

Pilot Program Goals:

The City and County of Denver is known for taking a progressive approach to innovation, which is rooted in its pioneering, western spirit. As part of this commitment to embrace and test new and better ways to deploy technology, Denver Public Works (DPW) is initiating a Dockless Mobility Vehicle Pilot Permit Program. The pilot program will allow the City to explore new ways of providing flexible, affordable, and accessible multi-modal transportation options for all and assess whether these new options help achieve the City's stated [mobility goals](#) including a reduction of single-occupant vehicle commute trips from 73% to 50% by 2030. The specific vision for the Dockless Mobility Vehicle Pilot Permit Program also includes the intention to:

- Implement programs that respect safety and infrastructure
- Increase the percentage of people who have access to and take public transit
- Provide accurate communication and guidance to public users of these services
- Scale new services and vehicles responsibly based on performance metrics
- Integrate new innovations seamlessly with the City's existing transportation system
- Serve the communities that are most vulnerable while increasing their access to smart technology and new opportunities

Pilot Program Overview:

As a vehicle to expedite the launch of a pilot program for dockless vehicles, DPW is utilizing its existing Transit Amenity Program (TAP) to permit the placement of amenities at transit stops to encourage the use of public transportation. The TAP program also allows for experimentation through the deployment of pilots to test innovative strategies and technologies.

The pilot program will launch Summer 2018 and will run for the course of one-year. Approved applicants to the program will be issued one-year, revocable permits under the TAP pilot clause (section VII-E). The beginning of the one-year duration will commence upon the issuance of the first permit. While this document will provide an overview of program requirements, the pilot program will likely involve a series of tweaks and adjustments resulting from feedback, resource impacts, performance, etc.

Applicants please note: DPW reserves the right to change any component of the pilot program or its scope at any time during the one-year pilot period. In addition, DPW reserves the right to terminate permits at any time and require the operator to remove their entire fleet of vehicles from City streets. If DPW exercises its right to terminate a permit, an operator will have 5 days to remove the entire fleet from public right of way after written notification from DPW.

Pilot Program Eligibility:

All "dockless mobility vehicles" that integrate on-board technology allowing a user to check out a vehicle remotely from public right of way throughout the day or night will be required to be registered as part of this pilot permit program. DPW will continuously audit the program throughout its duration to ensure that all companies with deployed dockless vehicles are appropriately permitted to be operating in the public right of way. Bike share operations that are already permitted in the public right of way

(i.e. docked bike share) will not be required to receive this permit. This program applies to operations within the City's public right of way.

Operators must be in good standing with the City or will be subject to having their applications denied or permits revoked.

The City will offer two distinct permit types as part of the pilot program:

1. Dockless Vehicles – Bicycles/E-Bicycles
 - a. A total of 5 operators will be permitted for the pilot program
 - i. Each permitted operator will initially be allowed up to 400 dockless vehicles (bicycles/e-bicycles)
 - ii. Each permitted operator will have the option to increase this initial fleet size to 500 dockless vehicles if 100 of that total fleet size are committed to stay in designated "opportunity areas." Vehicles that are part of the "opportunity area" fleet will be required to be rebalanced back to designated opportunity areas at least once per day (i.e. the reset – see **Rebalancing**). See Opportunity Areas/City Core Map.
 - iii. Permits will be non-transferrable.
2. Dockless Vehicles – E-scooters/Other Approved Dockless Mobility Vehicles
 - a. A total of 5 operators will be permitted for the pilot program
 - i. Each permitted operator will initially be allowed up to 250 dockless vehicles (e-scooters/other approved dockless mobility vehicles)
 - ii. Each permitted operator will have the option to increase this initial fleet size to 350 dockless vehicles if 100 of that total fleet size are committed to stay in designated "opportunity areas." Vehicles that are part of the "opportunity area" fleet will be required to be rebalanced back to designated opportunity areas at least once per day (i.e. the reset – see **Rebalancing**). See Opportunity Areas/City Core Map.
 - iii. Permits will be non-transferrable.
3. Permits will be processed on a first come, first served basis.
4. The same operator is eligible to apply for a Bicycles/E-Bicycles Permit as well as an E-scooters/Other Approved Dockless Mobility Vehicle Permit but will be required to submit two permit applications and pay according to the two separate fee schedules.
5. Note that any vehicle (bicycle/e-bicycle or e-scooter) that is staged on private property or at "private partner locations" will still count towards an operator's total fleet number for the duration of the year-long pilot program if the onboard technology will allow a user to check it out from the right of way at any point during the day.
6. Vehicle fleet size requirements may be adjusted at any point during the pilot period. The possibility of scaling fleet size will be determined by DPW and based on utilization data, performance and operational outcomes. This assessment and determination may be done at

any time within the first 6-months but will be completed no later than 6-months into the pilot program.

Opportunity Areas/City Core Map:

The map provided is intended to be a resource to operators and guide placement of vehicles and painted parking zones. The map includes:

1. The “City Core” area where dockless painted parking zones will be placed at certain locations by permitted operators
2. “Opportunity areas” where dockless vehicles participating in the pilot incentive program will be required to locate
3. “High priority opportunity areas” are called out as a subset of the Opportunity areas simply to provide information to operators where the greatest number of vulnerable populations may be centered. The opportunity area incentive will be met if dockless vehicles are kept anywhere within the indicated “opportunity” or “high priority opportunity” area indicated on the map.

Unique Vehicle Identification:

Vehicles will need to be individually numbered or otherwise have a unique identifier that is clearly visible to the user, the public, or City representatives. Permitted operators will be required to supply a list of the vehicle IDs that will be deployed as part of the pilot program NOT TO EXCEED the vehicle fleet size requirements outlined above. Fleet IDs will need to be provided to DPW prior to permit issuance. Fleet IDs will be audited throughout the program to ensure that fleet size requirements are respected. Operators will be required to update their fleet IDs monthly and not deploy vehicles whose IDs are not filed with DPW (the vehicle fleet size limit will include any back up vehicles required for maintenance for at least the first month of the program).

Operators will also be required to provide easily visible contact information including a toll-free phone number and e-mail address on each vehicle so that users or other members of the public can report issues or make relocation requests.

Vehicle Stickers:

Operators will be required to print and affix their own stickers to each vehicle registered identifying the vehicle as an approved/permitted participant in the Denver Dockless Mobility Pilot Program. This sticker will be used by DPW staff to quickly identify non-participating vehicles (e.g. vehicles from neighboring municipalities). Stickers will need to be visible to users/DPW staff and must clearly indicate the Denver program. Stickers will need to be approved by DPW before they are affixed.

1. Stickers must be at least 2” high.
2. Stickers will need to be affixed to bicycle/e-bicycle baskets or to e-scooter stems.
3. If an operator is deploying an “other approved dockless mobility vehicle,” DPW will coordinate with the operator to determine an appropriate location for the sticker.

Indemnification:

Permitted operators agree to defend, indemnify, reimburse and hold harmless City, its appointed and elected officials, agents and employees for, from and against all liabilities, claims, judgments, suits or demands for damages to persons or property arising out of, resulting from, or relating to the services performed under the issued permit, unless such Claims have been specifically determined by the trier of fact to be the sole negligence or willful misconduct of the City. This indemnity shall be interpreted in the

broadest possible manner to indemnify City for any acts or omissions of the permitted operator or its subcontractors either passive or active, irrespective of fault, including City's concurrent negligence whether active or passive, except for the sole negligence or willful misconduct of City.

Insurance and Liability Requirements:

Applicant shall meet TAP program insurance and liability requirements as outlined in Section II-A of the Rules and Regulations for the Issuance of Revocable Permits for the Transit Amenities at Bus Stops in the Public Right of Way. This includes coverage for the intended number of dockless vehicles deployed as well as liability coverage in the amount of no less than \$1,000,000 for property damage and \$2,000,000 for personal liability coverage. Both insurance and liability are required to cover the entire 12-month pilot term.

Permit Fee Schedule

1. Bicycles/E-Bicycles
 1. Application fee: \$150 per permit application
 2. Permit fee: \$15,000
 3. Performance Bond: \$20 per vehicle deployed
2. E-scooters/Other Approved Dockless Mobility Vehicle
 1. Application fee: \$150 per permit application
 2. Permit fee: \$15,000
 3. Performance Bond: \$30 per vehicle deployed

Application fees are due with the submittal of the application. Permit fees and Performance Bond fees will be due at the time of permit issuance.

Performance Bond

Each permit holder will be responsible for paying into a public property repair and maintenance performance bond that the City can draw upon as needed for costs associated with auditing, removing and storing improperly parked vehicles. Performance bond fees are outlined above.

Parking Requirements:

The intent of the Pilot Program is to enhance the use of transit and bus service throughout the city. As such, vehicles are to be readily available at transit and bus stops in the public right of way (considered to be within 25' of the posted RTD sign or monument unless a designated parking zone is present). This intention must be repeatedly made clear to a permitted operator's users. Beginning/end points are not required to be in painted dockless parking zones (see next section), but if a painted zone is available at the transit and bus stop, the vehicle should be parked inside that zone. For all other transit and bus stops, the vehicles must be parked in a manner that allows clear travel in the right of way and does not impede the boarding or departure of transit users per the requirements of the TAP program, Section III-A.

In addition, DPW expects operators to "rebalance" vehicles to transit and bus stops throughout the day with a reset back to transit and bus stops by the beginning of each day – no later than 7am. See

Rebalancing.

Dockless vehicles parked in the public right of way at transit and bus stops by users or operator staff must follow the following guidelines:

1. Do not block the movements of pedestrians and always provide 5' clear width
2. Park against buildings (not impeding pedestrian access) or at least 1.5' from the back of curb/flowline

3. Preserve pedestrian sight triangles at intersections, alleys, and driveways as well as to bus/LRT operations at stops
4. Vehicles should be upright when parked
5. Vehicles shall not impede access to utilities, or access from the street to the sidewalk
6. At least 8 feet of clear walkway shall be provided for all sidewalks on arterial streets
7. Additional clear width may be required in high pedestrian areas, as determined by DPW
8. Follow all [Tier 1 Encroachment](#) guidelines for placement and access

Permitted operators will be required to provide DPW with the parking education content designed for users as well as the plan for regularly reinforcing that information.

Note that the requirements above apply to transit and bus stops within public right of way. *The Regional Transportation District (RTD) will determine requirements to govern their properties, which include some light rail and commuter rail stations. Please contact RTD for information on their license requirement.*

Painted Dockless Parking Zone Requirements

Painted dockless parking zones will be required to be installed and maintained by permitted operators. The number of zones required will be determined by DPW up to a rate of one zone per ten permitted fleet vehicles (e.g. an operator applies for a permit to introduce 500 dockless bikes, DPW can require the operator to install and maintain up to 50 painted dockless parking zones). Full specifications on these painted dockless parking zones will be provided to approved pilot program applicants. Final dimensions will depend on location context but should generally provide an area of 10' x 6'.

Approved applicants will be able to preference painted dockless parking zone locations but DPW will ultimately provide assignments as well as timelines for installation.

Painted dockless parking zones will be assigned to a company for maintenance responsibilities but will be agnostic in terms of which permitted operator's vehicles can park there. Parking zones will be open to accommodate dockless bikes, e-bikes, and e-scooters that are permitted for this program.

Permitted operators will be required to highlight all bus stop and station parking areas in their respective app/mobile/desktop platforms as well as geofence those locations to track parking behavior/compliance of users.

Painted Dockless Parking Zones – Initial Installation

Applicants will be asked to submit a list of 15 preferred locations for the initial installation of painted dockless parking zones (assuming their fleet deployment is more than 150 vehicles). These locations should be submitted with the permit program application and fall within the City Core as defined by the Opportunity Areas/City Core Map provided. The preferences will be reviewed by DPW who will then determine ultimate assignments. Permitted operators will be required to submit general site plans detailing the exact location for the painted dockless parking zones assigned. Dimension, stencil, siting, and paint specifications will be provided along with an operator's assignments. Permitted operators will have 14 days to install painted parking zones or are subject to the revocation of their permit. DPW will determine if and when to require additional painted parking zones based on user behavior, data, or feedback up to the fleet size requirements/ratio outlined above.

Rebalancing

Permitted operators will be expected to "rebalance" vehicles back to transit and bus stops throughout the day and "reset" the vehicles back to these locations by the beginning of each day – no later than 7 am. In addition, vehicles participating as part of the Opportunity Area incentive will be required to be

relocated back to designated Opportunity Areas at least once per day during the reset to maintain the necessary ratio.

In-Use Requirements

Bicycles and e-bicycles deployed as part of this pilot program will be required to follow all rules of the road when in use. Please note that e-bicycles are permitted to use roadways internal to designated parks but are not permitted to use Parks maintained trails. According to current City and County of Denver Ordinance and State Law, e-scooters are classified as “toy vehicles” and will be required to operate on the sidewalk. All vehicles must yield to pedestrians at all times. E-scooters will not be allowed in striped, protected or otherwise designated bike lanes. E-scooters will not be allowed to operate within designated parks or on Parks maintained trails. DPW will be coordinating with DPD to enforce these laws throughout the pilot period. Permitted operators will be required to remind users of these requirements regularly.

Permitted operators will be required to provide DPW with the in-use education content designed for users as well as the plan for regularly reinforcing that information.

Geofencing and Incentives

Permitted operators are encouraged to incentivize users to return vehicles to transit and bus stops as required through either gamification, other incentives, or geofencing tactics (i.e. not allowing a user to end their trip/metered time outside of designated transit and bus stop areas).

BID Coordination

The TAP program requires approval from local Business Improvement Districts impacted by permit holders. For the purposes of the pilot program, operators will not be required to solicit BID approval directly from the organizations as part of their permit application. Instead, DPW will coordinate directly with area BIDs to fulfill this requirement of the TAP.

No Ride/No Parking Zones

No Ride and No Parking zones will be designated by the City and communicated to permitted operators at the launch of the program or at any time determined appropriate by DPW. Permitted operators will be responsible for marking these areas appropriately on their mobile platforms as well as making sure users are educated on how to treat these areas. At a minimum, these areas will include the 16th Street Mall for all bicycles/e-bicycles and e-scooters/other dockless mobility vehicles. Motorized vehicles including e-bicycles and e-scooters are also not permitted to utilize Parks maintained trails and e-scooters are not permitted to enter or be parked on park land.

Advertising

Permitted operators shall not display third party advertising on permitted vehicles without express approval from DPW.

Equity

Program applicants must submit a plan outlining how their services will be available to those without smart phones or those who are under-banked or un-banked. They must also submit information regarding the rate structures that will be offered to all users including daily, monthly, or annual passes/subscriptions. This information should include any discount programs offered that will be available for students, youth, low income/at-risk populations, corporate groups or other categories.

Privacy

Each permit holder will be required to establish a privacy policy that safeguards user information. In addition, each permit holder will be required to provide an electronic payment system that is compliant with the Payment Card Industry Data Security Standards (PCI DSS).

Maintenance

A permitted operator shall remove any inoperable vehicle or any vehicle that is not safe to operate as immediately as possible or within 24-hours of notification. Failure to do so may result in the revocation of a permit.

Data Sharing Requirements

Each permit holder will be responsible for providing real-time data feeds via API and monthly reports to the City and County of Denver displaying trip information including but not limited to the following:

1. Utilization rates
2. Total downloads, active users & repeat user information
3. Total trips by day of week, time of day
4. Origins & destination information for all trips
5. Trips per bike by day of week, time of day
6. Average trip distance
7. Trips originating in or destined for designated opportunity areas
8. Parking compliance at designated zones and at transit and bus stops
9. Incidents of bike theft and vandalism
10. Vehicle maintenance reports
11. Complaints
12. Number of users participating in discount programs disaggregated by program type (low income, students, etc.)
13. Accident/crash information
14. Payment method information

Complete data sharing requirements will be provided to approved applicants. Applicants will be expected to comply with all data sharing requirements in order to remain compliant with program requirements and in good standing as a permit holder. Failure to comply will result in revocation of the permit.

DPW is also considering the use of [Mobility Data Specifications](#) inspired by GTFS and GBFS – specifically those being developed and tested by the LADOT – as a way to implement and require real-time data sharing from mobility as a service providers. DPW will continue to coordinate with permitted operators to evolve the data sharing requirement.

Survey Requirement

Each permitted operator will be responsible for surveying users via their individual app/mobile platforms or via e-mail at three-month intervals during the duration of the one-year pilot. Survey questions will be developed in coordination with DPW and certain questions will be required. The intent of the survey is to capture more information on mode shift patterns and overall user feedback.

Coordination Meeting Requirement

Permitted operators will be expected to participate in regular meetings with DPW staff during the pilot period. During the initial 90-day period, these meetings may be required as frequently as one per week.

The meetings will discuss topics such as operations, usage, fleet size, community concerns, safety concerns and data reviews.