30 p.m.

Hearing Room One, First Floor

One Frank H. Ogawa Plaza (City Hall), Oakland, CA 94612

### Agenda

- I. Call to Order
- II. Roll Call
- III. Public Comments\*  
*Any person may directly address the Commission on any items within the jurisdiction of this Commission. Speakers wishing to address a specific item on the agenda may do so at the time the item is being considered.*
- IV. Agenda Modification and Approval
- V. Approval of June 18, 2018 Minutes (**Exhibit A**)
- VI. Chair Report; *Frank Sperling, Chair*
- VII. Commissioner's Announcements
- VIII. Staff Updates and Announcements; *Anh Nguyen, ADA Programs Division Manager*
  - A. Disabled Parking Placard Sting
  - B. Woodminster Amphitheatre
  - C. City Center West Garage Lawsuit
  - D. ADA Anniversary

- IX. Mid-Year Strategic Plan Review; *Chair Sperling (Exhibit B)*
  - A. Confirm Status of Items
  - B. Identify Upcoming Issues
  
- X. Oakland Department of Transportation (OakDOT) Shared Mobility Update and Dockless Bike and Scooter Share Policy to City Council Public Works Committee; *Chair Sperling (Exhibit C)*
  - A. Develop Proposal for Accessibility Fee
  
- XI. Senate Bill 1376 - Transportation Network Companies: Accessibility for Persons with Disabilities; *Commissioner Gregory (Exhibit D)*
  - A. Review Purpose of Legislation
  - B. Decide on Endorsement
  
- XII. Biannual Paving Update; *Sarah Fine, Paving and Sidewalk Management, Great Streets Division, Department of Transportation*
  
- XIII. Future Agenda Items
  - A. Objective 1.1: Accessibility in the Bike Share Program
  - B. Objective 1.2: Disabled Parking Spaces and Abuse of Disabled Parking Placards
  - C. Objective 1.3: Accessibility of Fixed-Route Transit Systems in Oakland
  - D. Objective 1.4: Reliability and Customer Service of Paratransit Systems in Oakland
  - E. Objective 1.5: Wheelchair Accessible Vehicles in the Taxi Program and Transportation Network Companies
  - F. Objective 1.6: Oakland's Complete Streets Program
  - G. Objective 2.1: Oakland Police Department Crisis Intervention Training (CIT)

- H. Objective 2.2: Oakland Fire Department, Emergency Management Services Division Overview of Methods for Addressing Access and Functional Needs During an Emergency and Natural Disasters
- I. Objective 3.1: Update on Community Outreach
- J. Objective 4.1: ADA Transition Plan, including Curb Ramp and Sidewalk Repair
- K. Objective 4.2: Equitable Prioritization of Measure KK Funds for Public Infrastructure Improvements
- L. Objective 5.1: Measure KK Funds for Home Modifications to Enhance Accessibility
- M. Objective 5.2: Identify and Reduce Number of Homeless Persons with Disabilities in Oakland

XIV. Adjournment

## Note: The Commission May Take Action on Any Item on the Agenda

Public Comments: To offer public comments at this special meeting, please register with Hoang Banh, ADA Programs Division Analyst, before the start of the MCPD meeting at 5:15 p.m. Please note that the MCPD will not provide a detailed response to your comments but may schedule your issue for a future meeting. The MCPD Public Comment period is limited to 15 minutes and each individual speaker is limited to 5 minutes. If more than 3 public speakers register, however, then each speaker will be limited to 3 minutes. If more than 5 public speakers register, then each speaker will be limited to 2 minutes. Exceptions to these rules may be granted at the discretion of the Chairperson.



This meeting is wheelchair accessible. To request ASL interpreting, materials in alternative formats, captioning or assistive listening device, or any other disability related accommodation, please email [adaprograms@oaklandnet.com](mailto:adaprograms@oaklandnet.com) or call (510) 238-5219 (V) or 711 (California Relay Service) at least five (5) business days before the meeting. Please refrain from wearing scented products to this meeting so persons who may experience chemical sensitivities can attend. Thank you.



## City of Oakland

Mayor's Commission on Persons with Disabilities (MCPD)

Monday, June 18, 2018

### Draft Minutes

- I. Call to Order at 5:35 p.m.
- II. Roll Call
  - 7 Commissioners present: Garner, Gregory, Harrington, Ryan, Sperling, van Docto, Young
- III. Public Comments
  - Andy Campbell introduced himself as liaison from the Bicycle and Pedestrian Advisory Commission (BPAC).
  - Helen Walsh serves on the Berkeley Commission on Disabilities. She expressed her interest in pedestrian, bicycle, and ride share inclusionary design. She is also concerned about communications and runs a project called “Diversity Disability Media.”
- IV. Agenda Modification and Approval
  - Motion to approve Agenda: Gregory  
Seconded by Garner  
Aye: 7 - Garner, Gregory, Harrington, Ryan, Sperling, van Docto, Young  
**Motion passed.**
- V. Approval of April 16, 2018 Minutes
  - Motion to approve Agenda: Gregory  
Seconded by Harrington

Aye: 7 - Garner, Gregory, Harrington, Ryan, Sperling, van Docto, Young

**Motion passed.**

VI. Chair Report; *Frank Sperling, Chair*

- Chair Sperling apologized that the May MCPD meeting was cancelled due to unavailability of the original presenter as well as the back-up presenter.
- Commissioner Hong submitted his letter of resignation today because his new job coincides with MCPD meetings. Chair Sperling is now in charge of receiving and posting items on the MCPD Facebook page.
- Chair Sperling asked all Commissioners to prepare updates on the Strategic Plan objectives and to send them to ADA Program Analyst, Hoang Banh, by June 30 to be included in the agenda packet for July MCPD meeting.
- June 23, Chair Sperling will be attending the Aphasia Center of California Walk-a-thon. He invited Mayor Schaaf, and she accepted.

VII. Commissioner's Announcements

- Commissioner Gregory stated, in response to public forum speakers, that two MCPD commissioners participate in the monthly Bike Share Technical Advisory Committee (TAC).
  - To participate in that TAC, contact Kerby Olsen, [kolsen@oaklandnet.com](mailto:kolsen@oaklandnet.com), from Oakland Department of Transportation (OakDOT) Parking and Mobility Programs Division.
- Under Objective 5.1 of the Strategic Plan, MCPD will advocate for prioritization of Measure KK funds for home modifications to enhance residential access for Oaklanders with disabilities.

- Commissioner Gregory has contacted Council Member Kaplan’s office about this matter with no response.
- He has also had limited response from staff at Housing and Community Development.
- He will escalate to the new Assistant City Administrator after she starts July 16.
- Under Objective 1.5, MCPD will work towards enhancing Transportation Network Companies (TNCs) ability and motivation to serve persons with disabilities (PWDs).
  - At the state level, Senator Hill proposed Senate Bill (SB) 1376, which would require Uber, Lyft, and other TNCs operating in California to contribute five cents per ride into a fund for wheelchair accessible vehicles (WAVs).
  - The Center for Independent Living has stated support for SB 1376 as well as San Mateo, San Jose, and other cities.
  - Commissioner Gregory would like SB 1376 to be on the July agenda for MCPD. The purpose is to discuss the possibility of MCPD and City of Oakland publicly supporting the bill before it goes for a vote in the Senate and Assembly in August.
    - Chair Sperling confirmed that SB 1376 will be on the July agenda for MCPD.

VIII. Staff Updates and Announcements; *Anh Nguyen, ADA Programs Division Manager*

- In regards to SB 1376, Mr. Nguyen has spoken with his manager in OakDOT and Michael Ford in OakDOT Parking and Mobility Programs about a letter of support.

- City of Oakland is hosting four Capital Improvement Program community meetings.
  - The first meeting was June 16 at East Oakland Youth Development Center, 8200 International Blvd.
  - June 20, 6 p.m. to 8 p.m. at DeFremery Recreation Center, 1651 Adeline St.
  - June 23, 10 a.m. to 12 p.m. at the Main Library, Bradley Walters Auditorium, 125 – 14<sup>th</sup> St.
  - June 30, 10 a.m. to 12 p.m. at Dimond Branch Library, 3565 Fruitvale Ave.
  - Online surveys in English, Spanish, Chinese, and Vietnamese can be accessed here:  
<https://www.oaklandca.gov/issues/capital-improvement-program>
- Chair Sperling inquired about how soon the three current vacancies on MCPD can be filled.
  - Hoang Banh, ADA Program Analyst, did receive a backlog of six applications from the Mayor’s Office. Mr. Nguyen and Ms. Banh are currently reviewing those applications.
- Chair Sperling inquired about whether the City’s mid-cycle budget will enhance ADA Programs Division ability to serve persons with disabilities.
  - Mr. Nguyen stated that he did submit a budget request. The mid-cycle budget is expected to be approved at next City Council meeting.

IX. Wheelchair Accessible Vehicles (WAVs) in the Taxi Program; *Michael Ford, Acting Manager, Parking and Mobility Programs, Department of Transportation*

- Mr. Ford stated that the Taxi Detail was transferred from the City Administrator’s Office to OakDOT in July 2017.

- Prior to that transfer, Greg Minor from the City Administrator's Office, came to MCPD and described how the Taxi Detail had a handful of unassigned medallions. The idea was to use those medallions as an opportunity to increase the supply of on-demand WAVs.
- Since the transfer to OakDOT, their full-time Public Service Representative dedicated to the Taxi Detail is trying to update her systems and build her capabilities to better serve the existing taxi program.
  - Unfortunately, OakDOT has had very little time and resources to enhance the Taxi Detail.
  - Mr. Ford is here today to try to pick up where Mr. Minor left off by taking suggestions and listening to concerns from MCPD.
  - He will then work with his Public Service Representative to move this project forward in a timely manner.
  - Furthermore, Mr. Ford is discussing with staff in multiple departments how to leverage resources, such as Taxi Scrip.
- Chair Sperling stated that Mr. Minor presented a short-term solution. The MCPD felt that a long-term, integrated solution was needed, especially as taxis, TNCs, and paratransit service all have holes in them.
  - For instance, in Boston, paratransit service is piloting a program with Uber and Lyft for on-demand WAVs.
  - Based on this feedback, Mr. Ford stated that moving the Taxi Detail to OakDOT certainly puts them in a better position to structure a more comprehensive, long-term resource plan.

- Naomi Armenta introduced herself as Senior Associate with Nelson Nygaard Consulting. She provides technical assistance for same day accessible transportation. She recorded a webinar with MBTA in Boston regarding their pilot program that she can provide to OakDOT staff.
  
- Nicole Bohn, Director of the Mayor's Office on Disabilities in San Francisco, invited MCPD to collaborate with the San Francisco Mayor's Disability Council on common interests and concerns.
  - She stated that San Francisco is doing things to help supplement and provide on-demand service.
  - She also urged MCPD to support SB 1376.
  - Moreover, she encouraged connecting with colleagues in New York City, Chicago, and Seattle, where there are different kinds of TNC pilot programs. New York City has the most substantial program.
  
- On a related note, Mr. Ford also provided an update on Disabled Parking Placard misuse and fraud.
  - As of July 2017, Parking Enforcement was transferred from Oakland Police Department (OPD) to OakDOT. Thus, Mr. Ford also serves as the Acting Manager for Parking Enforcement. He is currently in charge of 62 or 63 Parking Technicians but is authorized up to 70.
  - One of the programs that was developed about five years ago was the Disabled Parking Placard Sting Program. From 2014 to 2016, this program produced over one thousand citations each year.
  - The OakDOT Director instructed Mr. Ford to revive the Disabled Parking Placard Sting Program. Several Parking Technicians engaged in the program

a few years ago are preparing to be go back in to the field as soon as tomorrow.

- Thus, Mr. Ford is seeking input from MCPD, for instance, on public service messages and ways to work in the community to ensure the purpose of the program is clear: creating accessibility for persons with disabilities who are following the law.
- Also, the goal is to work themselves out of a job.
- Chair Sperling stated that one of the objectives in the MCPD Strategic Plan is to get a better handle on Disabled Parking Placard misuse with Oakland. Thus, he had spoken with OakDOT Director Ryan Russo about this objective.
- Commissioner Gregory expressed concern about gently dealing with persons out on the street, especially if it first appears that there is misuse but turns out to be legitimate.
  - To better answer that question, Mr. Ford would like to return with a Parking Technician to describe how they work out in the field.
- Commissioner Harrington inquired about data from 2014 to 2016 to show improvements in accessibility and parking spaces.
  - Mr. Ford stated that OakDOT is able to look at the history and map the information to look for trends. This new department is focused on data-driven decisions going forward.
  - Commissioner Harrington also encouraged leveraging data in BlueDAG with OakDOT mapping and databases.
  - Commissioner Harrington inquired about data on number of citations challenged and dismissed.

- Mr. Ford agreed that is an important indicator of how well the program is doing. If there are voided or dismissed citations, then they are doing something wrong.
- Commissioner Garner expressed concern for those who do not have an obvious outward disability. For instance, she can walk for two days, but after that, for three days, she is down.
  - Mr. Ford agreed with that concern and reiterated that the Parking Technicians staffing the sting now are the same Parking Technicians from earlier years.
  - Moreover, Mr. Nguyen has met with the Parking Technicians.
- Naomi Armenta from Nelson Nygaard Consulting stated that her firm has worked with San Francisco and Los Angeles on disabled parking placard issues.
  - The bulk of the abuse is at parking meters rather than blue zones.
  - She can share more background and information with OakDOT staff.
- Nicole Bohn, Director of the Mayor's Office on Disabilities in San Francisco, also invited MCPD to collaborate on the issue of disabled parking placard misuse.
- Helen Walsh is interested in the messaging in regards to disabled parking placard abuse.
  - Mr. Ford stated that OakDOT has several Public Information Officers to help with Public Service Announcements (PSAs).
  - Mr. Ford has will continue communication with Mr. Nguyen and MCPD to get the word out.

- Arnold Brillinger from the City of Alameda Committee on Disability inquired whether MCPD is concerned about Oakland Paratransit for the Elderly (OPED), East Bay Paratransit, or both.
  - Hakeim McGee, Senior Services Supervisor in Human Services, described OPED as a supplemental service that fills the gaps that East Bay Paratransit cannot or does not provide.
    - OPED contracts with taxi companies for same day service. The taxi program is the biggest aspect of the services offered, but current does not provide WAVs.
    - Funded by Alameda County Measures B and BB, there are implementation guidelines for different types of services that can be offered and a part of that is being able to buy services that relieve the demand on East Bay Paratransit. There is a robust dialysis component and adult day care runs as well, which both provide WAVs but require scheduling ahead.
    - Their program is focused on riders and access to the various services that may be available in the local network.
    - Earlier this year, they did put out a Request for Interest for same day WAVs. Only one company, One Access, responded. This will be their first attempt, starting July 1, as a pilot project to offer same day WAVs, including door-to-door service.
  - Chair Sperling reiterated to Mr. Ford that this reaffirms the concept of looking at the big picture, as it is hard to separate or carve anything out.

- Mr. Ford stated that he did refer a few folks to Mr. McGee in the past week, including those at the airport regarding the Taxi Scrip Program.

X. Accessibility in the Bike Share Program; *Kerby Olson, Shared Mobility Coordinator, OakDOT; Kara Oberg, Active Transportation Planner, Bay Area Metro; Tim Alborg, Director of Public Policy and Government Relations, Zagster*

- Kerby Olsen manages the following programs at OakDOT: bike share, car share, and way-finding.
  - Oakland's Bike Share Program currently has seven bike share stations with about 800 bikes.
  - Since July 2017, there have been approximately 127,000 rides in Oakland.
  - Last Tuesday, June 12 - the day of the Warriors Parade - a record was set with over 1,300 rides in one day.
- After the Bike Share TAC was formed, some strategies to address accessibility include the following:
  - Pop-up accessible bike rental in Oakland in partnership with Bay Area Outreach and Recreation Program (BORP)
  - Conduct a needs assessment of the bike share system as whole, including the physical stations as the programmatic elements.
- A survey was created to assess adaptive bike share needs in Oakland.
  - MCPD helped share the survey via email and Facebook. Paper copies were available at key sites in Berkeley, Oakland, and Alameda.
  - There were 61 surveys completed.

- In terms of types of adaptive bikes preferred, hand cycles and tricycles were the two most popular options, followed by side-by-side tandem. This is consistent with surveys in other cities.
  - In regards to use for recreation or transportation, a plurality of respondents stated recreation.
  - In terms of facilities, 90 percent of responded stated they preferred off-street multi-use paths. Half stated they would be comfortable riding on streets with bike lanes.
  - As for additional services, 65 percent responded that storage for mobility devices is key. Additionally, assistance is needed to transfer from mobility device to adaptive bike. However, this requires on-site staff, which is not typical of a bike share system.
  - In terms of potential locations for pop-up adaptive bike rental, staff identified Lake Merritt and Jack London Square. While both locations were relatively popular, respondents preferred Lake Merritt.
  - Finally, while there is a current trend moving from docked stations to dock-less, the plurality prefer a service similar to a bike rental service with staff available, even if they would have to return the bike back to the same place they rented.
- Thus, City staff is currently developing a Request for Proposals to run the adaptive bike share program like a bike rental service.
  - Kara Oberg from Bay Area Metro, which manages the Bay Area Bike Share Program, reiterated the strategy of creating a one year pilot.

- Tim Alborg from Zagster presented on their new Pace Adaptive Bikes.
  - While it is dock-less, it does lock to things and ensures being out of the pedestrian right of way.
  - The three most popular Pace Adaptive Bikes already in use in other cities are consistent with the Oakland Adaptive Bike Share Survey: Hand cycle, tricycle, and side-by-side tandem.
- Chair Sperling emphasized that the purpose of the presentation was to update the MCPD and public on accessibility of the bike share program in Oakland and the Bay Area in total. The Zagster piece was to provide additional information on kinds of cycles and illustrate successful adaptive programs around the county.
- Chair Sperling stated that even with only 61 responses, the survey reaffirms that the program is going in the right direction.
- Ms. Walsh expressed concern that there were only 61 responses. She encourages stepping up communication. Additionally, she commented that bike lanes tend not to be wide enough to support tricycles.
- Ofurhe Igbinedion introduced herself as a doctoral student in Geography. She inquired about the cost in the second year for low income persons after the membership fee of five dollars in the first year.
  - Mr. Olsen responded that membership would be five dollars per month in the second year.
- Chair Sperling stated that more discussion will follow at the TAC meetings. Also, presenters tonight may be invited back to MCPD.

- Finally, Ms. Igbinedion stated that she is conducting a walkability study in the Mosswood area of Oakland to look at interpersonal sidewalk interactions from a cultural and sociological standpoint. She is particularly interested in participants in the study who are persons with disabilities, homeless people, poor people who are more likely to use active transportation, more likely to not have access to a car and people who work more with or without the use of mobility aids. Learn more at [sidewalkinteraction.net](http://sidewalkinteraction.net) if you want to participate.

## XI. Future Agenda Items

- A. Objective 1.1: Accessibility in the Bike Share Program
- B. Objective 1.2: Disabled Parking Spaces and Abuse of Disabled Parking Placards
- C. Objective 1.3: Accessibility of Fixed-Route Transit Systems in Oakland
- D. Objective 1.4: Reliability and Customer Service of Paratransit Systems in Oakland
- E. Objective 1.5: Wheelchair Accessible Vehicles in the Taxi Program and Transportation Network Companies
- F. Objective 1.6: Oakland's Complete Streets Program
- G. Objective 2.1: Oakland Police Department Crisis Intervention Training (CIT)
- H. Objective 2.2: Oakland Fire Department, Emergency Management Services Division Overview of Methods for Addressing Access and Functional Needs During an Emergency and Natural Disasters
- I. Objective 3.1: Update on Community Outreach
- J. Objective 4.1: ADA Transition Plan, including Curb Ramp and Sidewalk Repair
- K. Objective 4.2: Equitable Prioritization of Measure KK

Funds for Public Infrastructure Improvements

- L. Objective 5.1: Measure KK Funds for Home Modifications to Enhance Accessibility
- M. Objective 5.2: Identify and Reduce Number of Homeless Persons with Disabilities in Oakland

XII. Adjourned at 7:29 p.m.

**EXHIBIT A.1 for Attachment to Minutes of Event Date**  
*City of Oakland Mayor's Commission on Persons with Disabilities*  
*Meeting for June 18, 2018*

**COMMISSIONERS**  
**ROLL CALL**

<b>Quorum  Established: <u>Yes</u>  Number Voting  Members  Present: <u>7</u></b>	<b>Present</b>	<b>Excused Late</b>	<b>Arrive Late</b>	<b>Leave Early</b>	<b>Absent</b>	<b>Excused</b>	<b>Non-voting status</b>
<b>Chairperson Frank Sperling</b>	<b>X</b>						
<b>Co-Vice Chair Sarah Garner</b>	<b>X</b>			<b>X</b>			
<b>Co-Vice Chair Brian Harrington</b>	<b>X</b>						
<b>COMMISSIONERS</b>							
<b>Caleb van Docto</b>	<b>X</b>						
<b>Brandon Young</b>	<b>X</b>		<b>5:38 p.m.</b>				
<b>Thomas Gregory</b>	<b>X</b>						
<b>Daryl Meshack</b>					<b>X</b>	<b>X</b>	
<b>Karina Ryan</b>	<b>X</b>						
<b>Vacant</b>							
<b>Vacant</b>							
<b>Vacant</b>							
<b>Staff:</b> <b>Anh Nguyen, ADA Programs Manager</b> <b>Hoang Banh, ADA Program Analyst</b>							
<b>Interpreters: none</b>							

**EXHIBIT A.2 for Attachment to Minutes of  
Event Date**

**SIGN IN SHEET**

*Mayor's Commission on Persons with Disabilities*  
**Monday, June 18, 2018**

<b>NAME</b>	<b>MAILING ADDRESS</b>	<b>E-MAIL</b>
Helen Walsh,		<a href="mailto:diversedisabilitymedia@comcast.net">diversedisabilitymedia@comcast.net</a>
Andy Campbell,		<a href="mailto:andygc1x@gmail.com">andygc1x@gmail.com</a>
Tim Alborg, Zagster,		<a href="mailto:talborg@zagster.com">talborg@zagster.com</a>
Ginger Jui, Bike East Bay		
Kara Oberg,		<a href="mailto:koberg@bayareametro.gov">koberg@bayareametro.gov</a>
Ofurhe Igbinedion,		<a href="mailto:oigbinedion@ucdavis.edu">oigbinedion@ucdavis.edu</a>
Emily Stapleton,		<a href="mailto:emilystapleton@motivateco.com">emilystapleton@motivateco.com</a>
Nicole Bohn,		<a href="mailto:Nicole.bohn@sf.gov">Nicole.bohn@sf.gov</a>
Hakeim McGee, Oakland Human Services Department		
Naomi Armenta,		<a href="mailto:narmenta@nelsonnygaard.com">narmenta@nelsonnygaard.com</a>

# MCPD Bike Share Update

6/18/2018



Equality



Equity

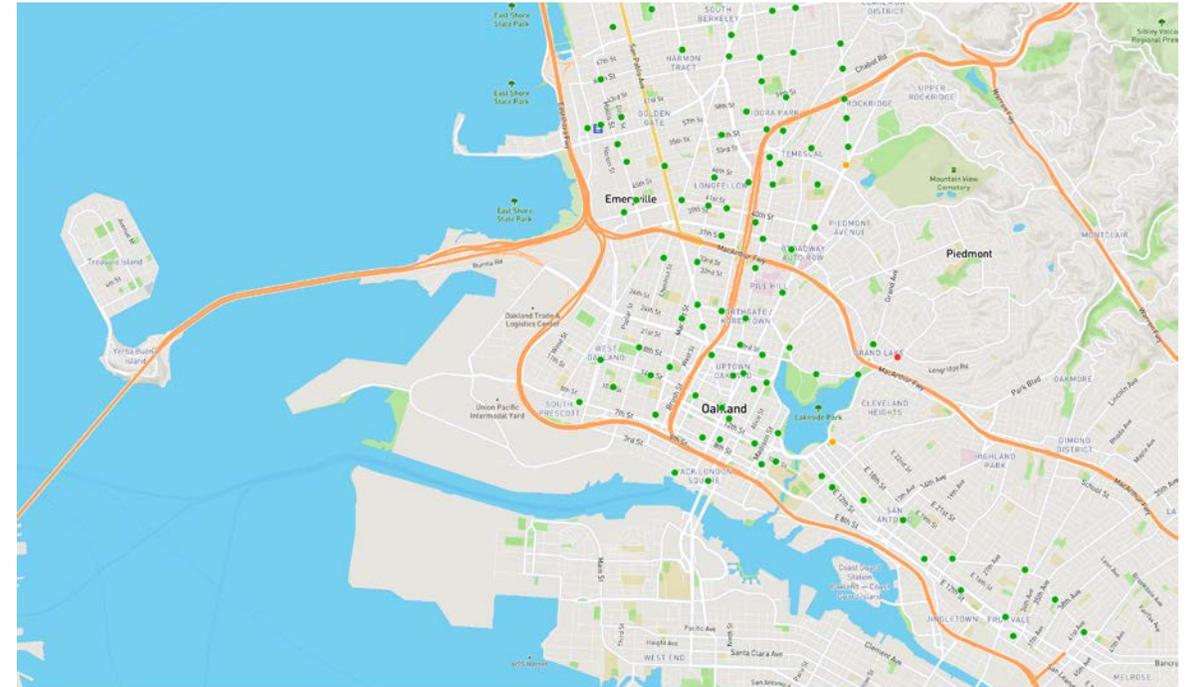


EXHIBIT A3

# Who Am I?

**Hi! I'm Kerby Olsen. I'm the Shared Mobility Coordinator in the Parking and Mobility Division of the City of Oakland's Department of Transportation.**

**I'm coordinating the Bike Share, Car Share and Regional Wayfinding Programs.**

**I live in West Oakland.**

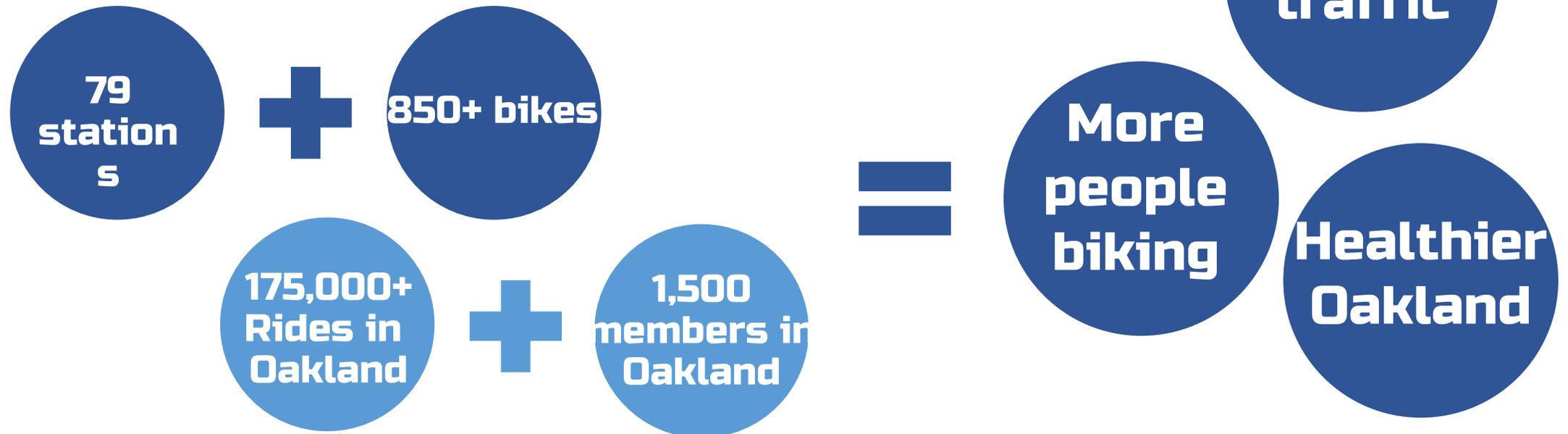


**Feel free to contact me:  
[Kolsen@oaklandca.gov](mailto:Kolsen@oaklandca.gov)  
510-238-2173**

# What's Happening?

In July of 2017, Oakland launched its first bike sharing program, in partnership with Bay Area Motivate, MTC, Berkeley, Emeryville, San Francisco and San Jose.

Installation was completed in late March. Warriors Parade (June 12<sup>th</sup>) set a new record with 1,321 rides.



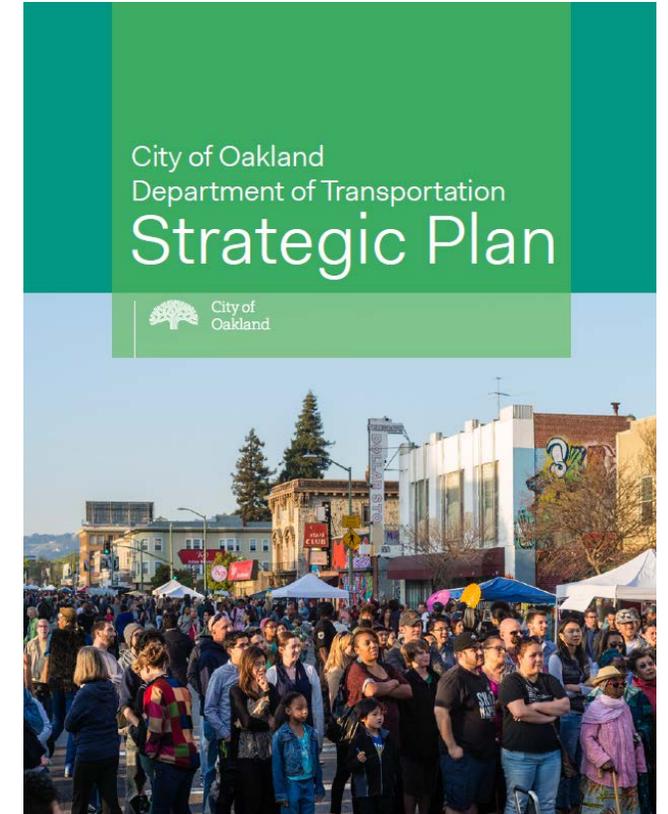
# What's Guiding This Work?

## Strategic Plan Goals:

- Expand access to shared mobility services
- Support the roll out of Bay Area Bike Share (now Ford GoBike)

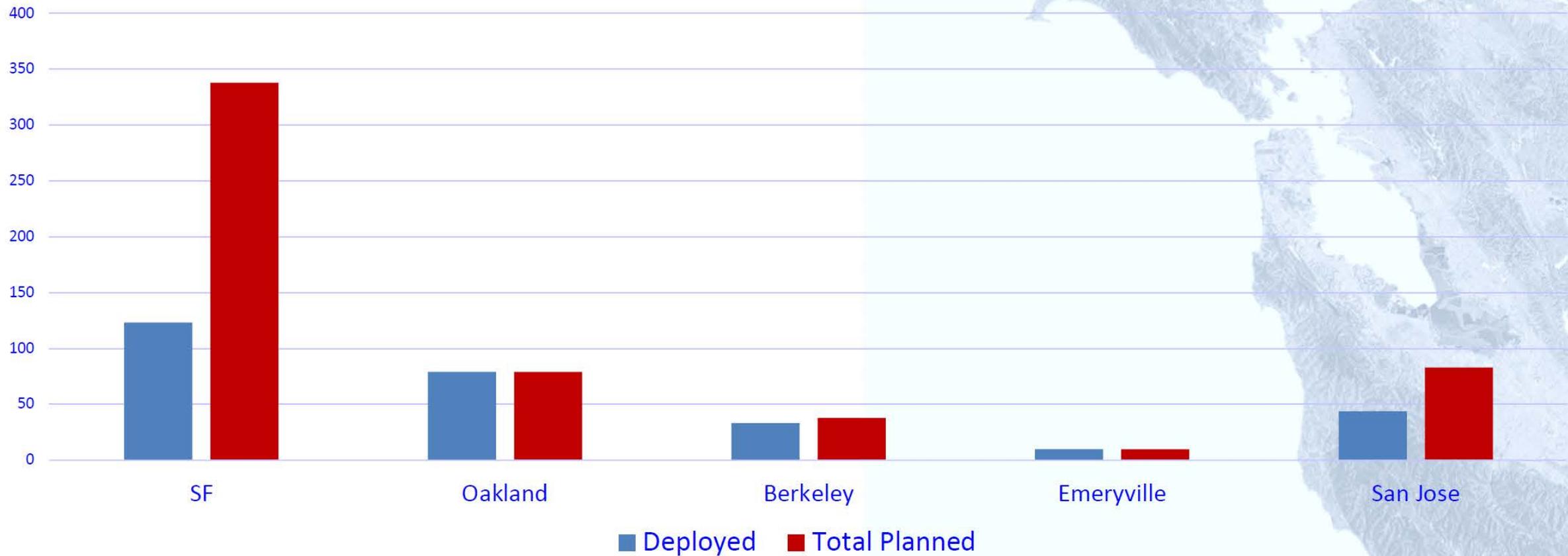
## Citywide policies

- Bike Sharing Policy (2015)
- Complete Streets Policy (2013)
- Parking Principles for Commercial Districts (2013)
- Oakland Energy and Climate Action Plan (2012)
- Transit First and Alternative Modes Policy (1996)



# Regional Perspective

Regionwide, 52% of stations deployed as of 5.15.18



# Regional Perspective

Regionwide, 21% Low-Income Members, highest U.S percentage  
5.15.18



# Adaptive Bike Share Pilot

**Complaint received about accessibility of bike share program**

**Staff from OakDOT and MTC formed an Advisory Committee to advise the City on how to make the bike share program accessible**

**Committee includes representatives from:**

- Mayor's Commission on Person's with Disabilities**
- Bay Area Outreach and Recreation Program (BORP)**
- The Center for Independent Living**
- Bike East Bay**
- City of Oakland ADA Programs Division**
- Metropolitan Transportation Commission**
- City of Berkeley ADA Programs**
- Ford GoBike**



# Adaptive Bike Share Pilot: Goal and

## Strategies

**Goal:** Understand the bike share accessibility needs in Oakland, and the other Ford GoBike cities, and evaluate potential strategies to address these needs.

**Three main strategies include:**

- 1. Provide and evaluate the usage and experience of pop-up accessible bicycle locations in Oakland, and in other interested cities, in partnership with Bay Area Outreach and Recreation Program (BORP)**
- 2. Conduct a Needs Assessment Study, led by the City of Oakland**
- 3. Utilize a Technical Advisory Committee, led by MTC, to inform the first two strategies**

***First TAC meeting, led by MTC, September 26, 2017***

## **Main questions discussed:**

- What is adaptive bike share?**
- Recreation vs. transportation**
- Who to serve?**
- What types/range of disabilities to serve?**
- What are other cities doing?**
- Where to locate?**
- How to fund?**
- How to brand?**
- Is this necessary for ADA compliance?**

# Accessibility TAC

## **General consensus:**

- BORP is a key partner**
- Motivate (Ford GoBike) has a role to play**
- Use Surveys, Interviews, Assessments to determine needs**
- Pilot program to learn and make recommendations**
- Use “pop-up” model rather than permanent location**
- OakDOT to fund, BORP to operate, Motivate to gift bicycles and help move them around**

## **Limitations**

- Given limited budget, pilot cannot serve all people with all disabilities**
- City contracting process**
- City staff capacity**

# Adaptive Bike Share Survey

## **Distributed to:**

- Berkeley Disabled Listserve**
- MCPD email list and Facebook page**
- BORP Adaptive Cycling email list**
- Bicycle and Pedestrian Advisory Committee email list**

## **Paper copies available at:**

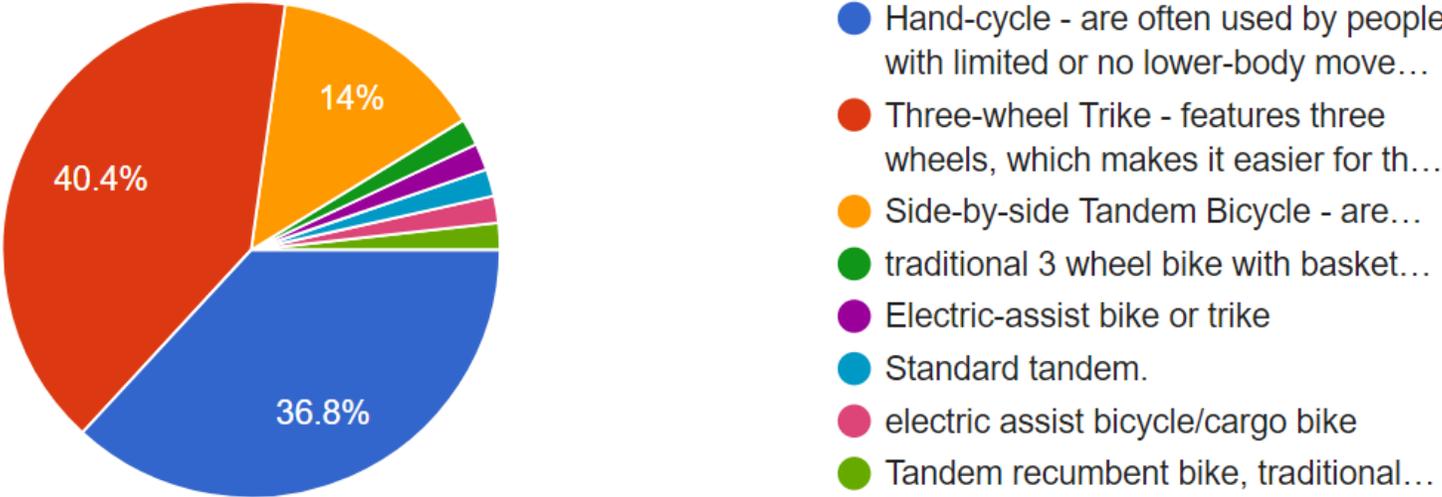
- The CIL sites in Berkeley, Alameda, Oakland**

**61 Responses Received**

# Survey results

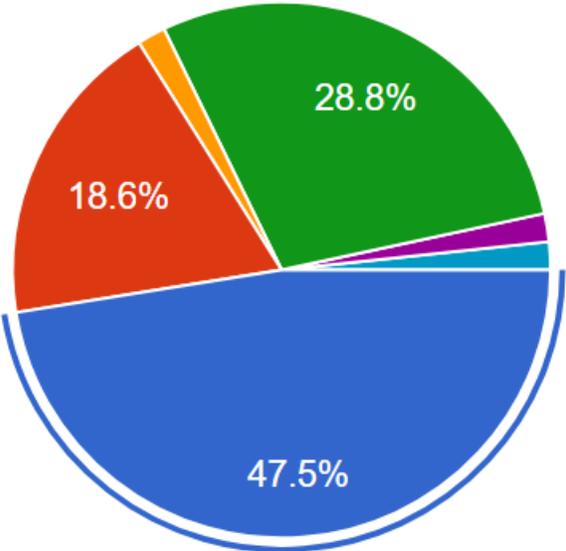
4) If you were to use an adaptive bicycle sharing service, what type of bicycle would you be most likely to use?

57 responses



## 6) If adaptive bike sharing was available, how would you primarily use it?

59 responses

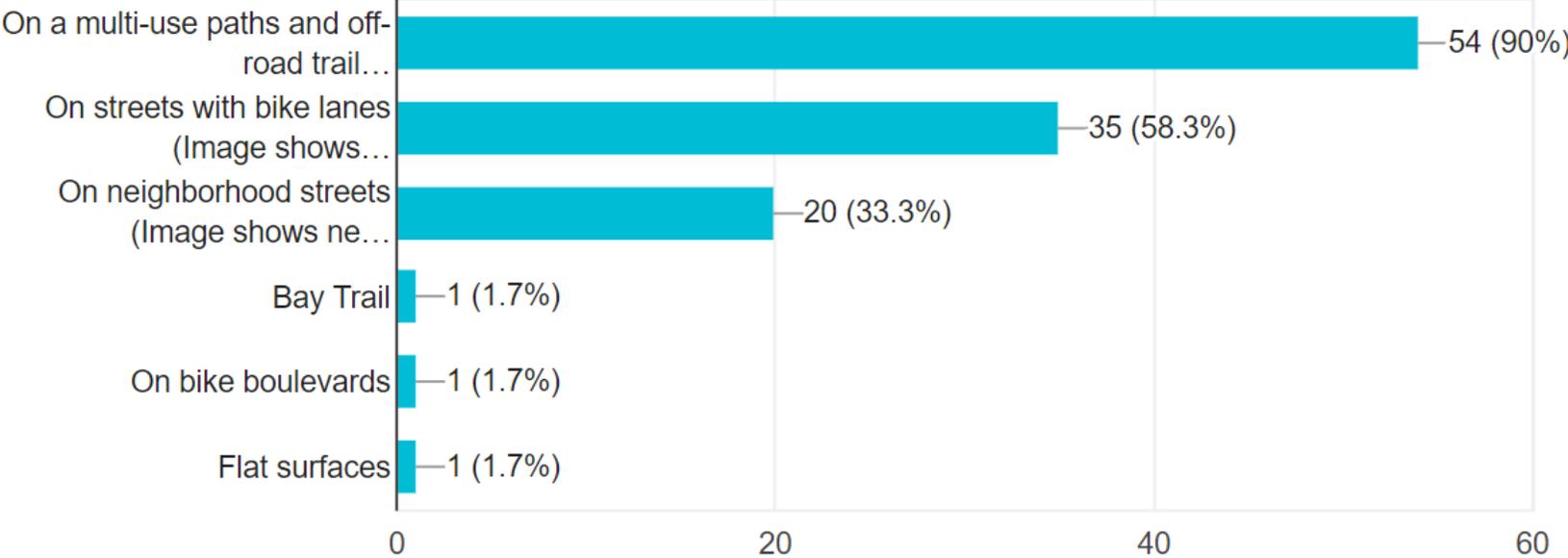


- I would use it for recreation or exercise.
- I would use it to visit friends, to go shopping or run errands.
- I would use it to commute to work, school and/or to access transit.
- I would use it for all of the above
- I would refer individuals with disabilities to the program
- I would use it with someone who wo...

# Survey results

10) If you had access to an adaptive bike sharing service where would you prefer to ride? (Check all that apply)

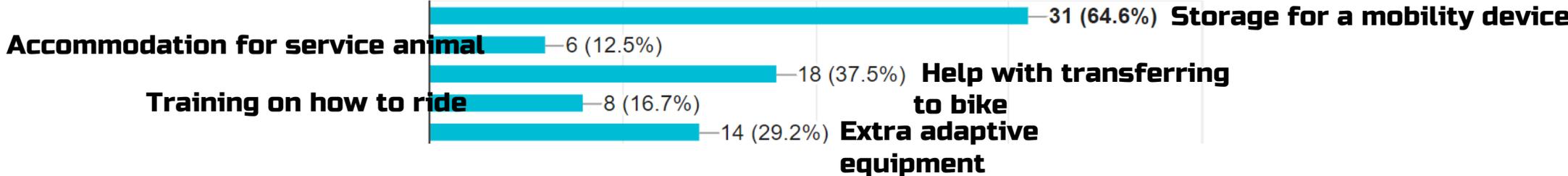
60 responses



# Survey results

5) In order to use adaptive bike share, would you require any of the following services? (Check all that apply)

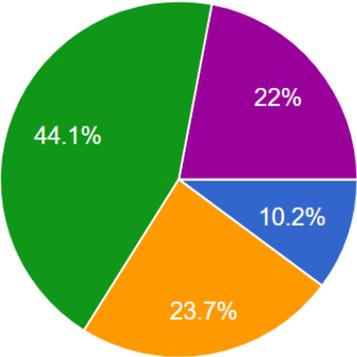
48 responses



# Survey results

11) I would use an adaptive bicycle sharing service from Lake Merritt.

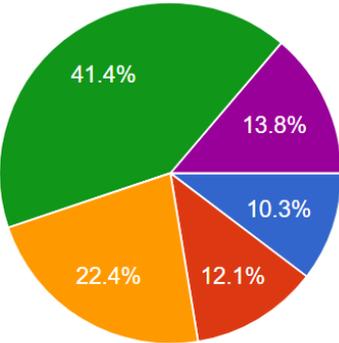
59 responses



- Strongly disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree

12) I would use an adaptive bicycle sharing service from Jack London Square.

58 responses

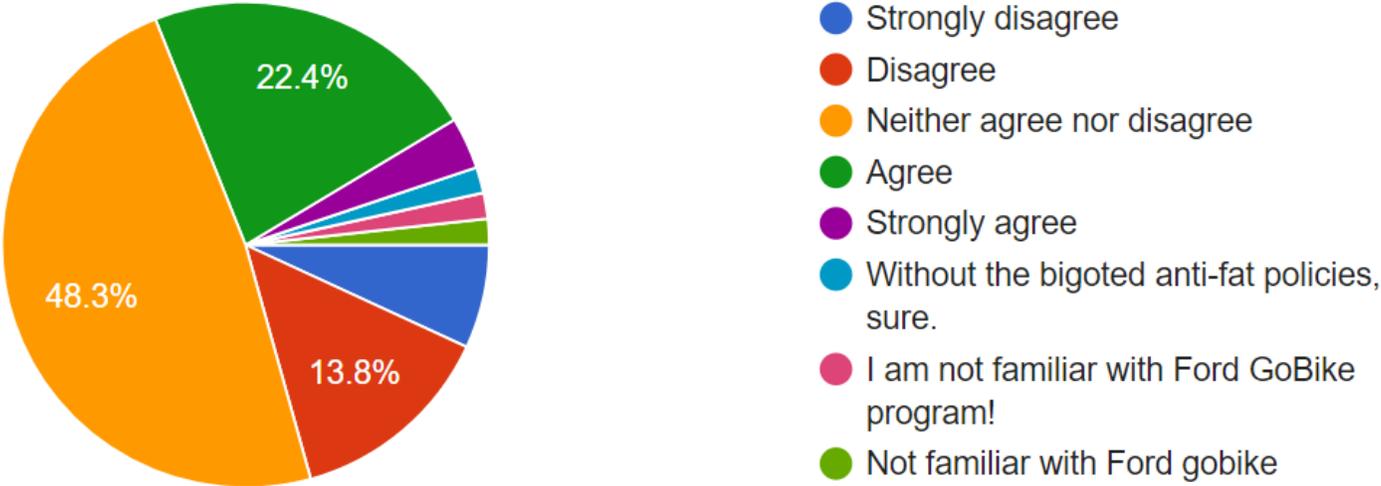


- Strongly disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree



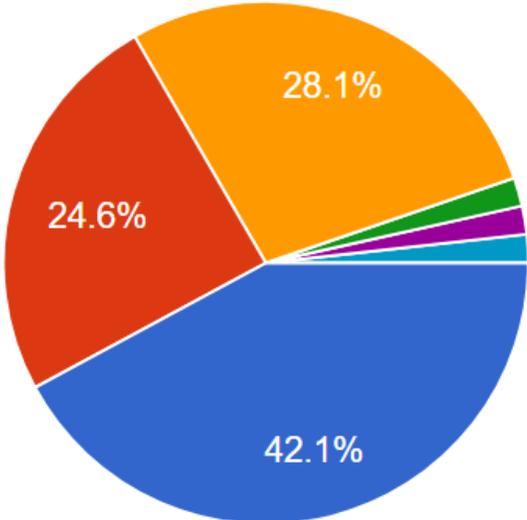
13) It is important to me that the adaptive bike share pilot looks and functions like the Ford GoBike program.

58 responses



## 15) Which type of adaptive bike share program would you prefer to use?

57 responses



- An adaptive bike rental service with staff available for assistance. Adaptive bikes can be unlocked by self-service.
- Bike share "stations" with adaptive bikes that can be unlocked by self-service.
- "Dockless" adaptive bike share without stations. Adaptive bikes can be unlocked by self-service.
- Dockless BUT promoting a location where you can drop by to learn how to use the bikes.
- Integrate with Ford Go Bike
- Some place where I could park my bike.

# Survey results

## 16) Do you have any additional comments that you would like to share?

18 responses

- It would be great if this was an affordable option. Bravo for thinking about this and creating this.
- For people with sun issues, maybe having some bikes that have some kind of top.
- vehicle traffic is scary
- Keep up the great work!
- options for disabled riders is very important, thank you for the survey
- Thanks for considering this program. It would benefit people with mobility difficulties. Well- trained staff at stations would be very important.
- I like a more upright type of hand cycle such as the quickie shadow as if you were riding this on a side walk you can make a tighter turn at a corner without using extra lanes
- I am a teacher and would like to send out this survey to parents of my students
- my concern is leaving my wheelchair unattended at a "station". I don't think anyone would leave a wheelchair unattended outside, even if locked. This issue would need to be addressed for other types of stations without staff.
- I think it sounds like a great idea to have adaptive bike share! It's even better if biking infrastructure were improved (better, more protected bike lanes /etc)



# Next steps

- Develop and issue RFP to Run Adaptive Bikeshare Pilot**
- Use on-call Transportation Engineering contract to assist with assessing the pilot and existing system**
- On-call tasked with a Needs Assessment Report, including recommendations for how to make bike share system accessible in the long term**

# Thank you!

Questions?



**Feel free to contact me:  
Kolsen@oaklandnet.com  
510-238-2173**

**Mayor’s Commission on Persons with Disabilities (MCPD)  
Strategic Plan - 2018**

**Goal Area #1 – Transportation**

Objective 1.1:

Commissioners: Sperling and Gregory

Objective	Approach	S-M-A-R-T-ness	Progress/Outcome
<p>MCPD will work toward enhancing BikeShare access.</p>	<p>MCPD will:</p> <ul style="list-style-type: none"> <li>• Be represented on the City of Oakland/Metropolitan Transportation Commission/Motivate-sponsored BikeShare technical advisory committee (TAC), which in turn will monitor the City’s cycling needs assessment and Bay Area Outreach &amp; Recreation Program’s (BORP) pop-up pilot project.</li> <li>• Promote (on MCPD’s Facebook page) participation in the City’s cycling needs assessment and in Bay Area Outreach &amp; Recreation Program’s pop-up pilot project.</li> </ul>	<ul style="list-style-type: none"> <li>• Participate in all TAC meetings and ensure that the goal of going live with an accessible BikeShare pilot/proof of concept by 10/1/18 is met.</li> <li>• Deliver specific verbiage for MCPD Facebook page regarding City of Oakland’s needs assessment concurrent with City’s rollout of said study.</li> </ul>	<ul style="list-style-type: none"> <li>• As of 6/30/2018 MCPD Commissioners Sperling and Gregory are serving on TAC and regularly participating in most/all TAC meetings; City of Oakland’s needs assessment completed June 2018. BORP pop-up pilot currently envisioned for late summer/early fall 2018.</li> <li>• As of 6/30/2018 promotion of accessible bike-share program not yet started.</li> </ul>

Objective 1.2:

Commissioner: Sperling

Objective	Approach	S-M-A-R-T-ness	Progress/Outcome
<p>MCPD will work toward maintaining/advancing the availability/accessibility of Oakland's stock of disabled parking spaces and will examine/address the abuse of disabled parking placards in Oakland.</p>	<p>MCPD will:</p> <ul style="list-style-type: none"> <li>• Obtain information regarding the number of disabled placards issued to Oakland residents vis à vis the estimated number of disabled Oakland citizens</li> <li>• Support the Oakland Department of Transportation's (OakDOT) awareness program on appropriate use of disabled placards.</li> </ul>	<ul style="list-style-type: none"> <li>• Obtain basic information by 8/1/2018. Determine appropriate next steps at that point.</li> <li>• Participate in public relations effort being developed by OakDOT including PR placement on MCPD Facebook page anticipated 3<sup>rd</sup> quarter 2018.</li> </ul>	<ul style="list-style-type: none"> <li>• As of 6/30/2018 High-level county information received from City staff. State contact information obtained for further discussions.</li> <li>• As of 6/30/2018 Received update report from OakDOT at June MCPD Meeting. Commission confirms ongoing support of effort and desire to participate in any planned public relations / awareness campaigns.</li> </ul>

Objective 1.3:

Commissioners: Hong, Meshack, Young

Objective	Approach	S-M-A-R-T-ness	Progress/Outcome
MCPD will monitor accessibility of Oakland's fixed-route transit systems (e.g., BART, AC Transit)	<p>MCPD will:</p> <ul style="list-style-type: none"> <li>Obtain information from AC Transit and BART regarding current and proposed accessibility design and usability. Provide feedback as appropriate.</li> <li>Promote (on MCPD's Facebook page) BART's and AC Transit's accessibility.</li> </ul>	<ul style="list-style-type: none"> <li>Invite AC Transit and BART to present their accessibility activity at MCPD meeting by 12/31/18</li> <li>When available to MCPD, post information on MCPD Facebook page.</li> </ul>	<ul style="list-style-type: none"> <li>4/16/18 – Positive input received via Commissioner attendance at BART and AC transit meetings.</li> </ul>

Objective 1.4:

Commissioner: Meshack

Objective	Approach	S-M-A-R-T-ness	Progress/Outcome
MCPD will work toward improving reliability and customer service within East Bay Paratransit and other paratransit systems serving the City of Oakland.	<ul style="list-style-type: none"> <li>MCPD will review current paratransit operations in Oakland with respect to PWDs (persons with disabilities), record shortfalls, and provide the City with a written letter/statement.</li> </ul>	<ul style="list-style-type: none"> <li>Invite paratransit representatives to update MCPD on status by 10/31/18</li> </ul>	<ul style="list-style-type: none"> <li>Received public testimony as to concerns regarding levels of service</li> </ul>

Objective 1.5:

Commissioner: Harrington

Objective	Approach	S-M-A-R-T-ness	Progress/Outcome
<p>MCPD will work toward enhancing Transportation Network Companies' (TNCs') ability and motivation to serve PWDs.</p>	<p>MCPD will:</p> <ul style="list-style-type: none"> <li>● Review current TNC operations in the City with respect to PWDs, record issues/shortfalls, and provide the City with a written letter / statement.</li> <li>● Monitor City's tax proposal and negotiations with TNC companies.</li> </ul>	<ul style="list-style-type: none"> <li>● Prepare draft letter/statement by June 2018, and present to OakDOT, City Council, and other relevant parties in the City prior to any decisions/actions concerning TNC operations in the City.</li> <li>● Request data directly from TNC companies related to operations and trips provided to PWDs by May 2018.</li> </ul>	<ul style="list-style-type: none"> <li>● Researched pilot programs in other cities.</li> </ul>

Objective 1.6

Commissioner: Sperling

Objective	Approach	S-M-A-R-T-ness	Progress/Outcome
<p>MCPD will continue to monitor and provide input into Oakland’s “Complete Streets” Program</p>	<ul style="list-style-type: none"> <li>Review and provide input on bike lane and other multi-modal street improvements that may affect disabled parking spaces.</li> </ul>	<ul style="list-style-type: none"> <li>Receive reports and provide feedback to OakDOT regarding pilot Telegraph Avenue floating parking project by 3/1/2018. Continue discussions to conclusion by 9/1/2018.</li> </ul>	<ul style="list-style-type: none"> <li>As of 6/30/2018 Commission has received reports from OakDOT on overall program goals and reports from OakDOT staff on individual component projects. MCPD has provided feedback which has resulted in modifications to Lakeside Green Streets project.</li> </ul>

**Goal Area #2 – Policing/Safety**

Objective 2.1:

Commissioners: van Docto, Garner

Objective	Approach	S-M-A-R-T-ness	Progress/Outcome
<p>During calendar year 2018, MCPD will review the content and consider the adequacy of Crisis Intervention Training (CIT) provided to Oakland Police Department (OPD) officers, as it relates to individuals with disabilities, and draft a letter to the Mayor, City Council, and OPD with specific guidance or suggestions for alteration of the CIT if recommended by the MCPD.</p>	<p>MCPD representative will:</p> <ul style="list-style-type: none"> <li>• Liaise with OPD personnel with the goal of reviewing CIT content and, if/as appropriate, provide guidance regarding how CIT might be improved to better meet needs and expectations of the disability community.</li> <li>• Liaise with other relevant bodies (e.g., Police Commission, Community Police Advisory Board, Mayor, City Council) as needed to facilitate communication with OPD and, if drafted, share recommendations.</li> </ul>	<p>S – expected primary collaborators: (1) Officer James Garcia, (2) Mayor Schaff’s office, (3) City Council members, (4) Community Police Advisory Board                      -- a decision to draft a letter will be determined by vote of the MCPD.                      M—Key results: (1) meeting with OPD personnel, (2) receipt of CIT content, (3) MCPD vote to draft guidance letter, (4) completion of letter and MCPD vote to release, (5) release of letter                      A—self-evident                      R—self-evident                      T – target completion date: Outreach to collaborators by 4/30/18;                      Goal completion by 12/31/18.</p>	<ul style="list-style-type: none"> <li>• MCPD commissioner van Docto made contact (received reply) with Officer James Garcia, Oakland Police Department C.I.T. Coordinator on June 21 to arrange a meeting on training. Date &amp; time to be confirmed.</li> </ul>

Objective 2.2:

Commissioners: Ryan, Garner

Objective	Approach	S-M-A-R-T-ness	Progress/Outcome
<p>MCPD will advocate for improved public safety services for the disability community in the event of emergencies and natural disasters.</p>	<p>MCPD will:</p> <ul style="list-style-type: none"> <li>• Receive a status report from Oakland Fire Dept regarding the state of readiness of the City to prepare for and respond to emergencies/disasters and its plan to maintain/enhance its current capabilities, especially with regards to the safety of those with functional access needs.</li> </ul>	<ul style="list-style-type: none"> <li>• Develop criteria to determine that the plan meets the needs of the disability community</li> <li>• Send request for a status report to the Acting Emergency Services Manager</li> <li>• Provide input and identify areas in need of improvement to be addressed in the 2019 Strategic Plan</li> <li>• Target date 12/31/2018</li> </ul>	<ul style="list-style-type: none"> <li>• Identified the following City and County resources for Emergency Preparedness and Management:               <ul style="list-style-type: none"> <li>○ <a href="#">Emergency Preparedness for Seniors and Persons with Disabilities</a></li> <li>○ <a href="#">Emergency Management Resources for Persons with Access and Functional Needs</a></li> <li>○ <a href="#">AC Alert</a></li> </ul> </li> <li>• Identified the following ADA Best Practices Tool Kits for State and Local Governments to compare Oakland’s plan to:               <ul style="list-style-type: none"> <li>○ <a href="#">Chapter 7, Addendum 1: Title II Checklist (Emergency Management)</a></li> <li>○ <a href="#">Chapter 7, Addendum 3: ADA Checklist for Emergency Shelters</a></li> </ul> </li> </ul>

**Goal Area #3 – Community Engagement**

Objective 3.1:

Commissioner: Garner

Objective	Approach	S-M-A-R-T-ness	Progress/Outcome
<p>MCPD will reach out to the community to raise awareness re the existence and nature of MCPD.</p>	<p>MCPD will:</p> <ul style="list-style-type: none"> <li>• Participate in at least 10 community events during 2018. Including 3 City sanctioned activities on homelessness.</li> <li>• Maintain a presence on Facebook, posting at least 2 announcements per month that are likely to be of interest to Oakland’s disability community.</li> <li>• Record and make available online at least 5 MCPD meetings during 2018</li> <li>• Develop standalone collateral material explaining goals and purpose of MCPD</li> </ul>	<ul style="list-style-type: none"> <li>• Each Commissioner will identify 2 items for posting on MCPD Facebook page.</li> <li>• Staff will ensure at least 5 meetings are scheduled for Meeting Room 1 and that they are recorded and made available online.</li> </ul>	<ul style="list-style-type: none"> <li>• 4/16/18, 2 community meetings attended and third scheduled for 5/2/18. First two Facebook postings made with a third recommended.</li> </ul>

Objective 3.2:

Commissioners: All

Objective	Approach	S-M-A-R-T-ness	Progress/Outcome
<p>MCPD will solicit the community's input re issues impacting PWD in Oakland.</p>	<p>MCPD will:</p> <ul style="list-style-type: none"> <li>• Review the grievance process for physical or programmatic issues affecting PWD, monitor data collection, and assure accurate data is accessible and is being used to inform the City's responses to those grievances.</li> </ul>	<ul style="list-style-type: none"> <li>• Staff will provide quarterly reports on status of BlueDag tracking system and adjudication of issues.</li> <li>• Utilize Facebook to solicit input by 12/31/18</li> <li>• Solicit feedback/input at MCPD attended community events.</li> </ul>	<ul style="list-style-type: none"> <li>• As of 6/30/2018 Staff provided update report at a first-quarter meeting. Will receive update report at August meeting.</li> <li>• As of 6/30/2018 Commissioners continue to informally solicit feedback however little input yet received.</li> </ul>

**Goal Area #4 – Accessibility of City Programs/Services/Activities**

Objective 4.1:

Commissioner: Harrington

Objective	Approach	S-M-A-R-T-ness	Progress/Outcome
<p>MCPD will provide ongoing input to City staff re Oakland’s ongoing development and implementation of its ADA Transition Plan.</p>	<p>MCPD will:</p> <ul style="list-style-type: none"> <li>● Review progress and receive at least bi-annual updates on Transition Plan progress from the City.</li> <li>● Receive ADA/accessibility grievance data from the City and assess alignment with prioritization/phasing of improvements identified in plan.</li> </ul>	<ul style="list-style-type: none"> <li>● Schedule next Transition Plan update from staff by July 2018, including review of draft plan and working documents in advance of presentation.</li> <li>● Provide City with request and guidance for collection of grievance data by August 2018.</li> </ul>	<ul style="list-style-type: none"> <li>● Requested grievance data from the City, and to schedule a presentation of progress on the transition plan</li> </ul>

Objective 4.2:

Commissioners: Harrington, Meshack

Objective	Approach	S-M-A-R-T-ness	Progress/Outcome
<p>MCPD will advocate for equitable prioritization of measure KK funds for infrastructure improvements that serve the disabled community.</p>	<p>MCPD will:</p> <ul style="list-style-type: none"> <li>• Review current and proposed measure KK spending in all available public records, including current &amp; next budget cycle to identify how it addresses needs of PWD.</li> <li>• Identify key parties in applying measure KK funds and provide recommendations for prioritization of funds for accessibility and other projects serving PWD. Review in context of areas where voters were in support of the measure.</li> </ul>	<ul style="list-style-type: none"> <li>• Review proposed measure KK funds for alignment with equitability criteria by June 2018.</li> <li>• Identify problem areas/issues for infrastructure repairs, including pot holes and curb cuts that have been overlooked by June 2018.</li> <li>• Provide City with recommendations for prioritization of specific projects or project types to the City by Sept 2018.</li> </ul>	<ul style="list-style-type: none"> <li>• Studying measure KK information ongoing.</li> <li>• Identifying when and where meetings pertaining to measure KK spending will take place.</li> </ul>

**Goal Area #5 – Housing**

Objective 5.1:

Commissioner: Gregory

Objective	Approach	S-M-A-R-T-ness	Progress/Outcome
<p>MCPD will advocate for the prioritization of Measure KK funds for home modifications (e.g., grab bars, threshold ramps) designed to enhance accessibility for PWD.</p>	<p>MCPD will:</p> <ul style="list-style-type: none"> <li>• Determine, by 5/1/18, if Oakland Housing and Community Development (HCD) has the authority/ability to access Measure KK funds for purposes of modifying disabled Oaklanders' homes to enhance accessibility.</li> <li>• If such authority/ability does not exist, advocate directly to all 8 Councilmembers and to Mayor that they create asap such authority/ability...target date: 6/1/18.</li> <li>• If such authority/ability does exist, advocate to HCD that they add asap as many KK dollars as they are able to existing HCD resources available for home</li> </ul>	<p>S – “home modifications” is a fairly well defined category, and all relevant actors are sufficiently well identified. (The director of HCD is named Michelle Byrd.)</p> <p>M – Should HCD not currently have the authority/ability to access Measure KK funds for purposes of modifying disabled Oaklanders' homes to enhance accessibility, MCPD will reach out to each of the City's eight council members and advocate that HCD be so empowered. Should HCD possess such authority/ability, MCPD will advocate to HCD directly through means TBD that HCD add asap as many KK dollars as they are able to existing HCD resources available for home modifications</p>	<p>-- as of 2/15/18, one Councilmember (namely, Kaplan) has expressed enthusiastic support for authorizing HCD to use Measure KK dollars to fund home modifications and has promised to (a) find out if HCD has received such authorization and (b) if so, find out what, if anything, HCD has done or is planning to do in order to operationalize Measure KK funding for home modifications...and (c) to report back to MCPD Commissioner Gregory the results of these inquiries.</p>

	<p>modifications...target date: 8/1/18.</p> <ul style="list-style-type: none"> <li>• Monitor whether any KK dollars that may be earmarked for home-modification purposes have, in fact, been so earmarked and that the City has made (a) the availability of such resources and (b) the process by which residents may avail themselves of such resources known to public via various forums, including the City's website...target date: 12/1/18.</li> </ul>	<p>A – self-evident.</p> <p>R – self-evident.</p> <p>T – see target dates specified in column to the left.</p>	
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Objective 5.2:

Commissioner: van Docto

Objective	Approach	S-M-A-R-T-ness	Progress/Outcome
<p>Whereas the MCPD recognizes a high prevalence of homeless individuals living in Oakland are also PWDs, often disconnected from services, and whereas the MCPD recognizes a responsibility to represent the voices of all PWDs living in the city, the MCPD will collaborate with official activities and initiatives addressing homelessness in the city, with the objective to improve conditions for and/or reduce the number of PWDs who are homeless in Oakland.</p>	<p>MCPD will:</p> <ul style="list-style-type: none"> <li>• Participate in at least three city-sanctioned activities addressing homeless issues, which may include: (1) formal community discussions, (2) council and commission meetings, (3) public engagement activities (4) other activities deemed relevant by the MCPD.</li> <li>• Solicit the opinions of homeless PWDs as a means to support the state objective</li> <li>• Communicate, as needed, with city officials and city partners regarding the needs of homeless PWDs</li> </ul>	<p>S – expected primary collaborators: (1) City Council members; (2) city partner entities addressing homelessness, such as Alameda County Continuum of Care (COC) board, (3) members of the public, (4) others as identified by MCPD members.</p> <p>M—Key results: (1) identification of at least three city-sanctioned activities, (2) participation in at least three city-sanctioned activities</p> <p>A—self-evident</p> <p>R—self-evident</p> <p>T – target completion date: 12/31/18.</p>	<ul style="list-style-type: none"> <li>• On March 5, 2018, MCPD participated in community conversation on homelessness alongside Council member Rebecca Kaplan</li> <li>• MCPD staff is forwarding relevant events to MCPD commissioners for potential engagement (ongoing)</li> </ul>



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# AGENDA REPORT

2018 JUL -6 AM 11:08

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Ryan Russo  
Director, Transportation

**SUBJECT:** Shared Mobility Update and Dockless  
Bike and Scooter Share Program

**DATE:** June 12, 2018

City Administrator Approval

*Christine Safford* Date: 7/6/18  
SAL

## RECOMMENDATION

### Staff Recommends That The City Council

- (1) Receive An Informational Report On The City's Shared Mobility Initiatives;
- (2) Adopt An Ordinance Amending Title 10 And Title 12.08 Of The Oakland Municipal Code To Establish Regulations And New Permits To Operate And Park Dockless Bike And Scooter Sharing Programs In The Public Right Of Way; And
- (3) Adopt An Ordinance Amending Ordinance Number XXXXX (Fiscal Year 2018-2019 Master Fee Schedule) Establishing Fees For The New Dockless Bike And Scooter Share Permits.

## EXECUTIVE SUMMARY

Several shared mobility services now operate in Oakland, including bike share, car share and scooter share. Thousands of Oaklanders have signed up for these membership-based services enabled by smartphone applications, taking hundreds of thousands of trips. These services help to achieve City goals by reducing single occupant vehicle trips, greenhouse gas emissions, and wear and tear on the roadway, all without public subsidy. This report provides information on these shared mobility initiatives and recommends that the City Council adopt policies and ordinances to provide a regulatory framework for dockless bike and scooter share operations.

Highlights of the informational report include: America Automobile Association (AAA) launched a one-way, free-floating car share program with 250 permitted vehicles in April 2017 and doubled the size of the fleet in January 2018 in response to better-than-expected membership and usage; community outreach for the regional "Ford GoBike" bike share system included nine dedicated community planning meetings held across the City, an online suggestion map and direct in-person outreach to nearby residents, businesses and community groups; a total of 62 metered parking spaces have been repurposed for bike share stations in the right-of-way, with the overall impact on meter revenues expected to be minimal as staff works to relocate affected meters to nearby spaces.

Dockless bikes and scooters are a new option that may offer similar benefits to existing shared mobility services. Approval of the recommended ordinances will establish a dockless bike and

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Public Works Committee  
July 17, 2018

scooter share program, allowing staff to issue Minor Encroachment Permits for dockless bikes and scooters, including electric bikes and scooters, subject to criteria regarding parking, safety, quality of equipment, public outreach, equity, data privacy, noise and other factors, in addition to standard requirements for insurance and indemnification.

## **BACKGROUND/LEGISLATIVE HISTORY**

In April 2001 City Council approved Resolution No. 76606 C.M.S. to allow City CarShare to provide car sharing services in the City of Oakland.

In March 2015 City Council approved Resolution No. 85459 C.M.S. adopting a Car Share Policy and amended the Oakland Municipal Code 13184 Master Fee Schedule to include permits for eligible car sharing organizations.

In July 2015 City Council approved Resolution No. 85715 C.M.S. adopting a Bike Sharing Policy and authorizing the City Administrator to negotiate and enter into an Intergovernmental Agreement with the Metropolitan Transportation Commission (MTC).

In February 2016 City Council adopted Ordinance No. 13355 C.M.S. granting a Franchise Agreement to Bay Area Motivate, LLC (Motivate) to operate a bike share program.

## **ANALYSIS AND POLICY ALTERNATIVES**

This section opens with an update on Oakland's various shared mobility initiatives, including details about the fiscal impact of the recently launched bike share program, and ends by introducing the newest form of shared mobility, dockless bike and scooter share.

### *Shared Mobility Initiatives Update*

Transportation options in Oakland and around the country have evolved rapidly over the past few years with a growing variety of services using mobile phone applications that connect passengers with on-demand services such as shared rides, cars, vans, scooters and bikes. Known as "shared mobility" services, they are often owned and operated by private, for-profit entities, and generally do not require public funding or subsidy, other than use of the right-of-way. Shared mobility services present both opportunities and challenges for achieving the City's goals and ensuring the safe and efficient movement of people and goods in Oakland. Several shared mobility programs are permitted to operate within the City, including dedicated-space car share (such as ZipCar), station-based bike share (such as Ford GoBike) and free-floating car share (such as GIG Car Share). Additional shared mobility services operate without regulated permits from the City, such as ride sharing services Uber and Lyft, and electric scooter sharing service Lime-S. Ride sharing is regulated by the California Public Utility Commission (CPUC) and is not covered by this report. Scooter sharing is not regulated by the CPUC and is the subject of the proposed permit program.

### *Dedicated Space Car Share*

Car share operators often enter into agreements with owners of private property such as gas stations or shopping centers to reserve and sign parking spaces for car share vehicles.

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Oakland's Dedicated Space Car Share initiative entitles a permitted car share vehicle exclusive parking privileges for a dedicated space in the right of way. Only members of a qualified car share organization can lawfully park the permitted car share vehicle in a dedicated space. To date, four car share operators have submitted "Qualified Car Share Operator" applications and indicated that they may apply for as many as sixty dedicated spaces. While no spaces have been commissioned at this time, staff expects operators to take advantage of this program later this summer or early fall.

#### *Free Floating Car Share*

In April 2017 GIG Car Share initiated the Bay Area's first free-floating car share service in Oakland and Berkeley, with an initial launch of 250 vehicles. Gig purchased the City's combined Free Floating Zone Parking Permit (FFZPP) and Master Residential Parking Permit (MRPP), which waives parking duration time limits in signed areas.

After better than expected usage, GIG Car Share doubled its fleet from 250 vehicles to 500 vehicles in early 2018. The "home zone" or service area in which GIG users can begin and end vehicle reservations, simultaneously expanded to include the neighborhoods of Highland Park, Glenview, Highland Terrace, San Antonio and Fruitvale. Over 5,000 Oaklanders have signed up to be GIG members and through May 2018 members have taken over 26,000 trips originating in Oakland.

Research demonstrates that car sharing creates a variety of environmental benefits, including lower private vehicle ownership rates, increased rates of walking and biking, and decreased greenhouse gas emissions<sup>1</sup>. By allowing members the flexibility to shed existing vehicles or avoid purchasing new vehicles, every car share vehicle removes 9-13 privately owned vehicles from the road<sup>2</sup>.

To assess the impacts of Oakland's car share program on personal vehicle ownership and travel behavior, the City has contracted with the Transportation Sustainability Research Center at UC Berkeley to conduct a statistically valid survey of car share users in Oakland. This survey is underway, with initial results expected to be released in 2019.

#### *Bike Share*

In July 2017 the Ford GoBike program began operation in Oakland, Berkeley, Emeryville, San Francisco and San Jose. All 79 planned Ford GoBike stations in Oakland were installed by April 2018. Over 1,400 Oaklanders have signed up as members, and over 175,000 trips have been taken on the system. According to a Ford GoBike member survey, an estimated 30% of those trips would have been taken by car if bike share did not exist. About one fifth (18%) of Oakland's bike share members receive a discounted \$5 first-year membership through the "Bike Share For All" program. This program is available to anyone that participates in the CalFresh, PG&E California Alternative Rates for Energy (CARE) or San Francisco's MUNI Lifeline pass.

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<sup>1</sup> Elliot Martin and Susan Shaheen "The Impact of Carsharing on Public Transit and Non-Motorized Travel: An Exploration of North American Carsharing Survey Data" *Energies*, Basel, Switzerland, Nov 2011; Elliot Martin and Susan A Shaheen "Greenhouse Gas Emission Impacts of Carsharing in North America" *IEEE Transactions on Intelligent Transportation Systems*, Vol 12, No 4, December 2011

<sup>2</sup> Elliot Martin and Susan Shaheen "The Impact of Carsharing on Household Vehicle Ownership" *Access*, 38 Spring 2011 22-27

In April 2018 Ford GoBike added electric assist bikes (E-bikes) to its fleet in San Francisco. These E-bikes are equipped with an electric battery to aid the rider's pedaling, which can be particularly beneficial for trips with elevation gain and for riders who have difficulty pedaling. The E-bikes have seen an average of 7.8 trips per bike per day since launch, more than double the usage of the non-electrified bikes.

In January 2018, the Department of Transportation (DOT) notified Ford GoBike of its intention to develop an E-bike program, thereby triggering a 90-day exclusive negotiating period consistent with the Franchise Agreement. This exclusive negotiating period ended in April, with DOT staff and Ford GoBike unable to come to agreement on the terms of an E-bike program. Per the Regional Bike Share Coordination Agreement, the City must offer Ford GoBike the opportunity to respond to any future solicitations regarding E-bikes.

#### *Bike Share Outreach Process and Dispute Resolution*

Oakland's bike share stations have been sited based on careful engineering analysis, Oakland's Bike Share Planning and Siting Guidelines (see **Attachment A**), and community outreach. The community outreach for bike share in Oakland began with nine dedicated community planning meetings held between February and October of 2016 at locations throughout the planned bike share service area, including West Oakland, North Oakland, Chinatown, Rockridge, Grand Lake, Temescal and Fruitvale. Participants in these public workshops helped select potential locations for individual stations. Ford GoBike also used an online crowdsourcing tool to collect public suggestions for station locations. After individual station locations were identified, staff from Ford GoBike were responsible for completing additional outreach to businesses or residents that share frontage with the location, as well as nearby businesses, residents and merchant groups. For each proposed site, Ford GoBike staff conducted door-to-door outreach. If someone was not home, materials were left at the door step and the outreach team followed up in person, by phone, or by email.

While such efforts were made to notify and engage neighbors of proposed bike share station locations, DOT staff received requests to remove or relocate 14 bike share stations after installation. The primary reasons for these requests included impacts on parking and loading, and a perceived lack of notification or incompatibility with residential land use. To objectively evaluate these requests in a way that meets Citywide goals and maintains fairness to bike share users, staff amended the Bike Share Station Planning and Siting Guidelines to include criteria for assessing public requests to relocate bike share stations (again, see **Attachment A**).

#### *Fiscal Impacts of Bike Share Program*

Oakland's bike share system is owned and operated by Bay Area Motivate L.L.C., now operating as Ford GoBike, at no cost to the City. The regional Coordination Agreement that governs the bike share system does not specify any exchange of funds between the City of Oakland and Ford GoBike, except for City staff time reimbursement for permit review, fees for specific services (such as moving a bike share station) and potential revenue sharing and liquidated damages. The Oakland Municipal Code lists a permit fee of \$1,781.00 for "New Bike Share Station Encroachment". The total fee for all 79 stations is \$140,600.00. The City of Oakland received a \$660,616.00 grant from the Bay Area Air Quality Management District (BAAQMD)'s Transportation Fund for Clean Air to fund these permit fees and other staff costs associated with the bike share program.

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The publicly-funded precursor to the Ford GoBike program, known as Bay Area Bike Share, was funded by the Bay Area Air Quality Management District (BAAQMD), the Metropolitan Transportation Commission and local agencies at a cost of approximately \$7 million over four years. The Bay Area Bike Share program included 700 bikes at 70 stations, making it approximately the same size as Oakland’s current system. The City’s privately funded system therefore represents a significant cost savings over a publicly funded model.

*Bike Share Parking Impacts*

The Ordinance creating the Bike Sharing Franchise Agreement (No. 13355 C.M.S) states “given that sidewalks in Oakland are generally narrow and have an abundance of existing street furniture and fixtures, wherever feasible, stations will be located in the parking lane, similar to parklets and on-street bicycle parking corrals”. Of the 79 bike share stations in Oakland, 16 (20%) are located on sidewalks or in parks, 42 (53%) are in un-metered curb space and 21 (27%) are in metered curb space. The 21 stations in metered curb space hold approximately 250 bikes, and repurpose 62 metered parking spaces. Those 62 parking meters generated approximately \$87,000 of revenue during Fiscal Year (FY) 2016-17. However, the total impact of bike share on meter revenues is uncertain, as demand for vehicle parking at these locations is not necessarily ‘lost’, but rather redistributed – valuable curb space being better utilized and instead of parking on street at a particular metered stall, drivers may choose to park at a nearby meter, off street in garages or lots, or choose another option altogether, like transit, car share, or bike share.

The City’s total on-street parking meter revenue in FY 2017-18 experienced a slight drop, but is within a normal range of deviation from previous years (see **Table 1** on page 5). In addition, on-street parking revenue has increased by 50% since FY 2013-14, indicating that the bike share program has not had a significant impact on overall parking revenues during its first year in operation. Staff identified a total of 80 nearby locations for new parking meters during the bike share station siting process. Once installed, these new meters are projected to offset future parking meter revenue losses from the bike share program.

Table 1. Total On-street Parking Revenue, FY 2013-14 to FY 2017-18

Fiscal year	Total on-street parking revenues	% Change year over year
2013-14	\$9,820,025	-
2014-15	\$14,590,798	48.6%
2015-16	\$15,215,056	4.3%
2016-17	\$14,797,803	-2.7%
2017-18	\$14,735,747*	-.4%
*11 months of revenue data was annualized to estimate a full year		

*Dockless Bike and Scooter Share Services*

This section introduces the newest form of shared mobility, dockless bike and electric-bike (E-bikes) share and scooter and electric-scooter (E-scooter) share, and describes the objectives of a recommended regulated permit process for these vehicles, including implementation steps,

public outreach and other requirements. "Dockless" means that users of these vehicles are not required to return them to docking stations.

Shared dockless bikes and E-bikes may be locked to a fixed object, such as a bike rack, or simply kept in place by a self-locking mechanism. Shared dockless bikes are typically located and unlocked by the user via a mobile phone application, which also charges the user's credit card a per-trip, or per-minute fee. Dockless E-bikes are shared bicycles that include a battery and small electric motor which provides pedaling assistance to riders, allowing them to more easily travel longer distances or up steep hills.

Dockless E-scooters are electric-powered scooters which operate in a very similar manner to dockless E-bikes. These E-scooters are available within the public right-of-way for users to unlock and ride. They are typically accessed via a mobile application, which also charges the user's credit card a per-mile or per-minute fee.

In February 2018 representatives from LimeBike contacted staff and inquired about operating an E-scooter service in Oakland. Staff researched existing permit programs and responded that Oakland did not have a permit process for these services in place at that time. Staff advised LimeBike to apply for a business license and comply with all other relevant rules and regulations governing businesses operating in Oakland, including provisions concerning illegal dumping and obstructing the pedestrian right of way. In March 2018, LimeBike launched an E-scooter service in Oakland with about 40 scooters. According to representatives from LimeBike, each scooter has been used more than five times per day.

Dockless bike and scooter sharing services have the potential to help achieve Citywide transportation goals by further reducing the need for vehicle ownership, reducing single occupant vehicle trips and increasing "first-and-last-mile" connections to transit. By reducing single-occupant vehicle trips, these services would also reduce congestion and wear and tear on our streets. E-bikes and E-scooters emit no air pollution or greenhouse gases during operation. However, these services may also create new problems, including obstructing the pedestrian right-of-way. Active management is therefore needed to ensure that dockless bikes and scooters help to achieve City goals.

The Ordinances accompanying this report, if adopted, would amend Title 10 and Title 12.08 of the Oakland Municipal Code to establish a new permit for dockless bike and scooter sharing services, and provide criteria regarding parking, safety, quality of equipment, public outreach, equity, data privacy, noise levels and other factors, in addition to standard requirements for insurance and indemnification.

To support this initiative, staff is also recommending changes to the Oakland Municipal Code that would create fees for related services and permits. Staff conducted a Peer-City survey (see **Table 2** below) and compared the costs and fees associated with existing programs in the City. The proposed fees are designed to recover all costs related to the program (see **Exhibit A to the accompanying Ordinance**).

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Table 2. Peer-City Survey of Fees for Dockless Bike and/or E-Scooter Permits and Services

City	Per vehicle fee	Performance (surety) bond	Application fee	Annual renewal fee	Total fees first year (1,500 vehicles)
Austin	\$30	\$100/unit	-	-	\$45,000
San Francisco	-	\$25,000	\$15,702	\$13,219	\$15,702
St. Louis	\$10	-	\$500	-	\$15,500
Seattle	\$15	\$80/bike, max \$10,000	\$1,672	\$146	\$24,172

Staff is also recommending a robust community engagement process, including public workshops where applicants co-plan the system with the community and a public forum for applications to pitch their proposals directly to Oakland citizens. The recommended policy would require pre-approval public outreach plans, including a full list of presentations, activities and events.

**PUBLIC OUTREACH/INTEREST**

This item did not require additional public outreach other than the required posting on the City’s website.

**COORDINATION**

Staff coordinated with the City’s Risk Manager and Benefits Office, as well as the Office of the City Attorney and the Budget Bureau in the preparation of this report. The informational report was prepared in response to a request from the Office of Councilmember Lynette Gibson-McElhaney. The ordinance was developed through a joint effort with the Offices of Councilmembers Rebecca Kaplan and Noel Gallo.

**COST SUMMARY/IMPLICATIONS**

The proposed program for Dockless Bikes and Scooters is designed to be revenue neutral. A fee study has been conducted to determine the cost of City staff time and equipment related to administering the permit and installing any necessary infrastructure, such as bike racks. The permit, confiscation and storage fees are intended to recover all costs related to the program.

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## **SUSTAINABLE OPPORTUNITIES**

**Economic:** By increasing access to transportation options, shared mobility services have the potential to reduce the costs of living and working in Oakland and increasing access to jobs and other economic opportunities. This report and the proposed permit program support these economic objectives.

**Environmental:** Shared mobility initiatives have the potential to reduce dependence of private vehicle ownership and usage, supporting use of transit and active transportation and reducing congestion and single occupancy vehicle trips that contribute to greenhouse gas emissions. This report and the proposed permit program support these environmental objectives.

**Social Equity:** By entering agreements with and providing guidelines and permits to shared mobility service operators, staff can establish equity objectives that help ensure services are available, affordable and accessible to all Oaklanders. This report and the proposed permit program support these equity objectives.

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT, (CEQA)**

This report is exempt from the environmental analysis requirements of CEQA under CEQA Guidelines section 15061(b)(3) (Common Sense Exemption) because no actions impacting the environment will result from its consideration.

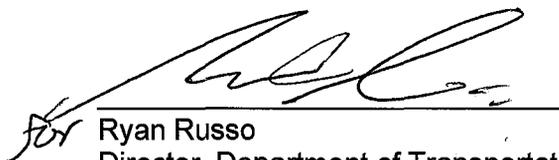
## **ACTION REQUESTED OF THE PUBLIC WORKS COMMITTEE**

Staff Recommends That The City Council (1) Receive An Informational Report on the City's Shared Mobility Initiatives, (2) Adopt An Ordinance Amending Title 10 And Title 12.08 Of The Oakland Municipal Code To Establish Regulations And New Permits To Operate And Park Dockless Bike And Scooter Sharing Programs In The Public Right Of Way; And (3) Adopt An Ordinance Amending Ordinance Number XXXXX (Fiscal Year 2018-2019 Master Fee Schedule) Establishing Fees For The New Dockless Bike and Scooter Share Permits.

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For questions regarding this report, please contact Kerby Olsen, Shared Mobility Coordinator, at [kolsen@oaklandca.gov](mailto:kolsen@oaklandca.gov) or (510) 238-2173.

Respectfully submitted,

  
for Ryan Russo  
Director, Department of Transportation  
AENNY

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Prepared by:  
Kerby Olsen, Shared Mobility Coordinator  
Parking and Mobility Division

*Attachments (1):*

- A. Bike Share Planning and Siting Criteria

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OAKLAND

ATTACHMENT A



2018 JUL -6 AM 11:08

This document contains required and recommended criteria for placing bike share stations in Oakland, and is consistent with national and statewide standards and local policies. These guidelines are subject to planning and engineering judgment on a case-by-case basis.

The document is organized into the following sections:

- **Guiding Principles** for a successful bike share program.
- **Planning Criteria** and general requirements for the bike share system.
- **Siting Criteria** for all stations including requirements for on-street locations, sidewalk locations, stations on parks or plazas, and stations on private property.
- **Site Improvements** to create safer access to bike share stations.
- **Criteria** for evaluating station move requests

### Guiding Principles

1. Prioritize safety, system use, and operational efficiency.
2. Prioritize integration with existing bike infrastructure.
3. Prioritize integration with public transit.
4. Wherever possible, avoid removing on-street metered parking.

### Planning Criteria

1. All stations shall be located within the current System Area, unless otherwise agreed to in writing by the City.
2. City Of Oakland shall approve all station sites.
3. 20% of total stations should be in MTC defined Communities of Concern, specifically in East and West Oakland. East Oakland is defined as areas east of 4<sup>th</sup> Ave. West Oakland is defined as areas west of Highway 980.
4. Stations must:
  - a. Have 13 or more docks; and
  - b. Be accessible to the public 24 hours per day, 365 days per year; and
  - c. Have a 24 hour per day point of payment terminal or 24 hour payment location associated with the Station within 200 feet of the Station.
  - d. The Dock to Bicycle ratio shall be at least 1.7:1.

### Siting Criteria

City staff reserves the discretion to amend the siting criteria on a case-by-case basis, including based on safety, pedestrian and vehicular traffic volumes, system function and street geometry. Throughout the term, the bike share system operator and equipment owner (vendor) shall adhere to the following siting criteria:

1. City staff will work with the vendor to select Station locations based on maximizing rider usage while maintaining the requirements outlined in the Planning Criteria.
2. Stations shall be sited in locations that ensure maximum visibility and safety and that provide unrestricted public access.
3. Avoid locating stations in areas that will create conflicts with driveways, hydrants, and other features that require regular or emergency access. City staff will consult on Fire lanes on a case-by-case basis.
4. Avoid orienting stations in such a way that they create conflicts or encourage disruptive bicycling behavior, such as sidewalk riding or riding into driveways.
5. Sites should not interfere with existing pedestrian travel patterns and where possible should be placed in line with other street furniture.



6. Given that sidewalks in Oakland generally narrow and have an abundance of existing street furniture and fixtures, wherever feasible, bike share stations should be located in the parking lane, similar to parklets and on-street bicycle parking corrals.
7. Where possible, site stations so that they may be serviced and rebalanced easily and without disrupting traffic; alternatively, identify areas that could be designated as rebalancing “loading zones” for a particular area.
8. In connection with the installation, operation, and maintenance of the equipment, the vendor shall minimize the extent to which the use of the streets or other property of the City is disrupted.
9. Whenever possible, station plates shall not cover or in any way obstruct any utility access points, drains, or any kind of ground access point.

**Station Details**

Bike Share stations are battery powered, solar charged, modular, secured by their own weight, require no excavation/anchoring, and will each have one (1) point of sale (pay) kiosk and bike share map with a sponsorship panel. Each station will have anywhere from 8 - 48 docks and should be placed on a level surface. All stations are composed of at least two, 4 - dock modular plates that are each 9’-10” in length (see Table 1). For reference, one plate hosts 4 docks. Each dock can host one bike as well as a point of sale kiosk (see Figure 6).

**Table 1. Bike Share Station Configurations**

Number of Plates	Docks Available	Bike Capacity <sup>1</sup>	Total Length (ft)	Parallel Parking Spaces Required <sup>2</sup>
2	8	7	19’-8”	1
3	12	11	29’-6”	2
4	16	15	39’-4”	2
5	20	19	49’-2”	3
6	24	23	59’-0”	3
7	28	27	68’-10”	4
8	32	31	78’-8”	4
9	36	35	88’-6”	5

**On-Street Sites**

Visibility at Intersections

In all cases, bike share station placement must maintain sight lines for safe pedestrian passage. In general, the following guidelines apply:

1. At signalized intersections, the bike share station must be located at least 3’-0” from the end of the marked crosswalk. At stop-controlled intersections, the bike share station may be located 3’-0” away from the end of the marked crosswalk. (see Figure 2)
2. In the unlikely event that a stop bar but not a crosswalk is present, the bike share station should be located 3’-0” away from the stop bar.
3. Stations at corners have the benefit of creating de facto curb extensions, shortening the street crossing distance for pedestrians, and improving sight lines for motorists turning into traffic from side streets.

<sup>1</sup> Bike Capacity is equal to Docks Available minus one dock for use of payment kiosk.

<sup>2</sup> City of Oakland Municipal Code, 17.16.200 – Parking Space Dimensions. For parallel parking, a regular parking space shall be not less than twenty-two (22) feet long and eight (8) feet wide.



4. Advertisement panels should be placed at the end of the station furthest from the intersection to improve visibility of the intersection.
5. Stations may be placed at T intersections where deemed safe (see Figure 3).

Near Parking

1. Stations are not permissible in peak hour clearance parking lanes.
2. Where stations are to be accessed from the sidewalk, the station area must be at least 7'-6" wide and have a sufficiently low curb to allow bikes to be pulled out of the dock. Four feet of clearance must be maintained at each end of the station to allow riders to enter and exit the station.
3. The bike share station is placed so that it does not exceed the width of the parking lane.
4. Stations shall not conflict with traffic lanes or lanes that become traffic lanes at certain time zones.
5. Stations in "No Parking", "No Standing", and "No Stopping" zones are permitted on a case-by-case basis.

Curb Zones

1. The bike share station must maintain a 6" minimum drainage channel between the curb face and the edge of the station plate.
2. Bike sharing stations shall not be placed in blue zones or in the space required to access the blue zone.
3. Bike Share stations may be installed in existing red curb zones, (where deemed safe) and may replace metered or unmetered parking stalls on a case-by-case basis.
4. Bike Share stations may be installed in commercial vehicle loading zones (yellow zones) or motorcycle parking if there are appropriate adjacent locations for these zones to be relocated or where there is little to no demand for the existing zones.
5. Bike sharing stations may be installed in passenger loading zones (white zones) and time limited parking (green zones) if the business that originally requested the white and/or green zone agrees to re-purpose that curb area for bike share use or agrees to use other alternative white and/or green zone in the area. Such reallocation shall be a part of the permit and the responsibility of the vendor.

Near Public Transportation

1. Bike share stations will not be located in bus zones and cannot replace bus zones.
2. Bike share stations can be placed no closer than the first parking space adjacent to a bus zone. If bus zones and adjacent parking spaces are not marked, placement must be at least 60' away from the bus stop sign for standard bus routes and 90' away from the bus stop sign for articulated bus routes (see Figure 4).

Table 2. On-Street Siting Clearances

Object	Minimum Clearance (ft)
In- Ground Utilities, utility covers, sewer holes	3
Inlet Drain	25
Driveway or wheelchair ramp	3
Adjacent to curb (on street)	.5
Crosswalk, both controlled and uncontrolled.	3
Low Pressure Fire Hydrant	6
High Pressure Fire Hydrant	7.5
Bus Zones (regular bus)	60
Bus Zones (articulated bus)	90



**Sidewalk Sites**

Visibility at Intersections

In all cases, bike share station placement must maintain sight lines for safe pedestrian passage.

1. Advertisement panels should be placed at the end of the station furthest from the intersection to improve visibility of the intersection.

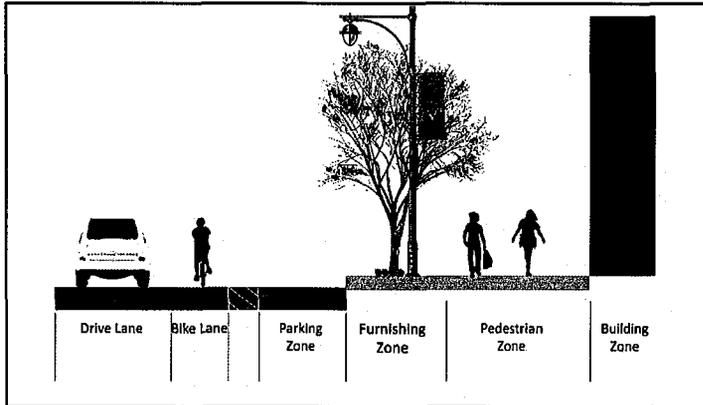
Placement

1. Whenever possible, a station shall not be installed on a sidewalk narrower than 16'-0".
2. Orientation of the stations should be parallel to the street.
3. Bike share stations shall be a minimum of 12" away from the curb on sidewalk sites.
4. The pedestrian through zone adjacent to the bike share stations should be 6'-0" minimum.
5. A minimum of 6'-0" clearance shall be provided between the station end and an adjacent bus shelter.
6. A minimum of 3'-0" clearance shall be provided for pedestrian pass through between one of the station ends and any permanently affixed element or tree well.
7. Stations may be installed on medians provided that there is sufficient clearance to allow for the public to safely access the Station.
8. Stations shall not interfere with existing pedestrian travel patterns. Whenever possible, Stations shall be aligned with bus shelters, bike shelters, automatic public toilets, news racks, benches, trees and tree pits, or other amenities, unless existing pedestrian travel patterns suggest alternate locations. Placement of street furniture should provide a minimum clear pedestrian zone of 3'-0" between any obstruction (poles, walls, columns etc.). (see Figure 1)
9. Stations shall not be placed:
  - a. Less than 5 feet of fire hydrants;
  - b. Less than 15 feet in front of the opening of the subway stairs or subway elevators;
  - c. Less than 15 feet of a bus stop shelter entrance; or
  - d. Less than 5 feet of the main entrance of a major building.

Table 3. Sidewalk Siting Clearances

Object	Minimum Clearance (ft.)
Pedestrian Zone	6
In- Ground Utilities, utility covers, sewer holes.	3
Driveway or wheelchair ramp.	3
Adjacent to curb (on sidewalk)	1
Fire Hydrant	5
Opening of the subway stairs or subway elevators	15
Bus shelter entrance	6
Main entrance of a major building	5
Tree well and Public Furniture	3

Figure 1. Sidewalk Zones



### Parks, Plaza's, and other City Property

1. Sites may be permitted in City-owned parks and on other City-owned properties, including pedestrianized spaces, at the sole discretion of the City. Appropriateness of Sites in City-owned parks and on other City-owned properties will be determined on a case-by-case basis.
2. Siting Criteria for *Side Walk Sites* applies to the *Parks, Plaza's and other City Property* section.
3. Stations should be installed on paved terrain such as asphalt, concrete, or pavers. Stations installed on unpaved surfaces such as grass, compacted soil, or decomposed granite will be evaluated on a case-by-case basis.

### Private Property

1. Stations may be permitted on private property with the property owner's permission.
2. The bike share operator must work with each private property owner to develop a mutually agreeable license agreement for such locations.
3. Stations located on private property must provide 24 hour unrestricted public access to each station.
4. Appropriateness of sites on private property will be determined on a case-by-case basis.

### Site Improvements

Depending on the station location and existing site conditions, station site improvements should be installed to improve the comfort and safety of a bike share station similar to the current Oakland on-street bike parking guidelines. Either option of A. *Wheel Stop and Delineator Posts*, or B. *Wheel Stop and Box Striping* should be used. (see Figure 5)

1. Retro-reflective flexible delineators (safe-hit posts) to improve visibility of the station to motorist and better characterize the space for bike share users.
  - a. Safe-hit posts are generally placed at 20-foot intervals along the length of the station, which corresponds well with stall markings. When placed on-street where there are stall markings, safe-hit posts are placed between the parking tee and the 8" white buffer stripe.
  - b. When stations are placed at the end of a block, an additional safe-hit post should be placed 3 feet away from the face of the curb to increase visibility of the exposed end of the station.
2. Wheel stops should be provided at ends of the station to provide clearances to adjacent parking stalls and to account for vehicle overhang during parking maneuvers.

- a. Wheel stops are generally placed 4'-0" away from the station and 1'-0" off of the face of curb. A wheel stop need not be installed on the side of a station adjacent to a non-parked area. This could include stations placed at the end of a block, adjacent to a driveway or other non-parked area.

Figure 2. Station Placement near Crosswalk

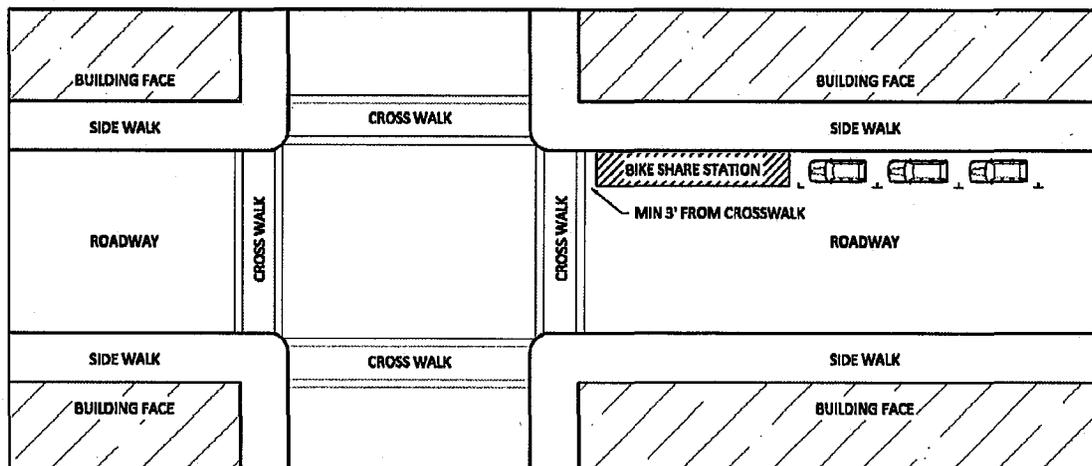


Figure 3. Station Placement at T-Intersection

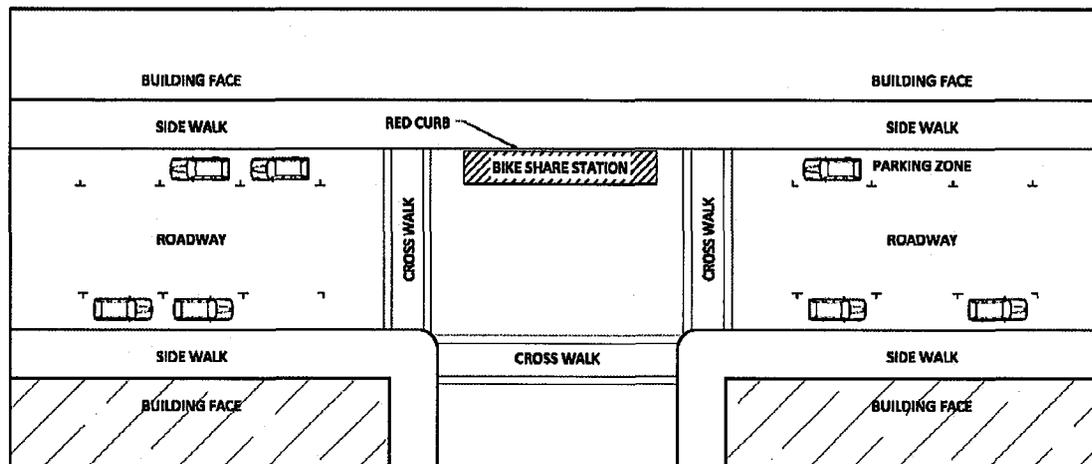


Figure 4. Station Placement near Bus Zone

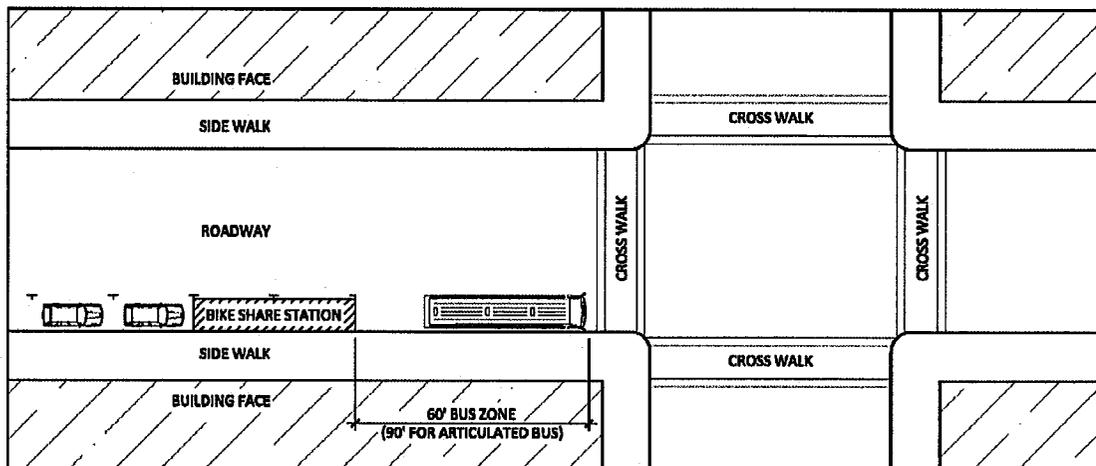


Figure 5. Bike Share Station Improvements

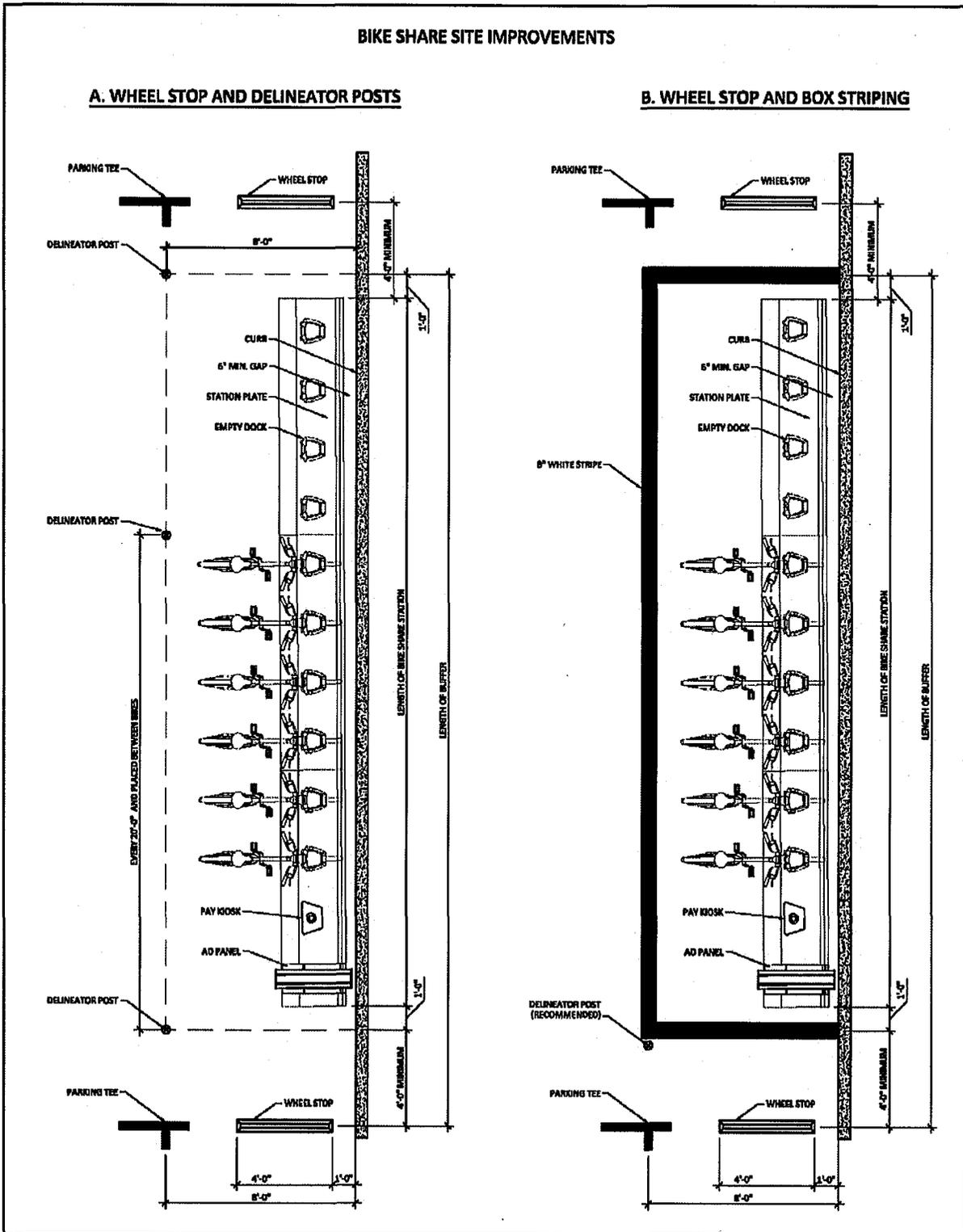
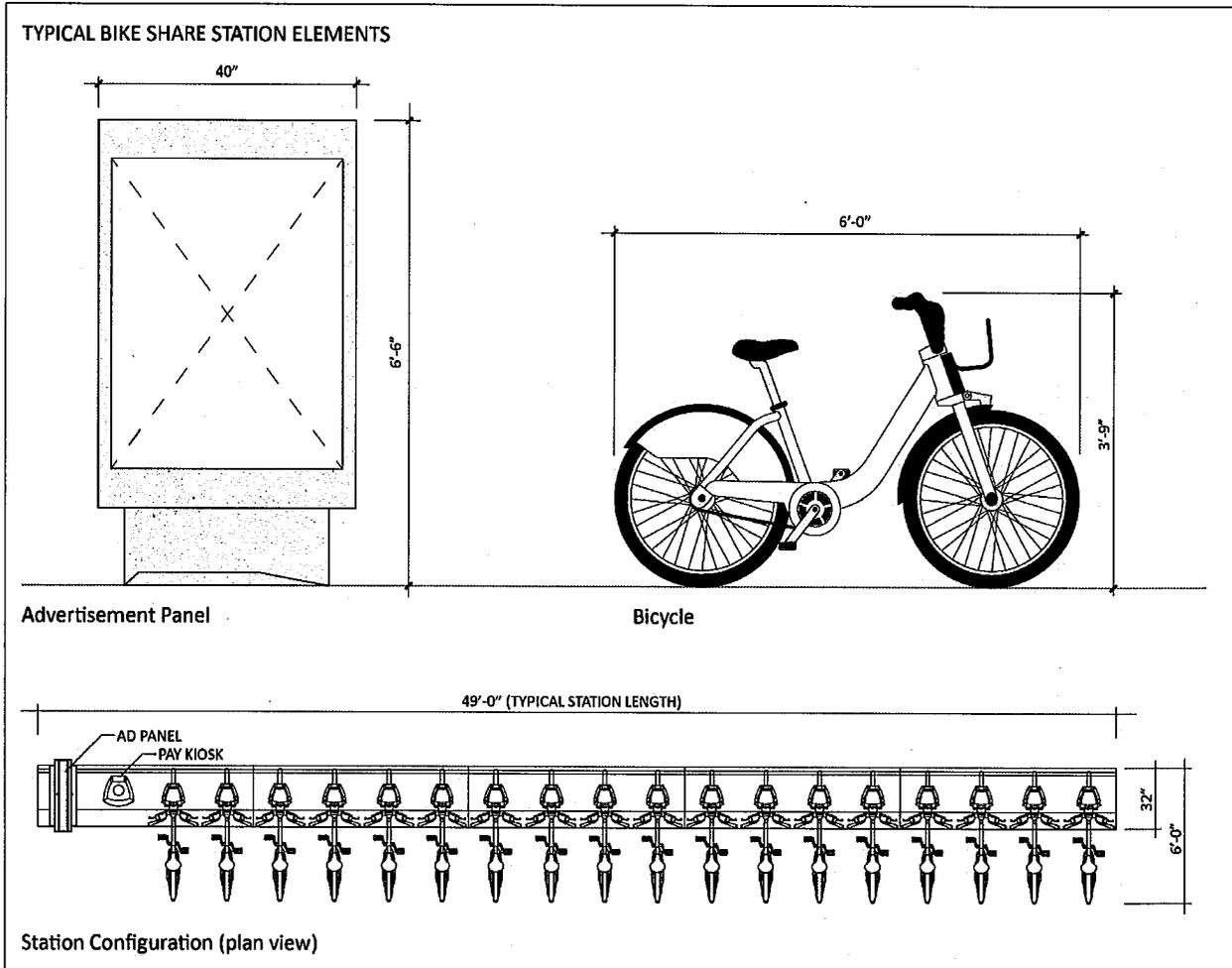


Figure 6. Bike Share Station Elements



## Public Requests for Station Relocation:

A stakeholder may initiate a request to relocate a bike share station by submitting a formal request to the bike share coordinator, via the [bikeshare@oaklandnet.com](mailto:bikeshare@oaklandnet.com) email box. OakDOT staff will evaluate the request and be solely responsible for evaluating whether the request meets the evaluation criteria below. Staff will strive to avoid disputes by conducting an inclusive and transparent process.

### Evaluation Criteria:

According to the Alternative Modes policy, the City will resolve disputes in favor of the travel mode "that provides the greatest mobility for people rather than vehicles, giving due consideration to the environment, public safety economic development, health and social equity impacts" (73036 C.M.S.).

Eligible requestor- The requestor must be a resident (renter or homeowner) or business owner directly abutting the station being requested to move. For public facilities, such as schools, libraries, etc., the requestor must be the primary decision maker at the facility, such as the principal or director.

Eligible objections-The following objections may be the basis for an appeal:

- A nearby location would better serve the same bike share users and business(es)
- The design doesn't meet the City's guidelines
- A different number of "docks" or bikes than proposed should be installed
- A request for a color curb (such as a yellow zone, green zone, blue zone or white zone) that creates an unavoidable conflict with the bike share station has been submitted and approved by OakDOT

The following objections will not be considered as they have been addressed during the design and planning process, are contrary to City policy (Alternative Modes Policy, Bike Sharing Policy) or they are subjective:

- The bike share station is ugly
- The bike share station is unnecessary
- The bike share station is dangerous
- The bike share station utilizes on-street parking

**Evaluation period.** If the station is determined to meet any of the above criteria, staff will notify the requestor and attempt to locate an alternative location for the station, within two blocks, that will maintain its utility and access to users of the bike share system. Stations in the bottom 10<sup>th</sup> percentile of usage (the sum of trips origins and destinations normalized by days in service) in Oakland may be moved to a location that is within the service area but not within two blocks of the original location. Stations will not be moved until an alternative location has been identified and a permit for the new location has been granted. If the station is determined not to meet the eligible criteria, staff will notify the requestor and attempt to address their concerns in another way.

FILED  
APR 11 2018  
OAKLAND

**DRAFT**

City Attorney

**OAKLAND CITY COUNCIL**

**ORDINANCE No. \_\_\_\_\_ C.M.S.**

**ORDINANCE AMENDING TITLE 10 AND TITLE 12.08 OF THE OAKLAND MUNICIPAL CODE TO ESTABLISH REGULATIONS AND NEW PERMITS TO OPERATE AND PARK DOCKLESS BIKE AND SCOOTER SHARING PROGRAMS IN THE PUBLIC RIGHT OF WAY**

**WHEREAS**, the City of Oakland recognizes the practice of bike sharing as a beneficial mode of transportation that reduces demand for private vehicles, decreases per capita greenhouse-gas emissions, and creates more affordable mobility options for all of Oakland's residents; and

**WHEREAS**, dockless bike share sharing and scooter sharing services, which do not require a docking station to operate and may be electric-assist vehicles (E-bikes and E-scooters), have the potential to offer the same benefits as bike sharing, and may offer additional mobility benefits for the public, including larger, more equitable service areas and accommodation for riders with a greater range of physical abilities; and

**WHEREAS**, the Energy and Climate Action Plan (Resolution No. 84126 C.M.S.) calls for a 36% reduction in greenhouse gas emissions and 20% reduction in vehicle-miles traveled from 2005 levels by 2020; and

**WHEREAS**, the City of Oakland, through its "Alternative Modes Policy" (Resolution No. 73036 C.M.S.) supports transportation alternatives to private, single-occupant vehicles; and

**WHEREAS**, the City of Oakland applied for Transportation Fund for Clean Air funding and received \$660,616.00 for the Oakland Bike Share Program; and

**WHEREAS**, the City of Oakland adopted a Bike Sharing Policy (Resolution No. 85715 C.M.S.) which calls for the implementation of a bike sharing program that facilitates the "last mile" of transit trips and non-auto short trips; and

**WHEREAS**, the City of Oakland has the authority, pursuant to City Charter Article I, to amend the Municipal Code to amend the Master Fee Schedule to include permit fees for dockless bike sharing and scooter sharing operations; and

**WHEREAS**, unregulated, unpermitted shared-use bikes and scooters proliferating in our community can cause problems, including impeding the public right of way, lack of accountability for improper use and placement, and can cause tripping hazards; and

**WHEREAS**, this ordinance is exempt from CEQA pursuant to CEQA Guidelines Sections 15301 (existing facilities), and 15061(b) (3) (no significant effect on the environment); and

**WHEREAS**, effective and responsible regulation can help ensure that these new services can provide improved mobility options for the public, while also incentivizing appropriate placement and responsible behavior, and local jobs and accountability; now, therefore

**THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:**

**Section 1. Title 10 of the Oakland Municipal Code is amended to add new Chapter 10.18:**

**Chapter 10.18 DOCKLESS BIKE AND SCOOTER SHARE PROGRAM**

**10.18.10 – Definitions.**

As used in this chapter, the following definitions shall apply:

- A. "Dockless Bike and Scooter share system" means providing bikes/scooters, inclusive of electric-assist bikes/scooters (E-bikes/E-scooters), for short-term rentals for point to point trips where, by design of the dockless bike/scooter share operator, the bikes/scooters are intended to remain in the public right of way, even when not being rented/used by a customer."
- B. "Dockless Bike/Scooter share operator" or "Operator" is any entity that owns and/or operates a City authorized dockless Bike/Scooter share system or program in the City's right of way. The term includes any employee, agent or independent contractor hired by the Operator.
- C. "Dockless Bike/Scooter share User or Customer" is any person that uses, rents or rides a dockless Bike or Scooter or is a customer of the Dockless Bike/Scooter Operator.

**10.18.20 – Dockless Bike and Scooter Operator Permits and Regulations Governing Dockless Bike and Scooter Programs.**

- A. The City Administrator, or her designee, shall develop dockless bike and scooter operator program criteria, application process and program requirements to operate within the City's right-of-way.
- B. The City Administrator, or her designee, is authorized to review, approve and issue dockless bike and scooter operator permits to operators who submit applications to operate such programs within the City.
- C. The City Administrator, or her designee, shall promulgate additional regulations governing dockless bike and scooter programs which at minimum will require Operators to provide bike and scooter safety features (such as lights and reflectors), to follow parking rules, to meet operating and customer service performance standards, and to perform data collection and reports to the City that monitors performance and effectiveness. Safety communication materials and app features must be preapproved by

the City prior to launching.

- D. The City Administrator, or her designee, shall set requirements for Operators to quickly remove vehicles parked in inappropriate areas, rebalance vehicles, and similar operator obligations and responsibilities.
- E. The City's Dockless Bike and Scooter Share Operator permit will also require Operators to provide proof of insurance of the types and at the levels determined by the City, indemnification, performance bonds, and cost recovery fees.
- F. Termination. Operator permits shall be subject to termination for non-compliance including, but not limited to, operations that in the City's discretion constitute a nuisance, dangerous condition or repeated violations.
- G. The City Administrator, or her designee, will establish a process to determine well-planned, designated locations for dedicated spaces for dockless bike and scooter sharing in the public right of way and in public plazas in cooperation with Operators, and the public.

#### **10.18.30 – Dockless Bike and Scooter Program Operator Requirements**

##### **A. Communications to Customers/Users**

All permitted Operators shall include visible language within the Operator's mobile and web application that notifies the customer that:

- a. Adult Users or Customers on dockless bikes will be encouraged to wear helmets, Adult Users on E-scooters and minor Users of either bikes or E-scooters are required to wear helmets.
- b. Dockless bike/scooter Users must follow all state and local traffic laws, including but not limited to the California Vehicle Code and Oakland Municipal Code.
- c. Dockless bike/scooter Users are not allowed to ride on the sidewalk.

##### **B. Program Safety**

Dockless Bike/Scooter Share Operators are responsible for educating customers about safe use of bikes/scooters, including providing education about state and local laws applicable to riding, operating and depositing a dockless bike/scooter in the public right of way.

##### **C. Federal, State and Local Law Compliance**

Operators shall comply with all federal, state and local laws and shall be responsible for dockless bike/scooter User compliance with all laws, rules and regulations governing the use of dockless bikes/scooters. Compliance with such laws shall include, without limitation, U.S.C, Title 15 Section 2052 (a) (1) and 2085, C.F.R. 1500.18(a)(12) and part 1512 of title 16, Code of Federal Regulations, and Article 4, sections 21200-21213, and Article 5, section 407.5 and sections 21220-21235, of the California Vehicle Code, the California Penal Code and Oakland Municipal Code applicable to the use of bikes, E-bikes and E-scooters in the public right of way.

D. Operator's vehicles shall not create excessive or annoying noises in violation of Chapter 8.18.010 of the Oakland Municipal Code, nor play threatening messages.

**10.18.40 – Establish parking and fleet size requirements in accord with California Vehicle Code section 21206 (Bicycles) and section 21225 (motorized scooters).**

- A. The City Administrator, or her designee, shall establish parking requirements for dockless bikes/scooters, and assess each Operator's compliance with those requirements. Shared bikes and scooters with both "self-locking" technology and those that lock to bike racks may be allowed.
- B. Unless otherwise specified, dockless shared bicycles and scooters may be parked in acceptable areas of the right-of-way, including the "furnishing zone" if one exists, or at the curb side in areas with narrow sidewalks and no furnishing zone.
- C. If Operator's bikes/scooters are found to be consistently parked improperly, the City Administrator reserves the right to reduce the number of shared bikes or scooters allowed under their permit, or revoke it all together. To maintain parking compliance, Operators shall:
  - 1. Provide a single point-of-contact (phone number and email) customer service line, available 24 hours, for complaints regarding improper parking; and
  - 2. List that contact clearly on each bike or scooter along with a unique identifying number; and
  - 3. Address those complaints within 3 hours during typical work hours (Monday-Friday, 9am-6pm) and 12 hours on weekends and after typical work hours; and
  - 4. Issue a "ticket number" for each issue to both the City and the person who reported the issue; and
  - 5. Provide a response when a complaint is closed, similar to Oakland's 311 system; and
  - 6. Provide sufficient operations and maintenance staff in Oakland to address issues and remove improperly parked bikes or scooters.
- D. Each Operator shall be required to provide a minimum and maximum number of dockless bikes and scooters, to ensure availability and avoid over-saturation. A maximum number of bikes or scooters should be established, with an additional 100 vehicles allowed in phases if the Operator's total fleet achieves a threshold of usage.

**10.18.50 – City Administrator shall require equitable service areas and rebalancing of dockless bikes and scooters**

- A. The Dockless Bike and Scooter Share permit is only valid for operations within the city public right of way. An Operator shall not restrict use of its bicycle/scooter share system within certain geographical areas of the city unless approved by the city. Permission to operate the bicycle/ scooter share system outside the public right of way shall require permission of appropriate department, agency, or property owner(s); the bicycle/scooter share Operator shall have a means of communicating to the customer when the bike/scooter has been operated in non-permitted areas. The communication to the User shall be sent electronically at the

end of the ride.

- B. Dockless Bikes and Scooters should be distributed equitably throughout Oakland. No less than 50% of Operators scooters and bikes shall be deployed in Oakland's Communities of Concern (as designated by the Metropolitan Transportation Commission). Operators shall provide real-time access to data showing the location of all their bikes and scooters.
- C. Operators will closely monitor ridership and adjust bike and scooter density and location accordingly to maximize the convenience of the greatest number of riders.

**10.18.60 – Provide accessibility to persons experiencing disabilities**

- A. Dockless bike Operators shall be required to include adaptive bicycles for Users experiencing disabilities, including hand-cycles, tandems and trikes. The total percentage of adaptive E-bikes should be based on expected need, performance and usage.
- B. If Operator is unable to deploy adaptive bicycles at the time of permit issuance, a plan must be submitted to the Department of Transportation within three months detailing a timeline for incorporation of shared adaptive bicycles into their fleet. This plan should detail the types and numbers of adaptive bikes that will be made available.

**10.18.70 – Provide access to persons without smart phones or credit cards**

Operators shall make available ways to use and pay for the service that do not require a smart phone or credit card.

**10.18.80 – Ensure affordability**

Operators shall offer a discounted membership plan for those with low-incomes, equivalent to \$5 for one year of unlimited 30 minute rides for those who participate in the State Nutritional Assistance Program (SNAP) or California Alternative rates for Energy (CARE).

**10.18.90 – Protect personal data and privacy**

Operators should clearly communicate to the public and to the City what personal information is being collected about Users, how it is being used, and for how long. The dockless bike and scooter share permit shall include a standard reporting form for this information, and the responses should be available on the City's website.

**10.18.100 – Share data and reports**

Operators shall make real-time data available to the City and designated third parties via the data standard developed by the North American Bikeshare Association, known as the "General Bikeshare Feed Specification (GBFS)". In addition, reports summarizing usage, maintenance, rebalancing, customer service and other key performance indicators should be provided to the

City on a bi-yearly or quarterly basis.

**10.18.110 – Establish a Community Engagement Process**

The City Administrator or her designee will establish requirements for a robust community engagement process, including public workshops where Operators co-plan the system with the community and a public forum for Operators to present their proposals directly to, and receive comments from, Oakland residents. Public outreach plans shall be pre-approved by designated City staff, and should include a full list of presentations, activities and events.

**Section 2. Chapter 12.08 is Amended to Read as Follows:**

**12.08.012 – Dockless Bike and Scooter Sharing Minor Encroachment Permits.**

Operators of Dockless Bike and Scooter share systems as defined in Chapter 10.18.10 are required to obtain a minor encroachment permit before commencing any operation of such programs within the City's right-of-way.

The City Administrator, or her designee, is authorized to issue minor encroachment permits to a dockless bike/scooter sharing Operator in compliance with the provisions of this title. Such permits shall be required for the dockless bike/scooter sharing operator to maintain public dockless bike/scooter sharing systems on the public right-of-way, including streets, sidewalks, and plazas of the City. The number and location of shared dockless bicycle/scooter vehicles allowed under each such permit shall be subject to approval of the City Administrator, or her designee.

A dockless bike/scooter share Operator shall be required to obtain a minor encroachment permit from the City Administrator, or her designee, prior to and in order to provide a dockless bicycle/scooter share system in the City of Oakland. Encroachment permits will be effective for a period of one year and are renewable annually.

It shall be unlawful for a dockless bike/scooter share Operator to provide a dockless bike/scooter share system within the City without first obtaining an encroachment permit from the Department of Transportation.

**Section 3. Severability.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

**Section 4. CEQA Determination.** This ordinance is exempt from CEQA pursuant to CEQA Guidelines Sections 15301 (existing facilities), and 15061(b) (3) (no significant effect on the environment).

**Section 5. Effective Date.** This Ordinance shall be effective immediately on final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption by the City Council.

IN COUNCIL, OAKLAND, CALIFORNIA; \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, AND PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

DATE OF ATTESTATION: \_\_\_\_\_

2453539 v2

## NOTICE AND DIGEST

ORDINANCE AMENDING TITLE 10 AND TITLE 12.08 OF THE OAKLAND MUNICIPAL CODE TO ESTABLISH REGULATIONS AND NEW PERMITS TO OPERATE AND PARK DOCKLESS BIKE AND SCOOTER SHARING PROGRAMS IN THE PUBLIC RIGHT OF WAY

Ordinance creating a regulated permit program for the establishment, operation and oversight of shared mobility services featuring dockless bikes and scooters, including electric-assist bike and scooters (e-bikes and e-scooters) that operate and park in the public right of way.

**DRAFT**

City Attorney

INTRODUCED BY COUNCILMEMBERS KAPLAN AND GALLO

**OAKLAND CITY COUNCIL**

**ORDINANCE No. \_\_\_\_\_ C.M.S.**

**ORDINANCE AMENDING ORDINANCE NUMBER ~~XXXXX~~ (FISCAL YEAR 2018-2019 MASTER FEE SCHEDULE) ESTABLISHING FEES FOR THE NEW DOCKLESS BIKE AND SCOOTER SHARE PERMITS**

**WHEREAS**, the City of Oakland recognizes the practice of bike sharing as a beneficial mode of transportation that reduces demand for private vehicles, decreases per capita greenhouse-gas emissions, and creates more affordable mobility options for all of Oakland's residents; and

**WHEREAS**, dockless bike share sharing and scooter sharing services, which do not require a docking station to operate and may be electric-assist vehicles (E-bikes and E-scooters), have the potential to offer the same benefits as bike sharing, and may offer additional mobility benefits for the public, including larger, more equitable service areas and accommodation for riders with a greater range of physical abilities; and

**WHEREAS**, the Energy and Climate Action Plan (Resolution No. 84126 C.M.S.) calls for a 36% reduction in greenhouse gas emissions and 20% reduction in vehicle-miles traveled from 2005 levels by 2020; and

**WHEREAS**, the City of Oakland, through its "Alternative Modes Policy" (Resolution No. 73036 C.M.S.) supports transportation alternatives to private, single-occupant vehicles; and

**WHEREAS**, the City of Oakland applied for Transportation Fund for Clean Air funding and received \$660,616.00 for the Oakland Bike Share Program; and

**WHEREAS**, the City of Oakland adopted a Bike Sharing Policy (Resolution No. 85715 C.M.S.) which calls for the implementation of a bike sharing program that facilitates the "last mile" of transit trips and non-auto short trips; and

**WHEREAS**, the City of Oakland has the authority, pursuant to City Charter Article I, to amend the Municipal Code to amend the Master Fee Schedule to include permit fees for dockless bicycle sharing and scooter sharing operations; and

**WHEREAS**, unregulated, unpermitted shared-use bicycles and scooters proliferating in our community can cause problems, including impeding the public right of way, lack of accountability for improper use and placement, and can cause tripping hazards, and

**WHEREAS**, effective and responsible regulation can help ensure that these new services can provide improved mobility options for the public, while also incentivizing appropriate placement and responsible behavior, and local jobs and accountability; now, therefore

**THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:**

**Section 1. Exhibit A:** Changes to Ordinance No. XXXXX C.M.S. (The FY 2018-19 Master Fee Schedule, or "MFS"), adding fees for services and permits in support of dockless bicycle share and scooter share operations.

**Section 2. Severability.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

**Section 3. CEQA Determination.** This ordinance is exempt from CEQA pursuant to CEQA Guidelines Sections 15301 (existing facilities), and 15061(b) (3) (no significant effect on the environment).

**Section 4. Effective Date.** This Ordinance shall be effective immediately on final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption by the City Council.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, AND PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

DATE OF ATTESTATION: \_\_\_\_\_

## NOTICE AND DIGEST

ORDINANCE AMENDING ORDINANCE NUMBER [REDACTED] (FISCAL YEAR 2018-2019 MASTER FEE SCHEDULE) ESTABLISHING FEES FOR THE NEW DOCKLESS BIKE AND SCOOTER SHARE PERMITS

Ordinance creating the fees for services and permits in support of shared mobility services featuring dockless bikes and scooters, including electric-assist bike and scooters (e-bikes and e-scooters) that operate and park in the public right of way.

# Exhibit A

## Proposed Changes to Ordinance Number XXXXX C.M.S. The FY 2018-19 Master Fee Schedule

Items that are underlined are insertions, items that appear in strikeout are deletions

	FEE	UNIT
<b>INFRASTRUCTURE &amp; OPERATIONS</b>		
<b>ENGINEERING</b>		
<b>A. PATH VACATION</b>	5,154.00	Proceeding
<b>B. STREET VACATION</b>		
1 Summary Vacation	4,980.00	Street
2 General Vacation	5,154.00	Street
3 Notifications	1,060.00	Block
<b>C. EASEMENT - DEDICATION OR VACATION</b>		
1 City Council Action	4,980.00	Easement
2 City Engineer Action	2,564.00	Easement
3 Shared Access Engineering Review	1,804.00	Easement
<b>D. CERTIFICATE OF COMPLIANCE</b>		
1 For Work Through Six Hours	1,311.00	Certificate
2 For Work After Six Hours	190.00	Hour or Fraction of
<b>E. ENCROACHMENT IN THE PUBLIC RIGHT OF WAY OR PUBLIC EASEMENT</b>		
1 City Engineer Action		
a. New encroachment	1,781.00	Permit
b. Existing Encroachment	3,176.00	Permit
c. Private Party bike rack installation, in accordance with City design process	74.00	Permit
d. New Bike Share Station Encroachment	1,781.00	Permit
e. Encroachment for R3 Occupancy	1,781.00	Permit
f. Amendment or Recession	1,084.00	Permit
g. <u>New Dockless Bike Share or Scooter Share             Master Encroachment</u>	<u>5,343.00</u>	<u>Application</u>
h. <u>Annual dockless shared vehicle</u>	<u>15.00</u>	<u>Permit</u>
i. <u>Confiscation of dockless shared vehicle</u>	<u>25.00</u>	<u>Vehicle</u>
j. <u>Storage of dockless shared vehicle</u>	<u>10.00</u>	<u>Day</u>
2 City Council Action	4,980.00	Permit



## IN BRIEF

This bill mandates the California Public Utilities Commission (CPUC) to develop regulations, by January 1, 2020, for transportation network companies (TNCs; i.e. Uber and Lyft) relating to accessibility for persons with disabilities.

## BACKGROUND

The CPUC was created as a transportation regulatory body,<sup>1</sup> and most recently established its regulatory oversight of TNCs in 2013 via an ongoing rulemaking.<sup>2</sup> This CPUC decision made California one of a few states to regulate TNCs at a state level; many states, like Washington and Illinois, regulate TNCs on a city or regional level.

In the initial decision adopting the first rules on TNCs, disability access was highlighted as a central issue to consider, with the CPUC noting the need “to ensure that TNCs are accessible to, and do not discriminate against, persons with disabilities.”<sup>3</sup>

As outlined within the Americans with Disabilities Act (ADA)<sup>4</sup> and §54.1 of the California Civil Code: “individuals with disabilities shall be entitled to full and equal access, as other members of the general public, to ...privileges of all common carriers ...or any other public conveyances or modes of transportation.”<sup>5</sup>

The ADA was passed in 1990. The CPUC had previously opened a rulemaking in 1988<sup>6</sup> to examine disability access issues; their decision on that proceeding<sup>7</sup> simply ordered all common carriers to comply with the ADA. Twenty-six years later, it is unclear to what level the CPUC has evaluated disability access across their transportation authority. Although CPUC-licensed carriers’ self-verify ADA compliance during vehicle licensure, the disability access requirements for TNCs are unclear.

<sup>1</sup> The California Railroad Commission in 1911.

<sup>2</sup> R.12-12-011, D. 13-09-045

<sup>3</sup> pg. 54 *Ibid.*

<sup>4</sup> Code of Federal Regulations, Title 49, Subtitle A, Part 37

<sup>5</sup> CIV §54.1 (a)

<sup>6</sup> R. 88-03-012

<sup>7</sup> D. 92-12-065

## THE PROBLEM

In the 2013 decision on TNCs, the CPUC added disability access to its list of issues to be considered in subsequent phases of the rulemaking. But the question posed – “what regulations should be adopted to assure that the disabled community has access to TNC services?” – has swung on and off the CPUC rulemaking list throughout the four years of the proceeding’s history,<sup>8</sup> and is currently listed as a separate proceeding without a timeline for consideration.

The fact remains that throughout the CPUC’s TNC rulemaking, the TNCs continue to operate within California; an operation available to able-bodied Californians, but potentially lacking for disabled Californians. In the past months, numerous disability advocates have discussed the shortcomings of TNC services, as being either unavailable or delayed to the point of uselessness. This is especially true for disabled persons requiring wheelchair accessible vehicles.

While TNCs have made important improvements and provided access to many in the disabled community, especially for Deaf and Blind individuals, what is currently lacking – and what SB 1376 seeks to address – is the lack of availability for wheelchair users, especially wheelchair users whose wheelchairs cannot break down and fold into a trunk. This is a tough problem to solve, as TNC services are provided by individuals using their personal vehicle and very few individuals own wheelchair accessible vehicles.

However, several jurisdictions within the U.S. – such as Seattle<sup>9</sup> and Chicago<sup>10</sup> – levy surcharges

<sup>8</sup> Originally listed on the first Scoping Memo on 11-26-2014 (<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M143/K311/143311123.PDF>); removed on the Scoping Memos in 04-28-2015 and 10-26-2016; returned on the 04-07-2017 Scoping Memo, and subsequently bumped to an unknown timeline in the most recent Scoping of 06-12-2017

(<http://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M190/K174/190174048.PDF> ; pgs. 8-10)

<sup>9</sup>

<https://www.seattle.gov/Documents/Departments/FAS/RegulatoryServices/CPU%20Rules/CPU-11-2016-signed-FINAL.pdf>

(~\$0.10-0.25 / trip) on TNC trips to be deposited in an accessibility fund to be used for incentives and investments in wheelchair accessible on-demand transit. Yet, California is one of the few states<sup>11</sup> to regulate TNCs at a state level; thus the solution to TNC disability access unavailability in California will require state-wide coordination.

## **THE SOLUTION**

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This bill mandates the CPUC to develop regulations, by January 1, 2020, for TNC accessibility for persons with disabilities.

Moreover, this bill mandates that as part of the regulatory development, the CPUC must:

- engage in workshops with relevant stakeholders;
- assess a fee on TNCs to fund on-demand accessible transportation services;
- request interested parties to submit plans to access the on-demand transportation fund in order to meet the transportation needs of persons with disabilities;
- require specific criteria and reporting from parties accessing the fund;
- report to the Legislature by January 1, 2023 on the implementation of the program; and
- create a working group with stakeholders to examine duplicative programming in transportation services for disabled persons.

Disability access to TNCs should be of the highest priority; an equity issue the CPUC and the Legislature cannot ignore.

## **SUPPORT**

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The Arc – California Collaboration  
California Transit Association  
The Center for Independent Living  
Disability Rights California  
Independent Living Resource Center San Francisco  
San Francisco Mayor’s Office on Disability  
San Francisco Municipal Transportation Agency  
Senior and Disability Action  
United Cerebral Palsy – California Collaboration

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<sup>10</sup>  
<https://www.cityofchicago.org/content/dam/city/depts/dol/rulesandregs/TNPRulesAmendedeffJan12017.pdf>

<sup>11</sup> Along with Maryland and Massachusetts

## **STATUS**

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Senate Floor Vote: 39-0

Assembly Communications & Conveyance  
Committee – to be heard on Wednesday, June 20<sup>th</sup>

## **FOR MORE INFORMATION**

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[laura.mcwilliams@sen.ca.gov](mailto:laura.mcwilliams@sen.ca.gov)