CITY OF CHICAGO
RULES

Mayor Lori Lightfoot Commissioner Kenneth Meyer Commissioner Gia Biagi

BY AUTHORITY VESTED IN THE COMMISSIONER OF BUSINESS AFFAIRS AND CONSUMER PROTECTION AND THE COMMISSIONER OF TRANSPORTATION PURSUANT TO SECTIONS 2-25-120, 2-102-030(l) AND 9-103-180 OF THE MUNICIPAL CODE OF CHICAGO, THE FOLLOWING RULES REGARDING SCOOTER SHARING BUSINESS ARE JOINTLY ADOPTED HEREIN:

By Order of the Commissioner of Business Affairs and Consumer Protection:

Signed: _____ Date: _____

Commissioner Kenneth Meyer

Published: _____

Effective: _____

By Order of the Commissioner of Transportation:

Signed: _____ Date: _____

Commissioner Gia Biagi

Published: _____

Effective: _____

CITY OF CHICAGO

SCOOTER SHARING BUSINESS

DRAFT RULES

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Rule 1. DEFINITIONS

For purposes of these rules the following definitions shall apply:

"City" means the City of Chicago.

"Code" means the Municipal Code of Chicago.

"Commissioner" means the City's Commissioner of Business Affairs and Consumer Protection.

"Commissioner of Transportation" means the Commissioner of the City's Department of Transportation.

"Department" means the City's Department of Business Affairs and Consumer Protection.

"License" means a scooter sharing license issued pursuant to Chapter 9-103 of the Code.

"Licensee" means the holder of, or a person that is required to hold, a scooter sharing license issued pursuant to Chapter 9-103 of the Code.

"Lock-to scooter" means a scooter which has a mechanism that enables the scooter to be locked to a fixed physical object when a scooter user ends a scooter trip.

"Place of business in the City of Chicago" means a location in the City where (1) the City may send, and the licensee shall accept, notices of hearing or other notices from the City; and (2) the licensee maintains its business and financial records relating to its license.

"Scooter sharing business" means any business that provides the renting of, or access to, scooters in the City, where the storage and renting of the scooters is performed from the public way, including scooter trips that start or end on the public way.

"Scooter trip" means the period that commences when a scooter user unlocks a scooter and ends when the scooter user finishes using the scooter and locks the scooter to a fixed physical object to make it available for other scooter users.

"Scooter user" means any individual who rents, or who has access to, a scooter provided by a licensee pursuant to a license issued under this chapter.

"Scooter'' or "device" means a low-speed electric mobility device, as that term is defined in Section 9- 4-010 of the Code.

Rule 2. INTERPRETATION

In case of conflict or inconsistency between the terms of these Rules and the Scooter Sharing Ordinance, the terms of the Ordinance take precedence. Except in the case of the case of conflict or inconsistency with these Rules, the terms of the Ordinance remain in full force and effect.

Rule 3. LICENSE TERMS

A scooter sharing license shall be issued for a two-year period and is non-transferable and non-renewable.

License Surrender: If a licensee voluntarily surrenders their license or if a licensee's license is revoked or rescinded pursuant to the Code, remaining operating licensees may be given the opportunity to increase their fleet size cap based on the number of devices such licensee had been permitted to deploy. Remaining licensees shall pay a prorated fee of $1-per-device-per-day for each additional device added to their fleet size cap based on the number of days remaining in the license period.

Rule 4. USE OF KNOWLEDGE

The City of Chicago may, without disclosing its source, use data and operational knowledge obtained from the scooter share license application and operations process for any purpose it deems appropriate, including for the purposes of writing specifications to be used in any Rules, Requests for Bid or Requests for Proposal which may be issued at any time.

Rule 5. SCOOTER DEVICE STANDARDS

5.1 Device Standards and Required Features:

To be deployed, a licensee's scooter shall meet the City's low-speed electric mobility device requirements, as defined in Section 9-04-010 of the Code. That means each scooter: (i) has no operable pedals; (ii) is no more than 26 inches wide; (iii) weighs less than 100 pounds; and (iv) is powered by an electric motor that is capable of propelling the device with or without human propulsion at a maximum speed of 15 miles per hour on a paved level surface.

Each scooter shall also have:

1. Lock-to functionality and hardware
2. A warning bell
3. A front white light
4. A rear red light visible from a distance of at least 500 feet and that stays illuminated for at least 90 seconds after coming to a full stop
5. Front and rear brakes. The rear brake may be operated by the rider's foot-or mechanically- or electronically-operated by way of a brake lever mounted on the handlebars.
6. A unique identifier
7. Photo validation and geo-fencing technology to ensure parking and operational compliance
8. Sidewalk riding detection hardware and software
9. Easily visible contact information, including the licensee's name, website, e-mail address and a toll-free telephone number with 24-hours-a-day, 7-days-a-week customer support hotline in English, with translation services available in the following languages: Spanish, Polish, Korean, Arabic, Hindi and Mandarin. All contact information on the device shall be displayed in conventional type, braille and raised lettering. Conventional type and raised lettering shall be printed in no smaller than 48 pt. font (or .667 inches), and braille shall be printed in conformance with Rule 5.2. Contact information shall be located no lower than 12 inches below device handlebars
10. Functionality for remote control of individual and fleetwide scooter operations including, but not limited to:
    - i) Preventing the beginning or ending of a rental trip outside service area boundaries;
    - ii) Slowing and stopping the device once rental trip exits service area boundaries;
    - iii) Slowing and stopping the device in designated no ride zones within the service area;
    - iv) Reducing device speed in designated zones;

v) Preventing the ending of the trip in no parking zones or other geofenced areas; and
vi) Disabling the entire fleet upon the request of the Commissioner of Transportation.

5.2 Size and Spacing of Braille Characters:

Braille is a system of touch reading and writing used by blind persons. Embossed dots are evenly arranged in quadrangular letter spaces, called cells. A full cell is three dots high and two dots wide. Each cell may contain up to six dots. Only 63 different characters can be formed. Braille is a fixed-width font meaning that every character occupies the same amount of space, regardless of how many dots are in the cell. For braille to be read, the dots of each cell shall be easily discernible by touch and the height of the dots shall be sufficient to be easily distinguished from the background. Braille writing on a scooter shall meet the following standards for Braille signage:

Measurement Range	**Minimum in Inches** **Maximum in Inches**
Dot Base Diameter	0.059 (1.5mm) to 0.063 (1.6mm)
Distance between two dots in the same cell	0.090 (2.3mm) to 0.100 (2.5mm)
Distance between corresponding dots in adjacent cells	0.241 (6.1mm) to 0.300 (7.6mm)
Dot height	0.025 (0.6mm) to 0.037 (0.9mm)
Distance between corresponding dots from one cell directly below	0.395 (10.0mm) to 0.400 (10.2mm)

5.3 Inspection & Attestation:

All individual device types to be deployed as part of the scooter license shall undergo an in-person demonstration and inspection before deployment on the public right-of-way. Devices that do not meet standards specified in these Rules shall not be allowed to operate on the public right-of-way. Licensees shall also attest in writing that the devices to be deployed by the licensee meet the minimum standards specified in these Rules.

5.4 Speed Limit:

The Commissioner of Transportation, at their sole discretions, may set a speed limit of less than 15 miles per hour in specific geographies, and licensees shall implement such speed limits via geofencing, either temporarily or permanently.

5.5 Speed Limit for First-Time Users:

The licensee shall cap each user's first shared scooter trip in Chicago at a maximum speed of 10mph.

5.6 Sidewalk Riding Detection Data:

The licensee is responsible for securing, maintaining and validating all data, including any geo-spatial data, required to implement sidewalk riding detection technology.

Rule 6. ACCESSIBLE DEVICES

At least 5% of each licensee's total available devices shall be devices serving residents of diverse physical needs that, at a minimum, provide a seated option for riders. Accessible devices shall otherwise meet all device requirements specified in Rule 5, including inspection and approval. Licensee shall be required to commit to working with the Commissioner, the Commissioner of Transportation, the Mayor's Office for People with

Disabilities, and accessibility and disability organizations in the City to develop and implement a plan for shared accessible scooter services.

Rule 7. OPERATIONAL STANDARDS

7.1 Designated Contact:

Each licensee shall have a designated contact person for communications with the City, including a mobile telephone number and email address.

7.2 Operations Manager:

Each licensee shall have a designated locally-based operations manager and provide the City with their mobile telephone number and email address.

7.3 Operation Launch:

The earliest date that devices may first be deployed on the public right-of-way shall be determined by the Commissioner.

7.4 Launching from a Private Property:

Licensees shall launch scooters from a supporting private property on the first day of the permit. In order to operate from a supporting private property, vendors shall be in compliance with all applicable laws, including requirements of the Chicago Zoning Ordinance and shall have prior written permission from the owner or lessee of any private property to be used and provide such written permission to the Commissioner no less than five business days prior to the issuance of the license

7.5 Operating Hours:

No licensee shall make its scooters available for service from 12:00 a.m. (midnight) to 5:00 a.m.

7.6 Rider Requirements:

Licensees shall not rent their scooters to any individual who is under the age of 18 years old. Provided, however, vendors may rent scooters to any individual who is 16 or 17 years old with the consent of the parent or legal guardian of such individual.

7.7 Helmets:

Licensees shall strongly encourage all customers to wear a helmet when operating a scooter.

7.8 Scooter Operations:

Scooters shall be operated in the same way as bicycles are operated as provided in Section 9-52-130 of the Code. Accordingly, scooters are permitted to be operated only on the City's bike lanes or paths. Except as otherwise provided in Section 9-52-020 of the Code, scooters shall not be operated on sidewalks. Where there is no bike lane or path, scooters are allowed to be operated on City streets but that such streets are not intended to be used by scooters.

7.9 Geofencing:

Each licensee shall comply with the Commissioner's request to use geo-fencing technology and capability to restrict operations in certain areas and during certain times, either permanently or temporarily to protect public safety, private property and convenience as determined by the Commissioner, including, but not limited to, during special events or emergencies.

Each licensee shall implement and notify users of any and all geofence restrictions that may be required pursuant to this Rule and the Code.

7.10 Non-Functional and Non-Available Scooters:

A licensee shall retrieve, or replace the battery of, any scooter that is non-functional due to a depleted battery, hardware malfunction, software malfunction and/or other damage within 2 hours of knowledge of the location of such scooter, whether reported by the public, within the licensee's software or by other means. A licensee shall use technology to make such scooters inaccessible to users, such scooters shall not be visible for rent in the licensee's online application and such scooters shall be registered as "non_operational" within MDS and "is_disabled" within GBFS. If the licensee has deployed scooters with swappable batteries, a licensee may swap the depleted battery with a new or charged battery without retrieving the scooter within 2 hours of knowledge of the location of such scooter.

A device rendered "non_operational" shall either be returned to proper working order and made "available" within 2 hours of knowledge of the location of such a scooter or removed from the public right-of-way. Devices reported as "removed" or "elsewhere" within MDS reporting may not be located within the public right-of-way.

7.11 Parking:

Each licensee shall take all necessary steps to ensure that scooters are parked in compliance with Section 9-52-070 and other applicable provisions of the Code. In addition, each licensee shall take all necessary steps to ensure that: (i) scooters are parked upright and with a minimum of six (6) feet clearance between the scooter and all public way encumbrances; and (ii) scooters are not parked along building facades, or block fire hydrants, bus stops, loading zones, or building access points; and (iii) parked scooters are locked to a fixed physical object allowed for such locking, including a rack, retired parking meter or street sign or light pole.

Each licensee shall remedy any issues regarding its scooters used for scooter sharing business that are not parked lawfully within 2 hours after the licensee is notified of such improper parking. The Commissioner and the Commissioner of Transportation may review compliance with parking regulations at their discretion. Each licensee shall require that riders using smartphones to complete their trip take and submit a photo of the scooter once parked. Licensees shall provide the City with these photos, either in their entirety or as a representative sample, including approximate location information, upon request.

Licensees shall ensure that their staff park scooters so as to leave sufficient public parking in the immediate area for private bicycles and scooters. Licensees shall adhere to any City requests to move or remove scooters from an area that City officials deem that it has not been left with sufficient parking for privately-owned bicycles and scooters.

7.12 Redistribution:

Any scooter that has not been moved for more than 120 consecutive hours, either by a customer or by the Licensee, shall be relocated at least 660 feet (one block) from its current location by the Licensee.

Licensees shall take proactive steps to prohibit and prevent the parking of excessive numbers of scooters in a single location or immediate area by the licensees' customers. Licensees shall adhere to any City requests to move or remove scooters from an area that City officials deem has an excessive number of devices.

7.13 Maintenance of Devices:

1) Each licensee shall conduct maintenance, and keep records of such maintenance, on each of its scooters used in the scooter sharing business, at least once per calendar month during the duration of the license period.
2) During device maintenance, the licensee shall, at a minimum, conduct the following checks, and repair or replace all necessary elements:

i) Check tires (front and rear) for damage or wear and correct pressure (if applicable)
ii) Check brake function (front and rear)
iii) Check handlebar grips for wear
iv) Check brake levers for tightness and damage
v) Check that braking capabilities meet necessary safety standards
vi) Check bell for tightness and correct function
vii) Check lights (front and rear) for function
viii) Check kickstand for correct function
ix) Brief test ride to ensure overall correct function of device
x) Check function of onboard computer, GPS, communication equipment and other components
xi) Check that all necessary identification and contact information is present and legible, including braille and raised lettering
xii) Clean device and sanitize common points of contact

3) Each licensee shall make records available to authorized City enforcement personnel upon request, including, but not limited to, information on: (i) the frequency and extent of scooter maintenance and cleaning; (ii) employees, services, or contractors conducting scooter maintenance for the vendor; (iii) the average lifespan of main scooter parts including batteries, and (iv) the vendor's scooter disposal and recycling practices.

7.14 Payment:

1) Each licensee shall make available a fully compliant Applicant Protocol Interface (API) that allows customers to rent and pay for scooters in third-party applications that are approved by the Commissioner of Transportation.
2) A licensee shall not require a customer to pay in advance for more than one ride.

7.15 Pricing:

1) Each licensee shall provide, through its website and mobile applications, clear and complete information to scooter users all charges, tariffs, taxes, surcharges and fees that such user is required to pay prior to renting a scooter.
2) A licensee shall implement a low-income and equity pricing program. A licensee shall not change the availability of such program throughout the license term without prior written approval of the Commissioner and the Commissioner of Transportation. Each licensee shall provide, through its website, mobile applications and print materials, clear and complete information to scooter users regarding how to access the system through means that do not require a bank account or credit/debit card and how to enroll in the licensee's low-income and equity pricing program.
3) A licensee shall report to the Commissioner and the Commissioner of Transportation their current pricing for a standard trip, including both base-price and per-minute fees. The licensee shall also report any additional discounted or variable pricing options available. The licensee shall provide the Commissioner and the Commissioner of Transportation notice of any changes to pricing and fees at least two weeks in advance of implementing those changes.
4) A licensee shall ensure that the trip period for the purpose of calculating usage fees shall commence with the exact time a device is unlocked and not based on the processing of the application.
5) A licensee may not charge a user for the time needed to read mandatory safety messaging or complete mandatory safety quizzes.

7.16 Digital Barriers:

1) Each licensee shall provide a low-tech access program that allows a user to rent a device without needing a smartphone including, at minimum, a call and text to unlock program. A licensee shall not change the

availability of such program throughout the license term without prior written approval of the Commissioner and the Commissioner of Transportation.

2) Each licensee shall provide, through its website, mobile applications and print materials, clear and complete information to scooter users regarding how to access the system through means that do not require a smartphone.

7.17 Temporary Removal of Devices:

The Commissioner and the Commissioner of Transportation, in their sole discretion, reserves the right to require vendors to temporarily remove scooters from the ground, as directed by the Commissioner and the Commissioner of Transportation, in order to address concerns posed by predicted or actual inclement weather or to otherwise protect the health and safety of the residents of the City.

7.18 Scooters Thrown in the City's Waters:

Licensees acknowledge that, except as otherwise provided in the section, Section 11-4-1410 of the Code prohibits throwing, discharging, dumping, disposing or depositing, or causing, suffering, allowing or procuring to be thrown, discharged, disposed or deposited any waste or material of any kind in Lake Michigan within three miles of the corporate limits of the City or in any other waters within the corporate limits of the City. If a licensee's scooter is thrown, discharged, disposed or deposited in the City's waters in violation of Section 11-4-1410 of the Code, in addition to any applicable penalty, the licensee shall, if practically possible, retrieve such scooter from the City's waters within 24 hours of knowledge of the incident, whether reported by the public, within the licensee's software or by other means. If the licensee does not retrieve such scooter from the City's waters within the specified time limit, the City, in its sole discretion, may retrieve such scooter from the City's waters, and the licensee shall, in addition to being subject to other applicable penalties, reimburse the City's reasonable retrieval cost.

7.19 Reporting Criminal Activities and Cooperation:

If a licensee knows or suspects that any criminal activity is taking place in relation to the shared scooter program, such licensee shall immediately notify and cooperate with the Chicago Police Department. Licensee's cooperation with the Chicago Police Department, includes, but is not limited to, sharing information and data pertinent to the criminal activity to the extent permitted by law.

7.20 Contracting and Hiring:

Licensees are also encouraged to have specific contracting goals for minority-owned, women-owned and disadvantaged businesses including, but is not limited to, the creation of local workforce development and training programs, and the establishment of partnerships with local workforce development and training programs or organizations. Licensees shall, to the extent practically possible, implement their hiring approaches immediately and uphold their commitments over the duration of the license. Licensees are encouraged to hire: (i) 75% of their staff from within the city of Chicago; and (ii) at least 30% of their staff from job training placement programs operating in Chicago.

Rule 8. OPERATIONAL GEOGRAPHIES

8.1 Service Area:

Boundaries for operation of shared scooters shall generally adhere to the corporate boundaries of the City of Chicago except for areas that are permanently or temporarily geofenced out of service. Licensees will use technology to make scooters parked outside the service area inaccessible to users, and the licensee shall not make such scooters visible for rent in the vendor's application. Scooters that travel outside the service area boundaries

or into geo-fenced areas shall be slowed to a stop within one standard block (660 feet), in a manner that ensures rider safety.

8.2 Citywide Distribution:

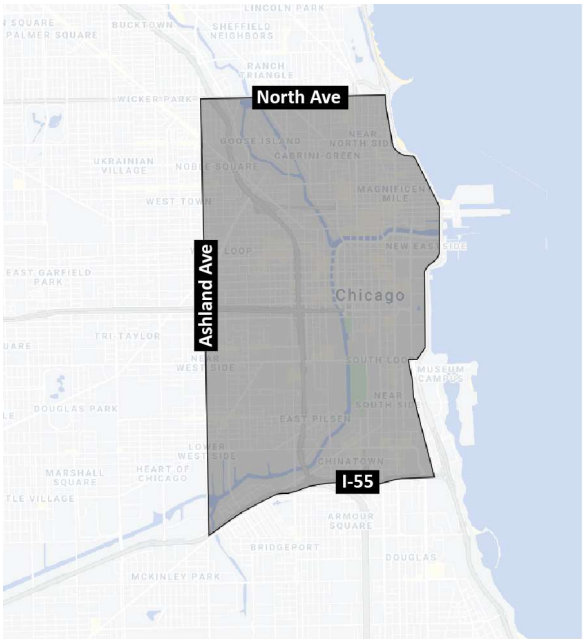
Each licensee shall make scooters available to all residents of the City, applying an operational protocol that distributes scooters relatively evenly, based on population.

8.3 Equity Priority Areas:

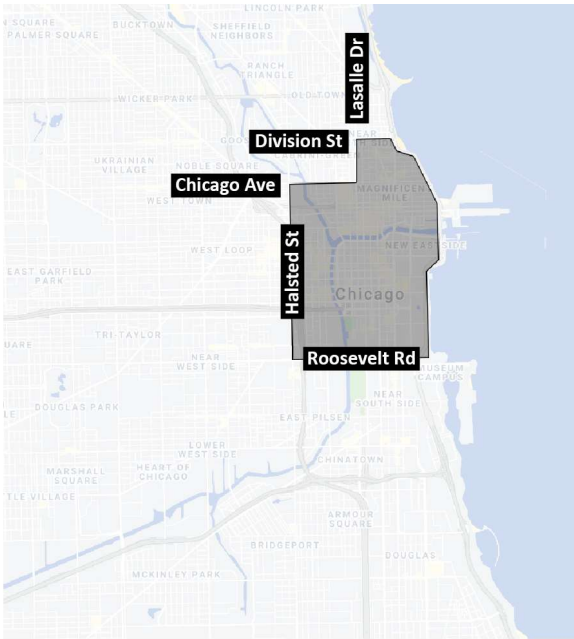
1) At least 50% of a licensee's available devices shall be deployed to the Equity Priority Area, defined by the attached "Service Area Map." Further, at least 4% of a licensee's available devices shall be deployed to each of the 10 Equity Priority Sub-Areas, defined by the attached "Service Area Map."

8.4 Core Area:

1) No licensee shall deploy or operate shared scooters in Core Area Geographies (as defined below) at the start of the license period. As outlined in SECTION 9.3, a licensee's performance and utilization will be assessed after the first 60 days of operation to determine their qualification to deploy additional devices. A licensee who is approved for additional devices through this review process will also qualify to deploy devices in Core Area Geographies. Any licensee not eligible to deploy devices in Core Area Geographies shall geofence the Core Area Geographies out of Service Area and shall bring devices to a stop that attempt to enter Core Area Geographies.
2) Core Area Geographies: For purposes of these rules, the term "Core Area Geographies" include the Core Area and the Central Business District (CBD), as detailed in the maps below. Licensees shall adhere to a fleet maximum cap of no more than 4% in the Core Area including the CBD. Additionally, of the 4% Core Area cap, no more than 1% of a licensee's fleet may be located in the Central Business District. Fleet maximum cap percentages in the Core Area Geographies shall be measured using the total number of both "available" and "non_operational" devices, as reported by MDS, as the numerator and all "available" devices, as reported by MDS, citywide as the denominator.



Core Area



Central Business District

8.5 Geofences:

1) Licensees shall permanently geofence the following areas out of the scooter service area so that scooters may not be ridden or parked in these areas:
   i) Lakefront Trail
   ii) Bloomingdale Trail/606
   iii) Chicago Riverwalk
   iv) O'Hare Airport
2) The City, in its sole discretion, may rescind geofenced areas to make scooter service available or may establish new permanent and temporary geofence exclusion areas during the license term.
3) The City, in its sole discretion, will utilize MDS Geography and Policy endpoints to enforce geofencing.

Rule 9. FLEET SIZE

9.1 Device Maximums:

1) The Commissioner shall determine each licensee's maximum fleet size for the first day of operation, totaling no more than 3,000 devices among all licensees.
2) Overall fleet size maximums will be measured by the total number of "available" devices, as reported by MDS.

9.2 Fleet Size Increases:

If the total scooter fleet size cap is increased, the Commissioner, following concurrence by the Commissioner of Transportation, shall determine the maximum number of scooters each licensee may deploy, including consideration of each licensee's performance, ridership and utilization rate.

9.3 First Review:

60 days after the first day of the license period, licensees may submit data that may be reviewed by the Commissioner to determine whether a fleet size increase is warranted for said licensee. A fleet increase of up to 1,000 devices may be granted if all of the following requirements are met:

i) The licensee has experienced an average utilization of at least 2-rides-per-device-per-day in the entire service area over the past 30 days.
ii) The licensee has deployed at least 90% of its allowed devices, at least 90% of the days in the past 30 days.
iii) The licensee has received no more than 10 individual violation notices in the past 30 days.
iv) The licensee shall have held at least 12 education and outreach events, including an in-person event in at least 10 unique Equity Priority Sub-Areas for the first two months of the license term.
v) The licensee has registered at least 100 low-income customers throughout the City or has instituted a discounted per minute rental rate or unlock fee for rides beginning or ending in the Equity Priority Area that is equivalent to at least a 50% reduction in the standard per-minute rental fee.
vi) The licensee is in satisfactory compliance with all Code and Rules requirements.
vii) The licensee has delivered on commitments made in their application or is making reasonable progress.

9.4 Subsequent Reviews:

Following the initial fleet size increase review to be conducted 60 days after the license start date, a licensee may submit a request to increase their fleet size no more frequently than once every 90 days. This rule applies to all licensees whether or not they receive fleet size increases based on the initial review conducted 60 days after the license start date.

To request a fleet size increase, each licensee shall submit data to be reviewed by the Commissioner to determine whether a fleet size increase is warranted. The number of additional devices granted shall be at the discretion of

the Commissioner, following concurrence by the Commissioner of Transportation. A fleet size increase may be granted if all of the following requirements are met:

i) The licensee has experienced an average utilization of at least 3-rides-per-device-per-day in the entire service area over the past 30 days.
ii) The licensee has deployed at least 90% of its allowed devices, at least 90% of the days in the past 30 days.
iii) The licensee has received no more than 30 individual violation notices in the past 90 days.
iv) The licensee has met education and outreach requirements over the past 90 days.
v) The licensee has registered at least 200 new low-income program participants throughout the City in the past 90 days and/or has instituted a discounted per minute rental rate and/or unlock fee for rides beginning or ending in the Equity Priority Area that is equivalent to at least a 50% reduction in the standard per-minute rental fee.
vi) The licensee is in satisfactory compliance with all rules and regulations.
vii) The licensee has delivered on commitments made in their application or is making reasonable progress.

The overall scooter fleet cap may be increased up to no more than 12,500 devices total across all licensees. Considerations for scooter fleet increases shall include impacts that additional scooters may have on, including, but not limited to: (i) scooter ridership and utilization; (ii) parking compliance in the public way; and (iii) the safe and efficient flow of traffic in the City.

9.5 Fleet Size Decreases:

If the Commissioner, following concurrence by the Commissioner of Transportation, determines, at their sole discretion, that a licensee is not adhering to the Code and the rules of the scooter sharing license, the Commissioner may require the licensee to immediately reduce its maximum fleet size, either temporarily or permanently. Said licensees shall not receive any refund for any license fees paid. It is up to the sole discretion of the Commissioner, following concurrence by the Commissioner of Transportation, to re-establish any previous fleet size maximums for a licensee, and that licensee shall not be required to pay license fees for any device for which fees have already been paid.

Rule 10. EDUCATION AND OUTREACH

10.1 General:

1) Each licensee shall undertake a public information campaign focused on safety, responsible riding and parking compliance. To be in compliance, licensees may undertake, and may contribute to, a joint public information campaign.
2) Each licensee shall communicate and educate all scooter users concerning legal scooter operations and shall implement customer compliance polices to encourage proper scooter operation.
3) Each licensee shall acknowledge and transmit to their customers that: (i) scooters are permitted to be operated only on the City's bike lanes or paths; (ii) except as otherwise provided in Section 9-52-020 of the Code, scooters shall not be operated on sidewalks; and (iii) where there is no bike lane or path, scooters are allowed to be operated on city streets but that such streets are not intended to be used by scooters.
4) Each licensee shall provide access to free or discounted helmets and strongly encourage the use of helmets by all customers.

10.2 Digital Rider Education:

Licensees shall have visible language on their website and smartphone application that informs customers about applicable laws and regulations requiring customers to agree to follow rules before allowing them to unlock a scooter. Licensees shall also have visible language on their website and smartphone application that informs riders

about proper device parking, proper and safe riding, prohibition of sidewalk riding, areas where shared scooter riding is not allowed, and what to do in the event of a crash.

10.3 First-Time Users:

Each licensee shall develop a specific education program for customers using their device for the first time in Chicago, whether or not the customer rented a scooter during any pilot operation period. Each licensee shall create an app-based quiz to be administered before every user's first trip in 2022 or thereafter that includes safety questions addressing, at least, proper device parking, proper and safe riding, sidewalk riding, helmet use, and areas where shared scooter use is not allowed. The City's Department of Transportation shall approve the questions, and the user shall answer at least 80% of questions correctly before being permitted to use a scooter.

10.4 Education and Outreach Events:

1) For the purposes of education and outreach requirements, quarters are defined as follows: Quarter 1: January 1 – March 31; Quarter 2: April 1 – June 30; Quarter 3: July 1 – September 30; Quarter 4: October 1 – December 31.
2) Each licensee shall conduct at least 9 education and outreach events per quarter, including at least 6 events in the Equity Priority Area.
3) Between May and October, if a licensee's total trips in any Equity Priority Sub-Area fall below a specific threshold in a given month, that licensee shall conduct at least three outreach and education events in that Sub-Area in the following month, with at least two events taking place in person. The monthly threshold shall be calculated as an average of 2-rides-per-1,000-residents-per-day, divided equally by the total number of active licensees. Outreach and education events in Equity Priority Sub-Areas may be counted toward the overall quarterly education and outreach requirements.
4) At least two-thirds of all education and outreach events per quarter shall be in-person events and include a learn-to-ride component.
5) The following qualify as education and outreach events:
    i) Formal participation in an event hosted by a community organization, such as "tabling" and direct engagement, performing scooter demonstrations, and/or providing scooters for a free group ride at another organization's event.
    ii) Hosting and publicizing a stand-alone event or free group scooter ride.
    iii) Pop-up engagement in which staff engage passersby, providing written literature or promotional items, information on low-income access, the opportunity to test ride a device and information on proper rules of safe operation in Chicago.
    iv) An online information session detailing how to access shared scooters, how to operate shared scooters safely and properly in Chicago and low-income access programs.
    v) Other creative approaches to supporting existing community efforts.
6) The Commissioner of Transportation may, in their sole discretion, decline to count any reported event towards the total event requirement that does not adhere to the standards outlined in this Rule. Licensees may seek pre-approval for any event if licensee is unsure that it will qualify per the above standards provided at least 7 days' notice.

Rule 11 DATA PROVISIONS

11.1 MDS, API, GBFS:

1) Each licensee shall be fully compliant with Open Mobility Foundation Mobility Data Specification (MDS) and shall provide full access to the Commissioner and the Commissioner of Transportation, or their designees, the licensee's MDS Application Protocol Interface (API), and shall interface to the City's API, as specified in the rules below

2) Each licensee shall make public a fully compliant Application Protocol Interface (API) that presents the locations of charged, rentable and available scooters, using the General Bikeshare Feed Specification (GBFS) standard.
3) Each licensee shall integrate data with the City with GBFS and MDS standards. Each licensee shall cooperate with the City's Department of Department of Assets, Information, and Services to ascertain whether such licensee has the technological capability to integrate data with the City with GBFS and MDS standards.
4) The following requirements shall apply regarding data provisions:
    i) The City may update these data requirements at any time during the term of the license and require licensees to use the most current version of the requirements.
    ii) Licensees shall establish and share API endpoints that adhere to the latest Mobility Data Specification API ("MDS", available at https://github.com/openmobilityfoundation/mobility-data-specification) and licensees shall interact with the City's MDS endpoints.
    iii) Licensees shall provide a data sharing API that is compatible with the latest GBFS specification that may be found at: https://github.com/NABSA/gbfs
    iv) Licensees shall ensure that the City, including its contractors and employees, is provided with authentication tokens for accessing the MDS data. Email communication from the Commissioner, the Commissioner of Transportation or their designee(s) that a contractor or employee is working on behalf of the City shall be sufficient evidence to require the vendor to provide access to MDS endpoints to the contactor or employee under this subsection.

11.2 Quarterly Reports:

On a quarterly basis, each licensee shall provide a report to the Commissioner and the Commissioner of Transportation, containing information covering the past three months of operation, including, but not limited to, the subject areas outlined below. For the purposes of reporting, quarters are defined as follows: Quarter 1: January 1 – March 31; Quarter 2: April 1 – June 30; Quarter 3: July 1 – September 30; Quarter 4: October 1 – December 31. This reporting shall be submitted no more than 14 days following the conclusion of the quarter.

1) Ridership and Operations: Licensees shall report the following metrics for the entire service area as well as specifically in the Equity Priority Area and the service area outside the Equity Priority Area:
    i) Total number of individual customers
    ii) Total number of rides
    iii) Average rides per-device-per-day
2) Education and Outreach Licensees shall report compliance with all education and outreach requirements in SECTION 10.4. Reporting shall include the following details for each event:
    i) Estimated number of people engaged at each event
    ii) List of local partners/organizations engaged around hosting/promoting/organizing each event at the local level
    iii) Brief narrative on any specific community issues or conditions that may barriers to Divvy utilization by community members
    iv) Any non-event-based education and outreach, including public information campaigns.
3) Helmets Provided: Licensees shall report the total number of free or discounted helmets provided to Chicago residents, including details related to the provision of free or discounted helmets, including but not limited to the amount of the discount.
4) Environmental Impact: Licensees shall report their operations' carbon contribution per-day and per-month, based on a calculation using total vehicle miles traveled by e-scooters and service vehicles as well as energy used for all device recharging and for licensee local facility operations. Licensees shall itemize their carbon contribution calculations, which may include an itemization of the variables and coefficients used in such calculations. Licensees shall also report on additional scooter sustainability metrics including

but not limited to batteries recycle/recycling practices, scooters permanently removed from service, and average scooter lifecycle.

5) Customer Service: Licensees shall report the following customer service metrics:
    i) Number of customer calls and emails, with total number of calls and number of calls broken down by purpose of call
    ii) Average time to answer a customer call
    iii) Average duration of a customer call
    iv) Number of refunds granted
6) Incidents and Crashes: Licensees shall report a summary of each incident of a crash, vandalism, theft, and police action, with dates and summary of outcomes. The summary of outcomes shall include details related to the crash, which shall include at a minimum, to the degree information is available, vehicles involved in crash, vehicle movements prior to crash, where the user was riding (bike lane, roadway, etc.), time of day, age of rider, helmet/no helmet, injuries and damages sustained, experience of rider, speed of scooter at the time of crash, and device and battery maintenance history for the scooter prior to crash.
7) Parking Compliance: Licensees shall provide a representative sample of photos taken by riders upon parking a scooter.

11.3 Additional Datasets and Reporting:

1) Incidents and Crashes 24-Hour Reporting: Licensees shall report to the City of Chicago crashes and police action incidents involving their devices no later than 24 hours from the receipt of such information by the licensee. Reports shall include details related to the crash, which shall include at a minimum, to the degree information is available, vehicles involved in the crash, vehicle movements prior to crash, where the user was riding (bike lane, roadway, etc.), time of day, age of rider, helmet/no helmet, injuries and damages sustained, experience of rider, speed of scooter at the time of crash, and device and battery maintenance history for the scooter prior to crash.
2) Each licensee shall provide other datasets related to the scooter sharing business licensed under this chapter as requested, pursuant to rules, by the Commissioner, the Commissioner of Transportation or Commissioner of Assets, Information, and Services. This includes a requirement that licensees assist the City in distributing online surveys to its customers upon request.

11.4 Attestation:

Each licensee shall accompany any data made available to the City by an attestation, made under penalty of perjury, that the data submitted is accurate and complete.

Rule 12. CONSUMER AGREEMENTS AND PRIVACY

1) Licensees shall provide a link to customer terms of service, user agreements, or privacy policies. Licensees shall also provide notice to the Commissioner regarding any changes to terms of service, user agreements, or privacy policies for the duration of the license.
2) Licensees shall not require users to share their private data with third parties in order to use the licensee's scooters. Licensees may allow users to opt-in (not to opt-out) to providing access to their contacts, photos, files, other private data and third-party data sharing only with clear notice to the customer.
3) Licensees shall ensure their application's default setting prohibits any data on the user's device from being harvested and/or transmitted for any and all uses or reasons, including any third-party usage.
4) Licensees shall ensure their app's default setting may only be overridden by a comprehensive, plain language "opt in" feature that shall be pre-approved by the Commissioner.

5) Licensees shall provide a link to their app's privacy policy that effectively and fully describes, in plain language, the information collected from a user by the app, how that information may be used, if and with whom the information may be shared, and user choices about such uses and disclosures. Such privacy policy shall be transparent, easy to understand and be compliant with applicable data protection laws.

Rule 13. ENFORCEMENT AND PENALTIES

13.1 Fines, Suspensions and Revocations:

1) The Commissioner may seek all applicable penalties, including but not limited to fines, license suspension, and license revocation, in addition to restitution or other equitable relief against any licensee that violates Chapter 9-103 of the Code, or any rules adopted pursuant to the Chapter and other pertinent provisions of the Code.
2) Notice of Action: Before any suspension or revocation or fine is imposed, or equitable relief is ordered, the licensee shall be notified of the specific charges against them and of their right to a hearing in accordance with Chapter 2-14 of the Code.
3) Penalties: Any licensee who violates Chapter 9-103 or any rule promulgated hereunder shall be subject to a fine of not less than $500.00 and not more than $10,000.00 for each such violation. Each day that any violation shall continue shall be deemed a separate and distinct offense.
4) Suspensions: The Commissioner may suspend a licensee from operating shared scooter services in the City for up to 30 days for (i) repeated violations, as determined by the Commissioner; or (ii) egregious violations; or (iii) violations that pose a significant threat to safety. Violations that may result in license suspension include, but are not limited to:
    i) To operate with devices that do not conform to standards
    ii) To operate with devices that have not been approved for deployment
    iii) Failure to disclose maintenance records
    iv) Failure to follow maintenance procedures
    v) Failure to provide functioning sidewalk riding detection technology
    vi) Operating outside of permitted hours
    vii) Operating outside of permitted service area
    viii) Exceeding device maximum caps
    ix) Failure to meet Equity Priority Area minimums
    x) Failure to meet device parking standards
    xi) Violating payment or fee calculation rules
    xii) Failure to properly disclose pricing
    xiii) Failure to provide unbanked or low-tech access options
    xiv) Failure to adhere to order to remove or disable devices
    xv) Failure to meet operational standards in C Geographies
    xvi) Failure to adhere to geofence requirements
    xvii) Failure to meet education and outreach requirements
    xviii) Failure to submit required reporting
    xix) Failure to comply with MDS/API integration requirements
    xx) Failure to meet privacy requirements

xxi) Failure to meet advertising standards

xxii) Failure to meet remedy requirements on improperly parked devices

xxiii) Failure to institute low-income pricing program

13.2 Immediate Suspension:

If the Commissioner has information provided by a law enforcement agency or any court of law that a licensee has been charged with the commission of: (1) a felony, as defined in Article 2 of the Illinois Criminal Code of 2012, codified at 720 ILCS 5/2-0.5 et seq., or a felony in another jurisdiction; or (2) an alleged act that raises concerns of public safety; or if a licensee is under an outstanding arrest warrant issued by a court of any jurisdiction, the Commissioner shall immediately suspend all licenses of the licensee until final adjudication is made with respect to such charges.

13.3 Revocation:

Any licensee whose license is revoked under Chapter 9-103 shall be ineligible to receive another scooter sharing license under the same or a different name for a period of three years following revocation.

13.3 Removal of Devices:

1) The Commissioner or the Commissioner of Transportation or the Commissioner of Streets and Sanitation, or their designees, may remove scooters that are not properly parked and that are not properly repositioned in accordance with Section 9-103-130 of the Code. Nothing provided in this section shall be construed to limit the City's ability to remove, without waiting for a licensee's remedial action, any scooter that encumbers or obstructs any public way in order to protect the safety of its residents.
2) Fee for Removal: Licensees shall reimburse all costs the City incurs to remove scooters at a rate of $100 per scooter. No scooter shall be retrieved by a licensee without paying the removal cost. A scooter which is not retrieved by a licensee within 5 business days of notification of removal shall be deemed abandoned.

Rule 14. COMMERCIAL ADVERTISEMENTS

1) It shall be unlawful to display any advertising sign or device on scooters deployed by any licensee before the advertising sign or device is approved by the Commissioner and permitted pursuant to the provisions of this Rule and Section 9-103-120 of the Code.
2) Location of Advertising: Advertisements shall not be located anywhere on a device except the handlebar stem and the sides of the foot deck. Advertisements shall not block or otherwise reduce the legibility or visibility of any information required to be displayed on the scooter by these Rules, in the Code or in any other departmental, municipal, state or federal rules or laws. Advertisements shall not be located in a way that obstructs any device safety features required by these Rules, in the Code or in any other departmental, municipal, state or federal rules or laws, including but not limited to lighting. Advertisements shall not impair the visibility of the device.
3) Design, Construction and Method of Affixing Displays: Advertisements shall be affixed to devices as flat stickers, decals or paint not more than 1/16” thick.
4) Condition of Advertisements: Advertisements shall be kept in clean and undamaged condition.
5) Content: Commercial advertising displayed on a scooter is part of the regulated appearance of the device and, as such, shall not be inconsistent with or undermine the City’s existing regulatory interests in protecting and serving riders and prospective riders. The following shall not be permitted and may be grounds for suspension, revocation, rescission, or denial of an advertising display permit: 1. Commercial advertising that is untruthful, fraudulent, involving illegal activity, or in violation of City, State, or Federal law. 2. Commercial advertising that is sexually explicit, defined as depicting genitals, pubic hair, buttocks, perineum and anal region, or pubic hair region, whether such body parts are depicted as uncovered or

less than completely and opaquely covered. 3. Commercial advertising that portrays graphic violence, such as through the depiction of human or animal bodies, body parts, or fetuses in states of mutilation, dismemberment, disfigurement or decomposition. 4. Commercial advertising that contains profane words, obscenities, or racial, ethnic, or sexual slurs or abusive epithets.

6) The following are grounds for the immediate suspension of a scooter advertising permit: 1. Materially false or misleading information on an advertising permit application. 2. An advertising display device that poses a risk to public safety.
7) Application: A licensee shall submit an application electronically to the Commissioner that includes a graphic or photographic depiction of the exact placement of all potential advertisements on the scooter. A graphic or photographic depiction shall be submitted for each unique device model type on which the licensee is applying to display advertisement. The application shall explain in written and or graphic form how the proposed advertisement shall conform to all rules and requirements described in this Rule and Section 9-103-120 of the Code. The application shall include the exact number of devices and a list of individual unique identifiers of those devices that will feature the commercial advertisements specified in the application.
8) Fee: The fee for the issuance of any advertising display permit shall be $100.00 for each display, due at the time of application. This fee shall be in addition to any applicable license fees. An advertising display permit applicant shall have satisfied all debt, as defined in Section 4-4-150, to the City before the Department may issue the permit.
9) Approval Process: The Department shall inform applicants for an advertising display permit under this Rule and Section 9-103-120 of the Code whether the application is approved or disapproved within thirty business days after its receipt of the completed application, unless it gives the applicant written notice that it needs an additional thirty business days and the reasons therefor. If the application is approved and the applicant is in compliance with subsections (c) and (d) of Section 9-103-120 of the Code, the Department shall issue an advertising display permit. If the Department denies the permit application, it shall provide written notice of its decision within such time period, stating the specific grounds and rules that form the basis for such denial. If the Department fails to so act within thirty business days, or within sixty business days if it has given notice of the need for an additional review period, after receipt of the application, the application shall be deemed granted and the permit shall be issued, provided that the permit fee has been paid.
10) Inspection: When the Commissioner has approved any type of advertising display device that involves the installation of advertisements affixed to scooters, a prototype inspection is required for each device model type that will feature advertisement as part of the advertising permitting process. The fee for such inspection shall be an additional $100.00 per model type, due prior to the inspection. Devices operating with equipment not approved and certified and not inspected in compliance with this rule shall be deemed unsafe devices and prohibited from operating on the public right-of-way until in compliance with this Rule and other applicable laws.
11) Expiration: An advertising permit issued under this Rule and Section 9-103-120 of the Code shall expire one year after the date of issue, unless it is surrendered, revoked, or terminated prior to that date.
12) Non-Transferability: No permit for advertising issued pursuant to this Rule and Section 9-103-120 of the Code shall be transferred or assigned.
13) Denial, Recission or Suspension: The denial, rescission, suspension, or revocation of a scooter sharing license issued pursuant to Chapter 9-103-120 of the Code shall act as the suspension or revocation of any advertising permit issued hereunder affecting the licensee's scooters.
14) Insurance: If advertisements are placed on scooters in accordance with this Rule 14 and Section 9-103-120 of the Code, the insurance a licensee acquires pursuant to Rule 18 and Section 9-103-090 of the Code shall also cover liability resulting from an occurrence arising out of or caused by the issuance of advertising permits.

15) Indemnification: Apart and separate from any insurance required under this Rule and Section 9-103-120 of the Code, the licensee shall indemnity, defend and hold harmless the City, its officers, agents or employees from any and all liability or claims arising from or relating to the advertising on the licensee's scooters or the issuance of the advertising permit under this Rule and Section 9-103-120 of the Code.

Rule 15. FEES AND TAXES

1) The scooter sharing business license fee for the two- year license term shall be calculated based on $1-per-day-per-scooter for the total number of scooters that the prospective licensee plans to deploy during the license term, assuming that all of the prospective licensee's scooters shall be deployed each day during the two-year license period. The license fee shall be paid as a precondition to issuance of the license and shall not be prorated.
2) The Commissioner shall adjust the license fee to be paid by any licensee if the number of scooters a licensee deploys increases pursuant to Chapter 9-103 of the Code. All fleet size increases shall be granted along with a start date for such increases. Prior to deploying additional devices, each licensee shall pay a prorated fee equal to $1-per-day-per-device, based on the number of additional devices allowed and the number of days between the start date of the fleet size increase and the license expiration date.
3) Each licensee shall comply with all applicable tax laws, including the Chicago Personal Property Lease Transaction Tax Ordinance, codified at Chapter 3-32 of the Code.

Rule 16. REMOVAL OR CHANGE OF OFFICER

1) Within 60 days of the effective date of any change in any officer, substantial owner, member or other individual required under Chapter 9-103 of the Code to be identified in the initial license application, the licensee shall file with the Department a written notice of such change on a form provided by the Department.
2) The notice of change required under this Rule shall be accompanied by a filing fee of $250.00, with an additional fee of $40.00 for each person required to be investigated, approved or checked.

Rule 17 OBTAINING A LICENSE

17. 1 General:

To obtain a scooter sharing license, applicants shall submit an application to the Department in a form prescribed by the Commissioner or their designees. The Commissioner or their designees shall review applications to ensure completeness and that minimum standards and qualifications have been met. An incomplete application or failure to meet minimum standards may result in disqualification from the process. Applications shall be scored based on the process specified in this Rule, and licenses shall be granted to applicants based on highest overall scores. The Commissioner shall use a lottery or other neutral process to break ties between or among equally ranking applicants.

17.2 Submission:

1) The City may consider only completed applications received by a date and time specified by the Commissioner.

2) Applicants shall submit a complete Business Information Sheet digitally as on PDF document to Esau Orduno at esau.orduno@cityofchicago.org by the date and time specified by the Commissioner. The City may consider only completed Business Information Sheets received by the date and time specified by the Commissioner. The Business Information Sheet may be found at the following address: https://www.chicago.gov/content/dam/city/depts/bacp/businesslicenseforms/businesslicenseforms/Business_Information_Sheet_V-10-06-2016.pdf
3) Following the submission of the Business Information Sheet, applicants shall submit a Scooter Sharing License Application in a form prescribed by the Commissioner or their designees, including all application minimum standards specified in Rule 17.3 and Sections 9-103-040 and 9-103-050 of the Code. Scooter Sharing License Applications shall be submitted digitally as on PDF document, including all necessary attachments, to Esau Orduno at: esau.orduno@cityofchicago.org. The City may consider only completed Scooter Sharing License Applications received by the date and time specified by the Commissioner.
4) Responses to Rule 17.4 shall be submitted digitally as on PDF document, including all necessary attachments, to Esau Orduno at: esau.orduno@cityofchicago.org and shall be limited to 20 total pages, exclusive of attachments and appendix. Applicants shall use no less than 11-point font. Diagrams, graphics, images and maps in an appendix will not count towards the page total. However, the City may at its sole discretion decline to consider appendix text as part of the selection process.
5) For purposes of a Business Information Sheet and a Scooter Sharing License Application, non-electronic signatures shall be considered to meet the signature requirements provided in these Rules and Chapter 9-103 of the Code.

17.3 Minimum Standards:

1) Eligibility: In order to be eligible for a scooter sharing license:
   i) An applicant shall be in compliance with all applicable City, State of Illinois and federal laws.
   ii) An applicant shall have a place of business in the City.
   iii) With respect to any corporate or limited liability company applicant, the company shall be organized or qualified to do business under the laws of the State of Illinois and have a place of business in the City of Chicago; or with respect to any partnership applicant, the partnership shall have a place of business in the City of Chicago; or with respect to any individual applicant, the applicant shall be a citizen or legal resident of the United States, residing and domiciled in the City.
   iv) An applicant shall not owe debt to the City as the term "debt" is defined in Section 4-4-150 of the Code.
   v) An applicant shall submit and meet all application requirements specified in Section 9-103-040 of the Code, and as prescribed by the Commissioner or their designees.
   vi) An applicant shall have its own Internet-enabled application or digital platform that is not supported by another applicant's Internet-enabled application or digital platform for running the applicant's scooter sharing business.
2) In-Eligibility: No applicant is eligible for a license if:
   i) Any City scooter sharing license or permit held by the applicant, or by any officer or director of a corporate applicant or partner of a partnership applicant or manager or managing member of a limited liability company applicant, has been revoked within the previous three years, or has been denied, rescinded, within the 12- month period preceding the date of application
   ii) If the applicant, or any officer or director of a corporate applicant or partner in a partnership applicant, within the three years immediately preceding the date of the applicant's application, has been either convicted, or in custody, under parole or under any other noncustodial supervision resulting from a conviction in a court of any jurisdiction for the commission of any felony as defined by Article 2 of the Illinois Criminal Code of 2012, codified at 720 ILCS 5/2-0.5 et

seq., or its equivalent under federal or other jurisdictional law. Provided, however, any conviction for a minor cannabis offense, as defined in Section 4-4- 005 of the Code, shall not disqualify an applicant.

3) Scooter Sharing License Application Contents: Complete Scooter Sharing applications shall include but shall not be limited to: (i) the applicant's insurance policies, as provided in Section 9-103-090 of the Code and Rule 18 of these Rules; (ii) the applicants' submission to fingerprinting, including a $40 fee for administrative processing; (iii) photos of the applicant; (iv) if the applicant does not currently have a place of business in Chicago, the applicant's attestation that they shall procure a place of business in the City before receiving a scooter sharing license; (v) a specification of the maximum number of scooters the applicant is planning to deploy during the license term within the cap provided in Rule 9 of these Rules and Section 9-103-110 of the Code, which shall be used for the purpose of calculating the license fee that a prospective licensee shall pay as provided in Section 9-103-030 of the Code; and (vi) additional documents as may reasonably be required by the Commissioner, including Articles of Incorporation or Articles of Organization, Corporate Minutes, and a Certificate of Good Standing issued by the Illinois Secretary of State.
4) Financial Ability: The applicant shall attest they have the financial ability to pay all judgments and awards which may be rendered for any cause arising out of the operation of a scooter sharing business.
5) Compliance with Applicable Laws: The applicant shall attest they are in compliance with all qualifications for license described in Chapter 9-103-050 of the Code. The applicant shall also attest they are compliant with all applicable local, state and federal laws.

17.4 Scoring Criteria:

1) In addition to a completed Business Information Sheet and subsequent Scooter Sharing License Application, applicants shall submit the following, in addition to any information the applicant may provide addressing factors outlined in Rule 17.6 through 17.9.
2) Device Standards: The applicant shall provide images, specifications, and documentation of all device models to be deployed in Chicago. Each device shall meet device standards as described in Section 9-103-100 of the Code and these Rules and shall also meet the definition of the Low-Speed Electric Mobility Device, as described in Section 9-04-010 of the Code. In addition to other requirements, complete applications shall include:
    i) Images, specifications and descriptions of each type of scooter that the applicant plans to deploy;
    ii) Documentation that applicant's scooters meet standards detailed in Section 9-103-100 of the Code and Rule 5.1 of these Rules;
    iii) Documentation that the applicant's scooters meet the City's low-speed electric mobility device requirements, as defined in Section 9-04-101 of the Code; and
    iv) Outline of measures taken to ensure that deployed scooters are safe for operation and to ensure
3) Device in-person demonstration and inspection: An applicant selected to receive a license shall be required to submit to an in-person demonstration and inspection of representative samples of all devices to be deployed before the license is issued. Devices that do not meet standards outlined in these Rules shall not be allowed to operate on the public right-of-way. If no device meets standards, the permit shall not be granted.
4) Fare Rates: Complete applications shall include the applicant's unlock cost and per-minute usage fees for regular and low-income customers, including any additional charge or fee associated with these fare rates.
5) References: For every entity (e.g., municipality or campus) in which an applicant has operated within and is referenced in this application, the applicant shall provide a reference who can attest to the accuracy of the information provided and the applicant's character and reputation. This reference shall be a current employee of that entity and shall have knowledge of said entity's shared scooter operations. References

shall be provided in an appendix, sorted alphabetically by name of entity. References shall include name, title, entity, phone number and email.

17.5 Applicant Ranking Process:

1) Upon confirmation that an application meets required qualifications and minimum standards outlined in Section 9-103-040 and Section 9-103-050 of the Code, applications shall be ranked pursuant to the scoring system described below that measures each eligible applicant's competence based on the criteria specified in this Rule.
2) The applicant ranking criteria shall be evaluated by reviewing each criterium and assigning a score. Some criteria describe a specific scoring mechanism, while other criteria indicate they shall be "rated on the 1-4 scale." That scale is as follows:
   i) 1 = Below expectations
   ii) 2 = Somewhat meets expectations
   iii) 3 = Meets expectations
   iv) 4 = Exceeds expectations
3) Scoring shall consider:
   i) Level of detail provided;
   ii) Degree that responses provide solutions that are more advanced and innovative, compared to solutions that are rudimentary and typical;
   iii) Degree that responses demonstrate a high level of ability to solve known challenges and achieve the City's goals;
   iv) Degree that statements make commitments as opposed to offering "potential" or uncommitted strategies; and
   v) Applicability to Chicago.
4) The scores for all criteria in each category shall then be summed to create a category score. All category scores will then be weighted and summed so that the final ranking score shall be based on a total of 100 possible points.

17.6 Character and Reputation (20%):

1) <u>Reputation Survey:</u>

A standardized, anonymous survey shall be sent to all references each applicant provides with questions assessing the character and reputation of that applicant. The highest possible total score for the survey will be 12 points. If any applicant receives fewer than three survey responses, alternate means shall be used to contact references and evaluate past performance in other entities.

2) <u>Suspensions and Penalties:</u>

The applicant shall list each entity in which it has had its operations suspended or terminated for a violation of law, permit rules or terms of operation within the past two years.

SCORE: The applicant shall receive a two-point deduction for each entity in which it has ever had its operations suspended or terminated for a violation of law, permit rules or terms of operation.

SCORE: The applicant shall provide information on the unique entities in which it has deployed its 10 largest shared scooter fleet sizes within the past two years through a permit system. If an applicant has not deployed fleets in at least 10 entities, they shall list all entities in which they have deployed fleets in. For each entity, the applicant shall include:

i) Name of entity;

ii) Dates of applicant's operation in entity;
iii) Total days in operation in entity (within past two years); and
iv) Total violations, citations, penalties, revocations or any equivalent discipline the applicant accrued in the entity in the past two years, if any.

For each applicant, the average number of violations/citations/penalties-per-day across the entities provided based on the criteria above shall be calculated. Once averages have been calculated for each applicant, scores shall be assessed as follows:

i) 4 points to applicants within the bottom 33% (lowest number) of violations received
ii) 2 points to applicants within the middle 33% violations received
iii) 0 points to applicants within the top 33% (greatest number) of violations received

17.7 Safety (15%):

1) <u>Underage Riding:</u>

The applicant shall provide an example from 1 to 2 entities they have operated in within the past two years of how they successfully reduced underage riding on shared scooters (not including requiring proof of driver's license).

SCORE: Answers shall be rated on the 1-4 scale.

2) <u>Sidewalk Riding:</u>

The applicant shall provide an example from 1-2entities they have operated in within the past two years where they successfully and measurably reduced illegal sidewalk riding.

SCORE: Answers will be rated on the 1-4 scale.

The applicant shall describe the sidewalk riding detection hardware and software they will deploy in Chicago. The applicant shall indicate whether they will deploy, <u>on day one</u>, sidewalk riding detection technology with the following capabilities:

i) When sidewalk riding is detected, the device can be brought to a complete stop (YES/NO)
ii) When sidewalk riding is detected, the device can be slowed (YES/NO)
iii) When sidewalk riding is detected, the device alerts the rider audibly and visually (YES/NO)
iv) Following the completion of a ride in which sidewalk riding was detected, the rider receives notice of sidewalk riding behavior and a warning via app or text (YES/NO)
v) Cumulative sidewalk riding violations committed by a single user can be tracked over the course of multiple unique trips (YES/NO)
vi) Egregious violators of the sidewalk riding prohibition can be removed from the platform (YES/NO)
vii) Individual sidewalk riding infraction locations can be stored and shared with the City as a geo-coded dataset (YES/NO)
viii) A heatmap of sidewalk riding infractions can be shared with the City (YES/NO)

SCORE: Applicants will receive one point for each sidewalk riding detection technology capability stated in this Rule (above) in which they answered YES.

3) <u>Helmet Use:</u>

The applicant shall provide an example from 1 to 2 entities they have operated in within the past two years of how they undertook efforts to encourage or incentivize helmet use. The applicant shall describe specific mechanisms and outcomes.

SCORE: Answers shall be rated on the 1-4 scale.

17.8 Access (25%):

1) **Low-Income and Equity Program Access:**

The applicant shall describe the low-income and equity program access plan they intend to offer in Chicago, including any types of discounts, geographies, qualification requirements and how riders will be able to demonstrate qualification.

SCORE: Answers shall be rated on the 1-4 scale.

2) **Technology Barriers:**

The applicant shall provide an example from 1 to 2 entities they have operated in within the past two years of how they provided easy access to shared scooters without needing a smartphone.

The applicant shall describe how they plan to provide access in Chicago to shared scooters without needing a smartphone.

SCORE: Answers shall be rated on the 1-4 scale.

3) **Banking Barriers:**

The applicant shall provide an example from 1 to 2 entities they have operated in within the past two years of how they provided easy access to shared scooters for cash-paying customers and those without bank accounts.

The applicant shall describe how they plan to provide access in Chicago to shared scooters via cash payment or without needing a bank account.

SCORE: Answers shall be rated on the 1-4 scale.

4) **Payment:**

The applicant shall list all entities they've operated in within the past two years in which their devices have been available for rent and payment in third-party applications.

SCORE: An applicant shall receive one point for having operated in at least one municipality in the past two years in which their devices have been available for rent and payment in third-party applications.

5) **Education and Outreach:**

The applicant shall provide details from 1-2 entities they have operated in within the past two years of an education and outreach plan that was successfully executed, including how that plan improved resident awareness of shared scooters, improved knowledge of proper device operations, improved knowledge of proper parking and increased ridership among low-income or mobility-constrained populations.

SCORE: Answers shall be rated on the 1-4 scale.

6) **Accessible Devices:**

The applicant shall provide details from 1 to 2 entities they have operated in within the past two years of providing accessible scooter share service to people with disabilities. *(Informational purposes only. Will not count towards scoring.)*

The applicant shall attest that they commit to working with the Commissioner, the Commissioner of the Department of Transportation, and the Mayor's Office for People with Disabilities to develop and implement a plan to deploy accessible shared scooter services. (Any applicant that fails to attest to this section will be disqualified from the license process.)

The applicant shall indicate whether, on the first day of deployment, all devices will have the capability to emit a sound for the purposes of alerting people with low vision of the presence of a scooter. The Commissioner, the Commissioner of the Department of Transportation and the Mayor's Office for People with Disabilities shall approve any emitted sound.

SCORE: An applicant shall receive one point for having all devices capable, on the first day of deployment, of emitting a sound for the purposes of alerting people with low vision of the presence of a scooter.

7) <u>Driver's License:</u>

The applicant shall answer whether they will require shared scooter riders in Chicago to hold a valid driver's license to rent their devices.

SCORE: A two-point deduction shall be assessed for requiring a driver's license.

17.9 Operations & Relevant Experience (40%):

1) <u>Large Fleet Deployments:</u>

The applicant shall provide information on the unique entities in which it has deployed its 10 largest shared scooter fleet sizes within the past two years. *(These 10 entities shall be included in each applicant's reference appendix.)* If an applicant has not deployed fleets in at least 10 entities, they shall list all entities in which they have deployed fleets in. For each entity, the applicant shall include:

i) Name of entity;
ii) Maximum shared scooter fleet size the applicant deployed and sustained for at least 30 days; and
iii) Dates of applicant's operation in entity.

SCORE: The applicant shall receive the following scores:

i) Four points for having operated at least one fleet of 2,000 or more devices, sustained for at least 30 days
ii) Two points for having operated at least one fleet of 1,000 or more devices, sustained for at least 30 days

2) <u>Minimum Deployment Zones:</u>

The applicant shall list all entities in the past two years in which they have operated that featured specific geographic zones that required minimum fleet deployments such as the Equity Priority Areas that Chicago required in the 2019 and 2020 scooter sharing pilot programs. *(These* entities *shall be included in each applicant's reference appendix.)*

SCORE: The applicant shall receive two points for having operated in at least one entity and four points for having operated in at least three entities in the past two years that featured specific geographic zones requiring minimum fleet deployments.

3) **Dense Commercial Operations & Geofencing:**

The applicant shall provide an example from 1 to 2 entities they have operated in within the past two years of how they successfully managed fleet operations and organized parking in an area of dense commercial, entertainment or tourist uses. The applicant shall indicate any fleet caps in these areas and provide details on how these caps were adhered to. The applicant shall also indicate where they have implemented geofencing (successfully or unsuccessfully) on a permanent or temporary basis.

SCORE: Answers shall be rated on the 1-4 scale.

4) **Fleet Size**

The applicant shall indicate the maximum potential fleet size they plan to deploy at the start of the license period and the maximum potential fleet size they could potentially ultimately deploy. *(Informational purposes only. Shall not count towards scoring.)*

5) **Pricing:**

For the five US municipalities with the largest populations in which the applicant has operated a shared scooter service on July 1, 2021, the applicant shall provide their standard pricing to rent a device in each municipality on that date (including initial trip-start fees, per-minute fees and any other fees). *(Informational purposes only. Shall not count towards scoring.)*

The applicant shall provide their intended standard price to rent a device in Chicago starting in 2022, including initial trip-start or unlock fees, per-minute fees and any other fees. The applicant shall also indicate all non-standard pricing they intend to implement in Chicago. *(Informational purposes only. Shall not count towards scoring.)*

6) **Parking:**

The applicant shall provide an example from 1 to 2 entities they have operated in within the past two years of how they successfully and measurably achieved consistent proper device parking to reduce dangers and inconveniences to other street users.

SCORE: Answers shall be rated on the 1-4 scale.

7) **Fleet Rebalancing:**

The applicant shall provide an example from 1 to 2 entities they have operated in within the past two years of how they successfully managed parking of their devices to maintain adequate parking for other street users, including private bicycles. The City allows scooters to be locked to bike racks, bike corrals, street signs, light poles and retired parking meters.

SCORE: Answers shall be rated on the 1-4 scale.

8) **Improper Device Parking Remedy:**

The applicant shall provide an example from 1 to 2 entities they have operated in within the past two years of how they consistently met strict requirements to remedy improperly parked devices within a specific timeframe. The City will require device parking issues to be remedied in no more than two hours.

SCORE: Answers shall be rated on the 1-4 scale.

9) **Stale Devices:**

The applicant shall provide an example from 1 to 2 entities they have operated in within the past two years of how they prevented devices from sitting unused in one location for 3 to 7 days.

SCORE: Answers shall be rated on the 1-4 scale.

10) <u>Maintenance:</u>

The applicant shall provide an example from 1 to 2 entities they have operated in within the past two years of a device maintenance plan that led to a high level of device safety.

SCORE: Answers shall be rated on the 1-4 scale.

11) <u>Staffing:</u>

The applicant shall provide the details below outlining their staffing plan for operating shared scooters in Chicago. Full-time equivalent should be calculated on the standard that 1 full-time equivalent person is equal to 40 hours of work per week. *(Informational purposes only. Shall not count towards scoring.)* The applicant shall provide:

i) Total number of full-time staff;
ii) Total number of part-time staff;
iii) Combined full-time equivalent of all part-time staff;
iv) Number of non-staff personnel supporting operations (including contract and gig workers); and
v) Expected combined full-time equivalent of all non-staff personnel.

12) <u>Hiring Plan:</u>

The applicant shall provide details from 1 to 2 entities they have operated in within the past two years of a hiring plan and steps taken to identify, train and employ residents from historically disadvantaged communities to participate in the local economy.

The applicant shall describe their specific hiring plan for Chicago to identify, train and employ residents from historically disadvantaged and disinvested communities to participate in the local economy. Applicants are also encouraged to have specific contracting goals for minority-owned, women-owned and disadvantaged businesses including, but is not limited to, the creation of local workforce development and training programs, and the establishment of partnerships with local workforce development and training programs or organizations. Applicants shall, to the extent practically possible, implement their hiring approaches immediately and uphold their commitments over the duration of the license. Licensees are encouraged to hire: (i) 75% of their staff from within the city of Chicago; and (ii) at least 30% of their staff from job training placement programs operating in Chicago.

SCORE: Answers shall be rated on the 1-4 scale.

13) <u>Environmental Impact:</u>

The applicant shall provide details from 1 to 2 entities they have operated in within the past two years of an operations plan and strategies that led to a significant reduction in the environmental footprint of their operations.

The applicant shall describe their specific plan for reducing the environmental footprint of their operations in Chicago including, but not limited to rebalancing operations, longevity of devices and batteries. The applicant shall specify strategies that it will implement within the first two months of the license term and other strategies that it will implement later, including expect rollout timing.

SCORE: Answers shall be rated on the 1-4 scale.

14) **MDS Compliance:**

The applicant shall provide details from 1 to 2 entities they have successfully interfaced with an entities' MDS Agency, Geography and Policy endpoints.

SCORE: Answers shall be rated on the 1-4 scale.

17.10 Final Approvals:

If an applicant is notified that they have qualified to obtain a license, that applicant is not yet entitled to begin service. Before service begins, each potential licensee shall:

i) Effect payment of the license fee as provided in Rule 15 and Section 9-103-030 of the Code.
ii) Demonstrate, in a manner and time prescribed by the Commissioner, its ability to integrate data with the City in the Mobility Data Specification (MDS) standard as provided in Rule 11 and Section 9-103-140 of the Code.
iii) Provide any additional documents and information required for licensure or pertinent to operation in a form and manner requested by the Commissioner.

17.11 Appealing a Denial:

If an application for the issuance of a license is denied, the applicant may within ten days of the mailing of notice of the denial make a written demand upon the Commissioner for a hearing. Upon receipt of a timely written demand for a hearing the Commissioner shall within 30 days conduct a hearing. If at such a hearing the applicant establishes through competent evidence that the denial was based upon incorrect findings the Commissioner shall consider the applicant for issuance of a license subject to the requirements provided in Chapter 9-103 of the Code. If at such a hearing the denial is found to have been based upon correct findings, the denial shall become final. After entry of a final denial, the applicant shall be ineligible to make a new application for a period of 12 months.

17.12 Rescission:

The Commissioner shall have the power to rescind any erroneously or illegally issued scooter sharing license. For such a rescission to be effective, the Commissioner shall notify the licensee of the date the rescission shall take effect. The notice shall be provided by first- class mail or in person. The Commissioner shall indicate in such notice the basis for the rescission and shall also indicate a date and time, prior to the proposed rescission date, upon which the licensee may appear before the Commissioner, or his or her designee, to contest the proposed rescission. The licensee shall also be informed that they shall be entitled to present to the Commissioner or their designee any document, including affidavits, relating to the proposed rescission. Following the appearance of the licensee before the Commissioner, the Commissioner may affirm or reverse the rescission decision based upon the evidence presented by the licensee. The Commissioner's decision shall be in writing and shall be mailed to the licensee at least five days before a license rescission shall be effective. A licensee may appeal the Commissioner's decision to any court of competent jurisdiction.

Rule 18. INSURANCE REQUIREMENTS

1) Each applicant for the issuance of a scooter sharing license shall provide proof that the applicant has obtained commercial general liability insurance, with limits of not less than $5,000,000 per occurrence, for bodily injury, personal injury and property damage. The insurance policy shall:
    i) be issued by an insurer authorized to insure in Illinois;

ii) name the City of Chicago as additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the licensee's operations; and

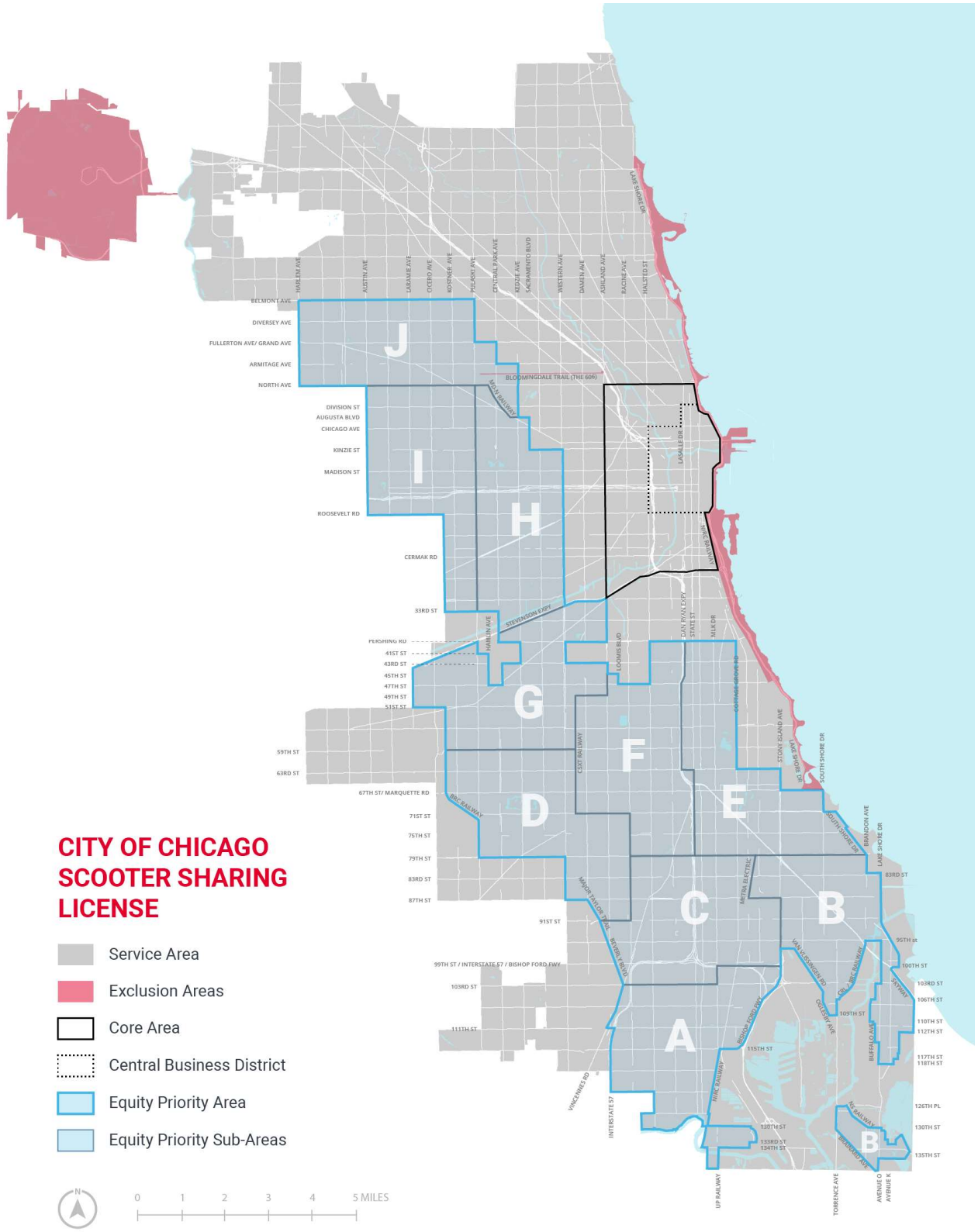
iii) include a provision requiring 30 days' advanced notice to the Commissioner prior to cancellation or lapse of the policy.

2) A licensee shall maintain the insurance required under this Rule in full force and effect for the duration of the license term.

3) In addition, the licensee shall:

i) indemnify, defend and hold harmless the City against any additional or uncovered third party claims arising out of or caused directly or indirectly by the licensee's scooter operations, including any claims against the City by any customer of the licensee, the licensee's employees or agents claiming injury or losses while operating the licensee's scooter which is alleged to have resulted in whole or in part from the condition of the public way; and

ii) cover the cost for any damage to the public way or other city property arising out of or caused by the licensee's scooter operations.

4) If the licensee seeks commercial advertising permits as provided in Rule 14 and Section 9-103-120 of the Code, the insurance the licensee acquires pursuant to this Rule 18 and Section 9-103-090 of the Code shall also include coverage for liability resulting from an occurrence arising out of or caused by the issuance of advertising permits.

SERVICE AREA MAP: