

Dockless Cycle and E-scooter Share Code of Practice

September 2018

1. Introduction

Auckland has seen a significant increase in the number of people cycling in recent years with an increase of 248% in cycle trips into the city via Upper Queen Street since 2013 and 45,600 new cyclists in Auckland in 2016. With 230,000 people living within a 30 minute bike ride to the city, Auckland is the ideal candidate for cycle initiatives that support the success of new cycle ways such as cycle share schemes.

Electric scooter (e-scooter) share schemes are also becoming more common globally and cities such as Paris, Berlin and Los Angeles already have dockless e-scooter share schemes. E-scooter share schemes have the potential to help fill transit gaps in Auckland's city centre by providing low-cost and environmentally friendly first and last leg transport options.

To continue to grow active modes, Auckland Council and Auckland Transport recognise we must work together to make the city a place where people choose to walk, cycle and scoot more often. The potential to get more people using active modes is big, and dockless bikes and e-scooters are a way to make active modes more accessible and will complement Auckland's cycle network and existing public transport network.

Alongside this, streets must be made more accessible for those who prefer to walk, especially our vulnerable users such as children, older people and those with accessibility issues. Safety remains our primary objective and it is our duty to protect the rights of the public to use and enjoy Auckland's roads and walkways. Dockless cycle and e-scooter share schemes must work for everyone without impacting, or causing a danger or nuisance to other road users.

This Code of Practice outlines the requirements that dockless cycle and e-scooter share operators (operators) applying for a licence to operate must adhere to. It outlines the requirements and recommendations that operators are expected to follow as part of delivering safe and effective cycle and e-scooter share schemes in Auckland.

If there is non-compliance by the operator which is not remedied to a satisfactory degree, Auckland Council will revoke the license.

This Code of Practice will be reviewed and updated as required in the future so that it continues to reflect best practice and the interests of the Auckland community. The conditions will be subject to change throughout this transition.

It is important to note that Auckland Council needs to remain agile in its approach to issuing approvals due to big shifts in consumer behaviour as well as cycle and e-scooter share usage, and how each of these varies with seasonal weather for example. Auckland Council therefore reserves the right to issue approvals to operators using a phased approach to avoid saturating the streets with too many bikes or e-scooters.

For the purpose of this Code of Practice, Auckland Council refers to Auckland Council and its Council controlled organisations including Auckland Transport, and any person or organisation delegated by Auckland Council to act on its behalf.

2. Aim and scope

2.1. A key aim of this Code of Practice is to ensure that dockless cycle and e-scooter share schemes are well-designed and complement Auckland's cycle network development, public transport network and support our vision and our Urban Cycleways Programme.

2.2 This guidance applies to all operators and sets out the operational and safety standards that operators must adhere to in order to be issued, and maintain an approval to operate in Auckland under the Trading and Events in Public Places Bylaw 2015.

3. Engagement

3.1. Prior to launching a scheme, operators must contact Auckland Council with a plan demonstrating how a proposed scheme will adhere to this Code of Practice. This will include:

- A detailed plan on how its operation will be terminated (including the collection of all its bikes, e-scooters and e-scooter chargers) if it no longer chooses to operate or if it no longer meets the code and has its license to operate revoked. This could include placing a bond with a third party to pay for the collection of bikes, e-scooters or chargers.
- A detailed plan on how bikes or e-scooters will be re-balanced around the city to avoid bunching, being left out of zone or in low use or nuisance areas.
- A detailed plan on how e-scooters will be charged and redistributed around the city (including an outline of any key drop-off locations).

3.2 Operators must retain an open line of communication with Auckland Council.

3.3 Operators must provide Auckland Council with the contact details of references that can provide information regarding the operator's previous performance.

3.4 As part of the engagement process, operators will work together with Auckland Council to determine an appropriate scheme size that is fit for purpose for Auckland.

3.5 Operators must seek Auckland Council approval of any promotion/media mentioning Auckland Council and its Council controlled organisations and Council activities.

3.6 Operators must provide Auckland Council with a detailed social media and communication plan.

4. Safety and maintenance

4.1 Operators must comply with relevant New Zealand health and safety regulations and hold public liability insurance of at least NZ\$1,000,000. The operators must be able to show ongoing proof of their public liability insurance.

4.2 Operators must send a detailed plan on how they will ensure each bicycle is always supplied with a helmet that meets current safety standards as required by New Zealand law.

4.3 Bicycle and e-scooter equipment must be of sufficiently high quality to withstand constant public use and exposure to the Auckland elements, while meeting rider safety and comfort standards. The bicycles and e-scooters should include smart technology with active global positioning system (GPS) and wireless connectivity to enable maintenance and proactive re-balancing.

4.4 Operators must have a system in place to ensure bicycle and e-scooter equipment, including helmets for bicycles, continues to comply with legal standards and requirements. At a minimum, bicycles should be given a full service every six months, with both helmets and bicycles given regular checks and repairs throughout the year. E-scooters should also be given a full service every six months with regular checks and repairs throughout the year. All mechanical services and repairs must be logged and available for review by Auckland Council whenever requested or to an agreed reporting schedule. Operators must provide a detailed plan on how bike maintenance checks are undertaken and logged.

4.5 Operators must recommend that registered users of cycles aged under 18 years of age should be accompanied by an adult.

4.6 Ideally, operators should be able to integrate on-bike or on e-scooter location technologies and eventually on-board wireless diagnostics, to more easily identify mechanical failure, and proactively intervene through preventive maintenance. Auckland Council reserves the right to make these technologies a requirement in the future.

4.7 Accidents causing injury must be recorded and included in the data made available to Auckland Council.

5. Operations

5.1 In order to operate a dockless cycle or e-scooter share scheme within Auckland, operators must apply for and be granted a license, under the Trading and Events in Public Places Bylaw 2015 prior to any operation being launched. Auckland Transport has delegated both administration and enforcement of this bylaw to Auckland Council.

5.2. The operator shall be aware of and comply with all Acts, Regulations, Bylaws, Policies and Ordinances applicable to the operation. This includes all transport related Acts and Regulations that determine the requirements and use of bicycles and e-scooters.

5.3 The operator must ensure that their users understand where they are allowed to operate the bicycle or e-scooter according to 5.2 above. Users must ride safely and carefully and be considerate of all other road users and not ride at speeds that put other users at risk.

5.4 Auckland Council reserves the right to limit the number of operators and the number of bikes and e-scooters per zone.

5.5 The operation of dockless cycle and e-scooter share schemes in Auckland must not cause disruption or nuisance. Operators must ensure cycle and e-scooter share schemes do not compromise the maintenance of orderly streets or have a negative impact on other street users, including vision-impaired people or those with disabilities. Bikes and e-scooters must not be parked or allowed to remain on or in inappropriate locations such as:

- a. on footpaths that are narrow;
- b. where they could pose a safety hazard; or
- c. where they could interfere with pedestrian access generally or access to amenities.

5.6 Operators must come to an agreement with Auckland Council on where bikes and e-scooters can and cannot be parked. Bikes should be parked beside cycle parking stands where possible. If this is not possible they should be parked where they do not impede on pedestrian and vehicle access. This information must be conveyed clearly to the customer.

5.7 Damaged bikes or e-scooters, or bikes or e-scooters parked in a non-compliant manner or place need to be removed by the operators within 12 hours of being reported. If not, operators will pay any removal costs incurred by Council. The cost to get the bike or e-scooter back from the Council after removal is \$371 per item at time of writing this. This cost may alter over time.

5.8 Any bike that is parked outside a licensed area, for 48 hours must be moved by the operator to a licenced location or it may be removed by Auckland Council at the expense of the operator.

5.9 Operators should have systems in place that incentivise good parking behaviour and penalise non-compliance by users.

5.10 Any specific infrastructure improvements required for successful operations would need to be considered and approved by Auckland Council and Auckland Transport.

5.11 Operators must include in their plan how they have capability to manage the redistribution of bicycles and scooters due to bunching, in advance of major events or at the request of Auckland Council.

5.12 In order to manage the increase in the numbers of bikes and e-scooters on Auckland streets, bike and e-scooter parking requirements will be subject to change as Auckland Council adapts to the increase in bikes and e-scooters in Auckland as a result of these operations.

5.13 Operators must provide Auckland Council with up to date and relevant contact details for the operational point of contact who will resolve any issues that arise.

5.14 Although preferred, but not required at this stage, geofencing capability could be required in the future as Auckland Transport and Auckland Council establish best practice for Auckland. Auckland Council reserve the right to require operators to ensure users do not park in specific areas.

6. Customer Experience and Education

6.1 Operators must provide 24-hour communication channels for users, including a clearly advertised telephone number provided on their website, apps and bicycles and/or e-scooters, and must also have a complaints handling process. Operators must have a clear plan in place to be able to respond to queries and complaints to minimise escalation to Auckland Council. Operators must be able to provide Auckland Council with a record of their complaints and response times logs when requested.

6.2 Terms and conditions of use must be agreed by users when they use the bicycle or e-scooter equipment and these terms must promote safe and legal riding or scooting, and good parking behaviour.

7. Data requirements

7.1 All personal information must be collected, processed and stored in accordance with the requirements of the New Zealand Privacy Act 1993.

7.2 It is a requirement that anonymised data collected by the operator is shared with Auckland Council to assist with ongoing network planning and cycle facility improvements. The clauses below sets out what data is required.

7.2.1 The following table outlines the usage data to be provided to Auckland Council for each trip record. This is to be sent to Auckland Council whenever requested or to an agreed reporting schedule.

	Format	Description
Company Name	[company name]	n/a
Type of bicycle or e-scooter	"Standard" or "Electric"	n/a
Trip record number	Xxx00001, xxx00002, xxx00003, ...	3-letter company acronym + consecutive trip #
Unique, hashed and persistent ID of the user		So AT can understand one-time vs regular users.
User Demographics as available		For example, country of origin (from mobile phone or app store), gender and age (if collected)..
Trip duration	MM:SS	n/a
Trip distance	KM	n/a
Trip weigh points to track the route (at least every minute)	An XML file format to be agreed	n/a
Start date	MM, DD, YYYY	n/a
Start time	HH:MM:SS (00:00:00 – 23:59:59)	n/a
End date	MM, DD, YYYY	n/a
End time	HH:MM:SS (00:00:00 – 23:59:59)	n/a
Start location	GPS location	n/a
End location	GPS location	n/a
Bicycle or e-scooter ID number	xxxx1, xxxx2, ...	Unique identifier for every bicycle and e-scooter, determined by the company

7.2.2 Operators shall provide Auckland Council with real-time information on the entire fleet through a documented application program interface (API) from day one. The data to be published to the Auckland Council API will include the following information in real time for every parked bicycle or e-scooter:

1. Bicycle or e-scooter identification number
2. GPS Co-ordinate
3. Availability start date
4. Availability start time

5. Fuel level (if electric)
6. Date of last service
7. Time to next service
8. Service status

7.3 Customer data integration and transfer may be required in the future, both with Auckland Transport's journey planning platforms (including AT Mobile) and NZTA's Mobility as a Service project (as digital capabilities are extended). Auckland Council reserves the right to update this condition if or when required.

7.4 Operators will support the General Bikeshare Feed Specification (GBFS), an open data standard for cycle share. GBFS makes real-time data feeds publicly available online in a uniform format so that map and transportation based apps can easily incorporate this data into their platforms.

7.5 Auckland Council reserves the right to display information about cycle or e-scooter share operators on their websites. Auckland Transport may choose to integrate cycle share into Auckland Transport's Mobile app.

8. Integration with the New Zealand Transport Agency's Mobility Marketplace

Currently, NZTA is piloting a Mobility as a Service (MaaS) project, which brings together any legal transport operators into a Mobility Marketplace. The Mobility Marketplace is powered by a real-time data processing platform, and operates on open data principles.

8.1 Operators of new transport services, including cycle and e-scooter share schemes, should ensure the technological capability to integrate their services into this Mobility Marketplace, allowing customers to view all transport choices, in one place.

The information outlined in Appendix 1 will be pushed to a central MaaS Platform using an API (note: this feed could be pulled directly from the company's existing app). This system will query the transport service provider's database and return available options to the customers to view, compare, book, and (eventually) pay for this mode of transport.

Appendix 1: Information requirements for MaaS integration

1. Real-time bike locations. Update frequency <10s.
 - a. Must contain:
 - i. Bike or e-scooter identifier
 - ii. Lat/Long location
 - iii. Accurate speed
 - b. Would ideally contain:
 - i. Compass / directional information

2. On demand Availability information.
 - a. Request
 - i. Current location for all available
 - b. Reply
 - i. Booking is possible: Yes/No
 - ii. Current location of all 'available' bikes
 - iii. Estimated cost of the journey

3. *On demand* Booking request.
 - a. Request
 - i. Lat/Long of the origin
 - b. Reply
 - i. Booking identifier (if successful)
 - ii. Bike or e-scooter identifier - matching the one in the real-time bike or e-scooter position.

4. On demand Status.
 - a. Request
 - i. Booking identifier returned by the booking request
 - b. Reply
 - Statuses as:
BOOKED
INVALID
CANCELLED

5. On demand Cancel.
 - a. Request
 - i. Booking identifier returned by the booking request