NABSA

NORTH AMERICAN BIKESHARE ASSOCIATION

P.O. Box 5014
Portland, ME 04101

January 11, 2018

Re: Opposition to SB 1304/HB 1033: Dockless Bicycle Sharing

Dear Legislator,

The North American Bike Share Association (NABSA) connects the biggest minds in bikeshare to support, promote and enhance bikeshare across North America. NABSA is the bikeshare industry's membership organization with representation from system owners, operators, host cities, equipment manufacturers and technology providers.

On December 19, 2017, Florida State Senator Dana Young introduced SB 1304: Dockless Bicycle Sharing in the Florida Senate, and on December 18th, 2017, Representative Jackie Toledo introduced the same bill, HB 1033, in the Florida House.

As the industry experts representing a wide range of the bikeshare industry, NABSA would like to express its strong opposition to this bill. This bill is bad for bikeshare, it's bad for cities, and it's bad for citizens.

Bikeshare is an affordable, efficient, healthy, and sustainable form of public transportation used mostly for short, point-to-point, trips. Anyone can rent a bike, ride it, and then return it back into the system service area. Cities across the country, both big and small, adopt bikeshare to: provide low-cost transportation; complete transit networks; resolve the 'first and last mile' problems; provide an accessible means for physical activity; reduce traffic congestion; improve air quality; and stimulate economic development.

Bikeshare has been successful in hundreds of cities and towns across the country because of strong local involvement. This bill handicaps Florida municipalities by preventing them from protecting the safety and welfare of their citizens.

This bill is problematic because:

- It preempts local control over bikeshare implementation
- It preempts local control over the public right of way

- It preempts local control over safety standards
- It does not outline sufficient safety standards for shared public-use bicycles
- It preempts local control over bikeshare operational requirements
- It does not outline sufficient operational requirements
- It does not address privacy protection of sensitive customer data
- It negates the investment and success of currently operating bikeshare systems that have a proven track record of success

While we have seen the dockless bikeshare model contribute to the shared mobility landscape, we have also seen very real challenges around parking and maintenance, as the attached pictures from Seattle demonstrate.

Seattle and Dallas-- two cities who have experimented with dockless bikeshare-- have experienced bicycles left in the public right of way, inhibiting pedestrian and wheelchair passage, as well as thrown into heaps, placed in trees or hung on the tops fences, and have experienced significant complaints regarding broken bikes. Seattle and Dallas are both cities that have determined that increased local regulation is necessary to combat these challenges.[1]

Local regulation and requirements regarding right of way management, rebalancing,[2] fleet size minimums and maximums, and customer service are needed to combat the right of way infringements and safety hazards (demonstrated in the attached photos). One could make the parallel with bus operators. A city needs to regulate bus operation to ensure the safety of the users, minimum quality standards, the usage of right of way, and to avoid chaos.

As written, SB 1304/HB 1033 would remove the power of any local Florida governmental entity to regulate dockless bikeshare in these much needed ways. Bikeshare is not a one-size-fits-all solution. The success of bikeshare depends on local knowledge and expertise. Local decision-makers must have the ability to enact requirements for bikeshare that best meet their needs while allowing them to achieve their cities' goals.

In addition, this bill lacks the following:

- Sufficient safety standards. 16 C.F.R. part 1512 is a regulation for privately purchased bicycles-- a very different equipment lifecycle and use than commercial public-use bicycles-- and no minimums for maintenance checks or working components are currently outlined.
- Protections for sensitive customer data or requirements for public availability of anonymized and/or aggregated data that could aid in decision-making for public good.

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[1] For examples, see https://nextcity.org/daily/entry/seattle-dockless-bikeshare-pilot-regulation, http://cw33.com/2018/01/01/bike-overshare-with-5-companies-in-dallas-already-one-man-has-hit-social-media-gold/, https://www.geekwire.com/2017/photos-reveal-worst-parking-jobs-bike-share-bicycles/.

[2] Rebalancing is the manual redistribution of bikes within a system necessary to manage bike supply at specific geographic locations.

Furthermore, although there is no initial cost for dockless bikeshare equipment, there are many costs incurred by dockless bikeshare host cities, such as:

- Planning and coordinating a bikeshare system launch and expansion
- Monitoring and impounding bicycles when they are left blocking the right of way
- Storing bicycles when they are impounded
- Retrieving bicycles out of hard-to-reach locations
- Monitoring bicycle safety
- Responding to civic complaints when customer service is not adequately handled by the bikeshare company
- Police reports and investigations when bikes are stolen, vandalized, or used to commit other crime
- Use of the public right of way- a monetized asset in many places

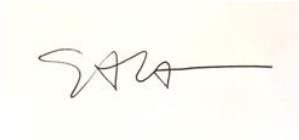
The current bill language does not allow a municipality to tax, license, or revenue-share with bikeshare companies. Cities need a way to offset these costs with taxes or fees, as well as potentially gain through revenue sharing agreements.

There are existing bikeshare systems in Florida that have a proven track record of success. As it is written, this bill would preempt any existing contracts and contract provisions that municipalities have with existing bikeshare providers. This negates the investment and success of these bikeshare systems currently providing important services in their communities. NABSA is supportive of expanding bikeshare options, not shrinking them.

To adopt a statewide policy-- and one as insufficient as this which neglects to address important safety and privacy concerns, as well undermines the current success of responsible bikeshare systems-- would be a terrible mistake. The success of bikeshare, the safety of riders, and the quality of the service, depend on local management and decision-making authority.

The North American Bikeshare Association and its allies strongly urge you to oppose this bill in favor of maintaining local decision-making authority.

Thank you,



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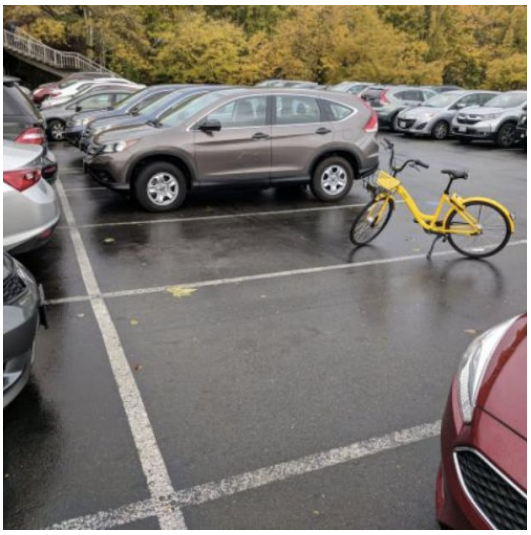
Dockless Bikeshare Challenges



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