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# CITY OF CHICAGO

## RULES

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Mayor Brandon Johnson

Commissioner Kenneth Meyer

Commissioner Tom Carney

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(I) 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:  \_\_\_\_\_

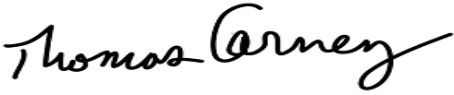
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Commissioner Kenneth Meyer

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By Order of the Commissioner of Transportation:

Signed:  \_\_\_\_\_

Date: 6/14/2024

Commissioner Thomas Carney

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**CITY OF CHICAGO**  
**SCOOTER SHARING BUSINESS**  
**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.

“GBFS” or the General Bikeshare Feed Specification provides municipalities with a standardized way to ingest, analyze and compare data from micromobility service providers that describes the status of a mobility system at a current point in time.

“License Month” means the period from the 15<sup>th</sup> of one calendar month through the 14<sup>th</sup> of the following calendar month.

“Operational devices” means devices that are available, reserved or on-trip as reported by Open Mobility Foundation’s Mobility Data Specification (MDS).

“Mobility Data Specification” or MDS is comprised of a set of Application Programming Interfaces (APIs) and code projects that enable standard communications between cities and users of the public right-of-way to improve safety and protect residents.

All definitions listed in Chapter 9-103 of the Code apply to these Rules.

## Rule 2. INTERPRETATION

In case of a conflict or inconsistency between these Rules and the Code, the Code shall prevail.

## Rule 3. LICENSE TERMS

Operating Brand: If any of the owners of a scooter licensee, regardless of the percentage of ownership, operates scooters under more than one brand name in the national or international market, the licensee may only operate under one brand name and through one branded application in the City of Chicago.

## 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:

In addition to meeting all device requirements as specified in the Code, each scooter shall also have:

1. 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 braille and contrasting raised lettering in a standard format to be provided by the City. 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 6 inches below device handlebars.
2. 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 trips in no parking zones or other geofenced areas;
  - vi) Requiring the ending of trips in designated parking zones or other geofenced areas; and
  - vii) Disabling the entire fleet when reasonably requested by the Commissioner of Transportation.

### 5.2 Size and Spacing of Braille Characters:

Braille is a system of touch reading and writing used by blind people. 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<br>Maximum in Inches |
|--|--|
| Dot Base Diameter  | 0.059 (1.5mm) to<br>0.063 (1.6mm)      |
| Distance between two dots in the same cell                       | 0.090 (2.3mm) to<br>0.100 (2.5mm)      |
| Distance between corresponding dots in adjacent cells            | 0.241 (6.1mm) to<br>0.300 (7.6mm)      |
| Dot height   | 0.025 (0.6mm) to<br>0.037 (0.9mm)      |
| Distance between corresponding dots from one cell directly below | 0.395 (10.0mm) to<br>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 by CDOT before deployment on the public right-of-way. Devices that do not meet standards specified in the Code and these Rules shall not be allowed to operate on the public right-of-way. If no device type is approved pursuant to the in-person demonstration and inspection upon initial application, the license shall not be issued.

### 5.4 Speed Limit:

The Commissioner of Transportation, at their sole discretion, 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 Use:

The licensee shall cap each user's first shared scooter trip in Chicago under the license at a maximum speed of 10 miles per hour. The licensee shall communicate to the rider why their maximum speed is being capped for said first trip.

### 5.6 Sidewalk Riding Detection Data:

The licensee shall be responsible for securing, maintaining and validating all data, including any geo-spatial data, required to implement sidewalk riding detection technology. The licensee shall provide sidewalk riding detection data to the City upon request in a format specified by the City.

## Rule 6. ACCESSIBLE DEVICES

At least 5% of each licensee's total operational devices as reported by MDS 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 applicable device requirements, including inspection and approval. Until [MDS supports](#) the ability to distinguish between seated and standing e-scooters, all operators shall insert a non-compliant vehicle type to allow the City to track the number of seated scooters separately from standing scooters. Each provider shall use the [configuration seen in GBFS](#) in their MDS feeds by inserting the vehicle type 'scooter\_seated' for all applicable vehicles. Licensee shall also be required to commit to working with the Commissioner, the Commissioner of Transportation, the Mayor's Office for People with Disabilities, 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, and shall provide the City with their 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 Launching from a Private Property:

Each licensee shall launch scooters from its place of business serving as supporting private property. In order to operate from a supporting private property, licensees 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.

### 7.4 Operating Hours:

Each licensee may make its scooters available for service at all hours of the day upon implementation of in-app impairment testing as described in these Rules, unless otherwise directed by the Commissioner and/or the Commissioner of Transportation, or as required by these Rules.

### 7.5 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.

### 7.6 Helmets:

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

### 7.7 Geofencing:

Each licensee shall comply with the Commissioner's or the Commissioner of Transportation's request to use geofencing technology and capability to restrict operations in certain areas and during certain times.

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

### 7.8 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 or other damage within 48 hours of knowledge of the location of such scooter, whether reported 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 48 hours of knowledge of the location of such scooter. However, for the avoidance of doubt, any scooter reported as non-functional by a member of the public through the 311 system shall be remedied within no more than 2 hours after the licensee is notified of such issue.

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.

### 7.9 Parking:

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 during operating hours. Each licensee shall require that riders using smartphones submit a photo of the scooter once parked to complete their trip. 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 has not been left with sufficient parking for privately-owned bicycles and scooters.

### 7.10 Redistribution:

Any scooter that has not been moved for more than 240 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.

### 7.11 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, battery, 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 for an individual scooter and the entire fleet; (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.

### 7.12 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.

### 7.13 Pricing:

- 1) 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.
- 2) 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 with notice of any changes to pricing and fees at least two weeks in advance of implementing those changes.
- 3) 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.
- 4) A licensee may not charge a user for the time needed to read mandatory safety messaging, to complete mandatory safety quizzes, or to complete in-app impairment tests.



#### 7.14 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.

#### 7.15 Temporary Removal of Devices:

The Commissioner and the Commissioner of Transportation, in their sole discretion, reserves the right to require licensees to temporarily remove scooters from the public way, as directed by the Commissioner or 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.

#### 7.16 Scooters Thrown in the City's Waters:

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.

#### 7.17 Reporting Criminal Activities and Cooperation:

If a licensee knows or suspects that any criminal activity is taking place in relation to the scooter sharing business, 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.

#### 7.18 Contracting and Hiring:

Licensees are encouraged to have specific contracting goals for minority-owned, women-owned and disadvantaged businesses including, but not limited to, the creation of local workforce development and training programs, and the establishment of hiring 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) at least 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 shall 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 licensee'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. Scooters shall not be permitted to end a trip outside the service area boundaries or in geo-fenced no-parking areas.

## 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:

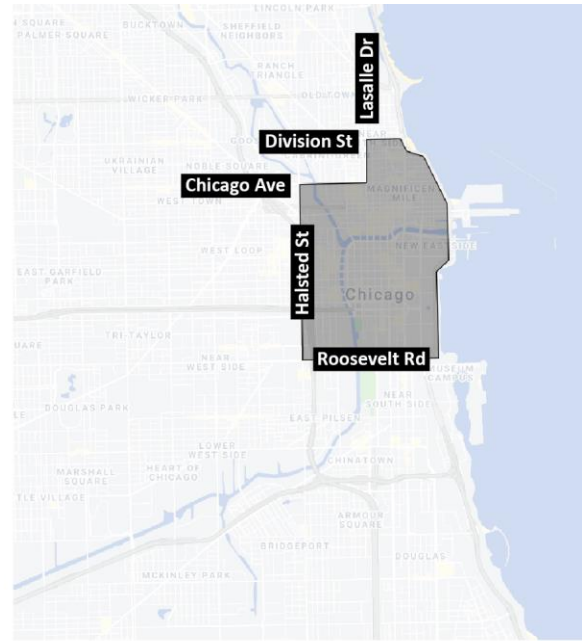
At least 50% of a licensee's operational devices shall be deployed to the Equity Priority Area, defined by the attached "Service Area Map." Further, at least 3% of a licensee's available devices shall be deployed to each of the 10 Equity Priority Sub-Areas, defined by the attached "Service Area Map."

## 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 may 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 may 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 the Service Area and shall bring devices to a stop before they are allowed to enter the Core Area Geographies.
- 2) Core Area Geographies: For purposes of these rules, the term "Core Area Geographies" includes 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, inclusive of the cap in the CBD described below. No more than 1% of a licensee's fleet may be located in the CBD. Fleet maximum cap percentages in the Core Area Geographies shall be measured using the total number of devices deployed on the public right-of-way, including operational and non-operational devices, as reported by MDS, as the numerator and all deployed devices, as reported by MDS, citywide as the denominator.
- 3) If it is determined that a licensee is not adhering to the Code and these Rules, the Commissioner or the Commissioner of Transportation, or both, may require the licensee to immediately remove all devices from the Core Area Geographies and restrict rider access, either temporarily or permanently. Such licensee shall not receive any refund for any license fees paid. It is up to the discretion of the Commissioner or the Commissioner of Transportation, or both, and their representatives to re-establish access to the Core Area Geographies for any licensee. This rule shall apply to operators regardless of fleet maximum cap, including operators who have a Core Area Geographies fleet maximum cap of zero.



**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 establish geofences during the license term.
- 3) The City, in its sole discretion, may utilize MDS Geography and Policy endpoints to enforce geofencing.

## Rule 9. FLEET SIZE

### 9.1 Fleet Caps:

- 1) A newly licensed scooter operator shall have a fleet cap of 2,000 scooters on its first day of operation.
- 2) A licensee's fleet size may not exceed its approved fleet cap. Fleet size shall be measured by the total number of deployed devices (meaning, all devices physically present on the public right-of-way, including available, non-operational, reserved, and on-trip), as reported by MDS on any given day.

### 9.2 Fleet Cap Increases:

If the total scooter fleet cap is increased, the Commissioner, following concurrence by the Commissioner of Transportation, shall determine the maximum number of scooters each licensee may deploy, considering each licensee's performance, including, but not limited to, ridership and utilization rates.

### 9.3 First Review:

No sooner than 60 days after the first day of their first license period, a licensee may submit data that may be reviewed by the Commissioner to determine whether a fleet cap increase is warranted for said licensee. A fleet cap increase of up to 1,000 devices may be granted if the licensee is in satisfactory compliance with the Code and these Rules and if at least 6-out-of-7 of the criteria below are met. A fleet cap increase of up to 500 devices may be

granted if the licensee is in satisfactory compliance with the Code and these Rules and if at least 5-out-of-7 of the criteria below are met. Except however that no fleet cap increase that would result in a new fleet cap above 3,000 devices may be approved if criterion (i) below is not satisfied.

- i) The licensee has experienced an average utilization of at least 1-ride-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 met deployment requirements for the Equity Priority Area (measured once per day in accordance with these Rules) and each Equity Priority Sub-Area (each Sub-Area measured once per day in accordance with these Rules) at least 80% of measurements in the past 30 days.
- iv) The licensee has held at least 12 education and outreach events, including an in-person event in each Equity Priority Sub-Area, and the licensee was compliant with the most recent complete calendar Quarter's education and outreach requirements.
- v) The licensee has not exceeded the total allowed fleet deployment cap by more than 5% on 80% of days in the past 30 days, and has not exceeded the total allowed fleet deployment cap by more than 10% on any single day in the past 30 days.
- vi) The licensee has properly remedied at least 80% of scooter parking complaints received within 2 hours of notification, in the past 30 days.
- vii) The licensee has registered at least 100 low-income customers throughout the City; or it 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.

#### 9.4 Subsequent Reviews:

If a licensee is approved for a fleet cap increase, that licensee may submit a request to further increase their fleet cap no sooner than 30 days after the most recent payment associated with a fleet cap increase was deposited by the City as confirmed in writing by the City. If a licensee is denied a request to increase their fleet cap, that licensee may submit a request to increase fleet cap no sooner than 30 days after the most recent request was denied in writing by the City. To request a fleet cap increase, each licensee shall submit data to be reviewed by the Commissioner to determine whether a fleet cap 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 cap increase of up to 1,000 devices may be granted if the licensee is in satisfactory compliance with Municipal Code and License Rules and if at least 6-out-of-7 of the below criteria are met. A fleet cap increase of up to 500 devices may be granted if the licensee is in satisfactory compliance with the Code and these Rules and if at least 5-out-of-7 of the criteria below are met. Except however that no fleet cap increase that would result in a new fleet cap above 3,000 devices may be approved if criterion (i) below is not satisfied.

- i) The licensee has experienced an average utilization of at least 2.0-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 met deployment requirements for the Equity Priority Area (measured once per day per these Rules) and each Equity Priority Sub-Area (each Sub-Area measured once per day in accordance with these Rules) at least 90% of measurements in the past 90 days.
- iv) The licensee has met education and outreach requirements in the most recent complete calendar Quarter.
- v) The licensee has not exceeded the total allowed fleet deployment cap by more than 5% on 80% of days in the past 30 days, and has not exceeded the total allowed fleet deployment cap by more than 10% on any single day in the past 30 days.

- vi) The licensee has properly remedied at least 90% of scooter parking complaints received within 2 hours of notification, in the past 30 days.
- vii) The licensee has registered a number of low-income program participants equal to at least 10 percent of the number of devices currently permitted to said licensee, throughout the City in the past 90 days; or it has instituted a discounted per minute rental rate or unlock fee for rides, or both, beginning or ending in the Equity Priority Area that is equivalent to at least a 50% reduction in the standard per minute rental fee.

### 9.5 Fleet Cap 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 these Rules (Scooter Sharing Business Rules), the Commissioner may require the licensee to immediately reduce its maximum fleet cap, either temporarily or permanently. Such licensee shall not receive any refund for any 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 cap maximums for a licensee.

### 9.6 Fleet Cap Increase - Licensee Decision to Decline:

If a fleet cap increase is approved, but a licensee has not yet deployed any additional devices, that licensee may decline to deploy additional devices by submitting that decision in writing to Department staff. The permission to increase fleet cap shall then be rescinded. Following a decision to decline a permitted fleet cap increase, a licensee may not submit another fleet cap increase request until 30 days after the payment coupon for the declined request was issued. If a licensee is approved for its first fleet cap increase and approved to deploy devices in the Core Area but subsequently declines to deploy additional devices, that licensee may still begin to deploy devices in the Core Area, per rule 8.4. If a licensee is approved for its first fleet cap increase but declines to deploy additional devices, that licensee's next fleet cap increase review will be based on the process and criteria outlined in Rule 9.3.

## 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 comply with the requirements of this Rule 10.1(1), 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 policies 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; (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; and (iv) scooter operation is not permitted when impaired and if the user fails an in-app impairment test they will be locked out of any device for six hours.
- 4) Each licensee shall provide access to free or discounted helmets and strongly encourage the use of helmets by all riders.

### 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 that includes safety questions addressing, at a minimum, proper device parking, proper and safe riding, sidewalk riding, helmet use, areas where shared scooter use is not allowed, and that it is illegal to operate a scooter when impaired by alcohol or any other substance. The City's Department of Transportation shall approve the questions, and the user shall answer at least 80% of the questions correctly before such user is permitted to ride a scooter. These rules apply to all first-time users, including riders who are accessing a scooter trip through another user's account.

### 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) In Quarters 2 and 3, each licensee shall conduct at least 9 education and outreach events per quarter, including at least 6 events in the Equity Priority Area. In Quarters 1 and 4, each licensee shall conduct at least 4 education and outreach events, including at least 2 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 the monthly threshold, as calculated by the formula in this subsection, that licensee shall develop an education, outreach, and marketing plan targeted at that Sub-Area and designed with the goal to increase ridership. Each Sub-Area plan shall be submitted to the City within 15 days of notification of requirement, and a report detailing execution and outcomes of the plan shall be submitted no more than 45 days later. 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 in Quarters 2 and 3 and at least half of all education and outreach events in Quarter 1 and 4 shall be in-person events and include learn-to-ride and impaired riding prevention components.
- 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, 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 that does not adhere to the standards outlined in this Rule towards the total event requirement. If licensees are unsure that a planned event qualifies as an educational and outreach event under this Rule, licensees may seek a pre-approval for the event, provided at least 7 days' notice is issued to the Commissioner of Transportation.

## Rule 11. IN-APP IMPAIRMENT TESTS

### 11.1 Impairment Test Requirement:

Each licensee shall integrate an in-app impairment testing feature that is designed to assess the potential impairment of a user attempting to rent a scooter from midnight to 5:00 AM and during specific covered days, times, and locations as otherwise determined by the Commissioner in consultation with the Commissioner of Transportation and communicated by the City to the licensees in writing. The test shall be mandatory for all users before a scooter can be unlocked during any and all covered days, times, and locations.

### 11.2 Test Features:

The impairment test shall be designed to measure impairment due to alcohol and other substances. Licensees shall provide their impairment test to the City prior to implementation. By continuing to operate under this license term, the licensee affirms that the impairment test is being implemented for all users during the hours detailed in Rule 11.1.

### 11.3 Thresholds and Actions:

The licensee shall set clear, reasonable thresholds for test results that determine user impairment. If a user fails the impairment test, the app shall, at minimum:

- Prevent the user from unlocking the scooter.
- Temporarily lock out the user from attempting to rent scooters for a minimum cooling-off period of 6 hours to prevent immediate retesting and rental attempts.

The licensee may also provide a safety message advising against operating vehicles under the influence of alcohol or drugs and/or suggest alternative transportation options.

### 11.4 Data Privacy and User Consent:

Licensees shall ensure that all personal data collected through the impairment tests is handled in compliance with applicable privacy laws and regulations. Scooter licensees shall ensure that no data is personally identifiable. Licensees shall inform users about the data collection practices related to the impairment test and must consent explicitly to all terms and conditions, including impairment testing, before taking their first trip upon rollout of this feature.

### 11.5 Accuracy and Reliability Standards:

Licensees shall regularly review and update the impairment testing mechanism based on current scientific research or best practices to ensure its accuracy and reliability.

### 11.6 User Feedback and Dispute Resolution:

Licensees shall establish a transparent process for users to provide feedback on the impairment test or dispute test results. This process shall be easily accessible through the app or a QR code, and licensees shall respond to disputes within no more than 72 hours.

### 11.7 Regulatory Compliance:

Licensees shall ensure that the impairment test feature complies with all applicable local, state, and federal regulations.

## Rule 12 DATA PROVISIONS

### 12.1 MDS, API, GBFS:

- 1) Each licensee shall fully comply with 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 this Rule.
- 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 Technology and Innovation 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 (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/MobilityData/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 licensee to provide access to MDS endpoints to the contractor or employee under this subsection.

### 12.2 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 and the year-to-date summaries, 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 are barriers to scooter 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 and 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 licensees' 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 recycled or 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, scooter(s) unique identifier(s), 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 or 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 random representative sample of photos taken by riders upon parking a scooter.
- 8) Sidewalk Riding: Licensees shall provide a summary of:
  - i) how many warnings have been issued to scooter riders for riding on the sidewalk,
  - ii) how many customers have been removed from their platform for sidewalk riding violations, and
  - iii) the areas of the city where violations are occurring.
- 9) In-App Impairment Testing: Licensees shall provide a summary of:
  - i) how many customers have been denied access to the service temporarily due to a failed impairment test,
  - ii) how many people have been removed from the platform for persistent failure of impairment testing, and
  - iii) the areas of the city where violations are occurring.

### 12.3 Additional Datasets, Reporting and Surveys:

- 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, scooter(s) unique identifier(s), 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 or 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 as requested, pursuant to rules, by the Commissioner, the Commissioner of Transportation or Commissioner of Assets, Information, and Services.
- 3) Licensees shall assist the City in distributing online surveys to its customers upon request.

## 12.4 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 13. 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 or transmitted for any use or reason, 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) In addition to allowing users to opt-in to providing access to their private data as provided in this Rule, 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 14. ENFORCEMENT AND PENALTIES

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 during times, days, or locations requiring a functioning in-app impairment test;
- viii) Operating outside of permitted service area;
- ix) Exceeding device maximum caps;
- x) Failure to meet Equity Priority Area minimums;
- xi) Failure to meet device parking standards;
- xii) Violating payment or fee calculation rules;
- xiii) Failure to properly disclose pricing;
- xiv) Failure to provide unbanked or low-tech access options;

- xv) Failure to adhere to order to remove or disable devices;
- xvi) Failure to meet operational standards in Core Area Geographies or the CBD;
- xvii) Failure to adhere to geofence requirements;
- xviii) Failure to meet education and outreach requirements;
- xix) Failure to submit required reporting;
- xx) Failure to comply with MDS API integration requirements;
- xxi) Failure to meet privacy requirements;
- xxii) Failure to meet advertising standards;
- xxiii) Failure to remedy improperly parked devices; or
- xxiv) Failure to institute low-income pricing program.

## Rule 15. COMMERCIAL ADVERTISEMENTS

- 1) **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, City, 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, City, state or federal rules or laws, including but not limited to lighting. Advertisements shall not impair the visibility of the device.
- 2) **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.
- 3) **Condition of Advertisements:** Advertisements shall be kept in clean and undamaged condition.
- 4) **Commercial advertising not permitted:** The following shall not be permitted and may be grounds for suspension, revocation, rescission, or denial of an advertising display permit:
  - a. Commercial advertising that is untruthful, fraudulent, involving illegal activity, or in violation of City, State, or Federal law.
  - b. 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.
  - c. 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.
  - d. Commercial advertising that contains profane words, obscenities, or racial, ethnic, or sexual slurs or abusive epithets.
- 5) The following are grounds for the immediate suspension of a scooter advertising permit:
  - a. Materially false or misleading information on an advertising permit application.
  - b. An advertising display device that poses a risk to public safety.
- 6) **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 or graphic form how the proposed advertisement shall conform to 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.

- 7) 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 satisfy all debt, as defined in Section 4-4-150, to the City before the Department may issue the permit.
- 8) 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.
- 9) 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.
- 10) 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.
- 11) Non-Transferability: No permit for advertising issued pursuant to this Rule and Section 9-103-120 of the Code shall be transferred or assigned.
- 12) Denial, Rescission 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.
- 13) 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.
- 14) Indemnification: Apart and separate from any insurance required under this Rule and Section 9-103-120 of the Code, the licensee shall indemnify, 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 16. INSURANCE REQUIREMENTS

If the licensee seeks commercial advertising permits as provided in Rule 15 and Section 9-103-120 of the Code, the insurance that the licensee acquires pursuant to 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:

