

## CITY OF CHICAGO PERMIT REQUIREMENTS – FOR DOCKLESS BIKESHARE VENDORS ONLY

### Emerging Business Permit - Objective Criteria for May 1<sup>st</sup>, 2018 Launch

1. Vendor must be and remain a member in good standing for the full duration of the permit term with the North American Bikeshare Association (NABSA), or a comparable bikeshare association that: (i) has a focus to support bikeshare systems in cities with 500,000 or more population; and (ii) has a code of conduct for its members that promote a safe, reliable, and equitable bikeshare system, as determined by the City's Commissioner of Business Affairs and Consumer Protection, in consultation with the City's Commissioner of Transportation. The purpose of the requirement imposed in this paragraph 1 is to ensure that vendors adhere to guidelines that help bikeshare systems operating in large cities to be safe, equitable, and reliable as detailed in NABSA's code of conduct (<https://nabsa.net/code-of-conduct/>), or the comparable bikeshare association's code of conduct.
2. Vendor must have demonstrated experience in offering a dockless bikeshare program in a major city with 500,000 or more population without license or permit revocation.
3. Vendors may deploy up to 250 bikes in the pilot program. From May 1<sup>st</sup> to June 30<sup>th</sup>, any vendor participating in the pilot program may utilize up to 50 wheel-lock technology bikes, with the requirement that further participation in the pilot program from July 1<sup>st</sup> to November 1<sup>st</sup> must guarantee lock-to technology only. Starting on July 1<sup>st</sup>, vendor must provide a fleet of dockless bikes that have lock-to technology only, which requires that the bikes be locked to a fixed object to end a rental trip.
4. Vendors must be certified by the International Standard ISO. Additionally, all bicycles shall meet the safety standards outlined in ISO 43.150 – "Cycles, as well as the standards outlined in Code of Federal Regulations Title 16, Chapter II, Subchapter C, Part 1512 – Requirements for Bicycles."
5. To participate in the intended Tuesday, May 1<sup>st</sup>, 2018, launch date of the pilot program, vendor must have sent a complete permit application packet to participate in the pilot program by Tuesday, April 24<sup>th</sup>, 2018. Late permit application packets will be accepted, however in these cases, processing of the application packet materials cannot be guaranteed by May 1<sup>st</sup>, 2018. Each permit application packet must meet eligibility requirements for permitting.
6. The permit application packet must contain a *completed business information sheet* with accurate information available at [www.cityofchicago.org/bacp](http://www.cityofchicago.org/bacp). John Castaneda, Department of Business Affairs and Consumer Protection, can be contacted at 312-744-5359 or [john.castaneda@cityofchicago.org](mailto:john.castaneda@cityofchicago.org) with any questions regarding the permit application process.
7. Vendors must provide the below information as part of their permit application packet:
  - a. Illinois Secretary of State – Legal entities must complete an Application for Authority to Transact Business in Illinois and obtain a file number.
  - b. Illinois Department of Revenue – All businesses must file with the Illinois Department of Revenue.
  - c. Internal Revenue Service – Vendors must provide Federal Employer Identification Number (FEIN).

- d. Controlling persons of the applicant must provide: (i) full name, residence address, business address, business, home and cellular telephone numbers, and e-mail address; (ii) the name and telephone number of an emergency contact person; (iii) date of birth and social security number.
8. Vendor is required to pay a permit application fee of \$250.00 plus a \$50.00 per bike administrative fee to address costs incurred by the City of Chicago during the pilot program. These may include costs related to administration, monitoring, use of the public way, and the installation of bike racks in the pilot area. Vendor must declare the total number of bikes it intends to deploy in its permit application, not to exceed 250 bikes total per vendor, and only 50 of which can be wheel-lock bikes that must be phased out by July 1<sup>st</sup>, 2018.
9. A vendor shall produce proof with its application package that such vendor 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: (1) be issued by an insurer authorized to insure in Illinois; (2) name the City of Chicago as additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the vendor's operations; and (3) include a provision requiring 30 days' advanced notice to the City's Commissioner of Business Affairs and Consumer Protection prior to cancellation or lapse of the policy. The vendor shall maintain the insurance required under this paragraph in full force and effect for the duration of the pilot period. In addition, vendor shall (i) indemnify the city against any additional or uncovered third party claims arising out of or caused by the vendor's dockless bikeshare operations; and (ii) cover the cost for any damage to the public way or other city property arising out of or caused by the vendor's dockless bikeshare operations.
10. Vendors must conduct operations 24 hours a day, 7 days a week during the pilot period.

## **Pilot Program Terms**

### ***Duration of Pilot***

The pilot program lasts from May 1<sup>st</sup>, 2018 to November 1<sup>st</sup>, 2018. The City of Chicago has no obligation to extend nor to make permanent a selected vendor's business operations beyond the terms of the pilot program.

Failure to comply with the conditions of the pilot program may result in the suspension or revocation of vendor's license as provided in the Municipal Code of Chicago. If a vendor's license is suspended or revoked, the City of Chicago may direct the vendor to remove its fleet from the City's public right-of-way with a 24-hour notice.

Vendors must organize for all bikes to be launched from a supporting private property on the first day of launch. In order to operate from a private property, vendors must be in compliance with all applicable requirements of the Chicago Zoning Ordinance and must have prior written permission from the owner or lessee of any private property to be used and provide such permission at time of permit application.

### ***Operations and Maintenance***

The permit authorizes vendors to operate only within the City of Chicago in the service area defined by the pilot area map ('Pilot Area'). Any bikes that are parked outside the pilot area within the City of Chicago must be locked down and retrieved by the vendor within 2 hours and may not be rented by a customer until returned to the pilot area.

Vendors are required to remedy any bikes that are not parked lawfully or in accordance with the conditions attached to the issuance of the emerging business permit within 2 hours of the report, 24 hours a day, 7 days a week. The City has the right to remove any and all such bikes that are not remedied in accordance with the provisions outlined in this permit. Vendors must incur all costs to the City for improper parking, bike removal, public safety or property damage.

Vendor shall comply with all applicable laws and regulations. Specifically, vendors shall comply with all applicable tax laws, including the Chicago Personal Property Lease Transaction Tax Ordinance, codified at Chapter 3-32 of the Municipal Code of Chicago ("Code"), and the Chicago Use Tax For Nontitled Personal Property, codified at Chapter 3-27 of the Code. Vendors are also encouraged to consult with their own tax attorneys or accountants to determine tax obligations applicable to the business they are conducting under the emerging business permit.

All bicycles must provide easily visible contact information, including toll-free phone number with 24/7 customer support hotline in English, with translation services available for the following languages: Spanish, Polish, Korean, Arabic, Hindi and Mandarin. Additionally, an e-mail address and website must be clearly displayed on every bike to receive direct notice of any issues or incidents. Contact information must also be displayed on the vendor's website and smartphone apps.

All bicycles shall meet the safety standards outlined in ISO 43.150 – "Cycles, as well as the standards outlined in Code of Federal Regulations Title 16, Chapter II, Subchapter C, Part 1512 – Requirements for Bicycles." All bicycles shall be operated in compliance with applicable laws and must meet equipment standards under applicable laws.

All vendors shall conduct bicycle maintenance on each bicycle in their fleet at least once per a calendar month. During bicycle maintenance, the vendor shall, at a minimum, conduct the following checks, and repair or replace all necessary elements:

- Check tire pressure (if applicable), and add air as may be needed, to recommended Pounds per Square Inch measurement;
- Check tightness of handlebars, headset bearings, and full handlebar range of motion (left to right);
- Check tightness of seat, seat post quick-release, and see that seat post moves freely in full range of motion (up and down);
- Check brake function (front and rear), and check grips for wear and brake levers for tightness and damage;
- Check bell for tightness and correct function;

- Check handlebar covers for damage and instruction stickers;
- Check front basket for tightness and damage, and check bungee cord for wear;
- Check for correct gears and shifter function through all 3 gears;
- Check fenders (front and rear) for damage, and clean outside of fenders;
- Check tires (front and rear) for damage or wear;
- Check wheels (front and rear) for trueness, broken or bent spokes and hub or axle tightness;
- Check lights (front and rear) for function;
- Check reflectors on wheels, seat and basket, to see if they are present, clean and undamaged;
- Check pedals and cranks for tightness;
- Lubricate and clean chain and check chain tensioner for correct function;
- Check kickstand for correct function;
- Brief test ride to ensure overall correct function of Bicycle; and
- Clean bicycle

***Fleet Size, Rebalancing and Parking***

Vendors are permitted to include a maximum of 250 bikes in their fleet at any given time during the pilot period -- and only 50 bikes of the total can be wheel-lock bikes that must be phased out by July 1<sup>st</sup>, 2018. In addition to other applicable penalties, violating the bike fleet limit imposed by the pilot program may result in the suspension or revocation of the vendor’s permit. Vendors must include the proposed maximum fleet size in their permit application.

The City may increase the fleet size cap at the end of every month of the pilot period as deemed necessary by the City, and will communicate opportunities to increase fleet sizes with vendors. Vendors must communicate any request for additional bikes within the cap provided in the permit terms for City’s approval by contacting the City of Chicago. In addition, increasing vendor’s bike within the cap provided in permit terms is subject to payment of additional per bike administrative fees.

Vendors are required to rebalance bikes every day during hours designated by the vendor and communicated with the City. Vendors must, at minimum, rebalance bikes from 6 AM to 12 midnight every day. The effect of rebalancing bikes shall ensure that residents throughout the service area retain reasonable and consistent access to the vendor’s service offerings. Therefore, rebalancing must ensure that at least 15% of a vendor’s fleet is available in each quarter of the pilot service area, according to the attached Equitable Distribution Map. The map shows the pilot area delineated into four quarters drawn by State Street from 79<sup>th</sup> Street to 127<sup>th</sup> Street and Indiana Avenue from 127<sup>th</sup> Street to 138<sup>th</sup> Street crossed by 101<sup>st</sup> Street from Pulaski Avenue to Torrence Avenue, and Torrence Avenue to 100<sup>th</sup> Street, and 100<sup>th</sup> Street to the Skyway.

Vendors are required to make bikes available for rental 24 hours a day, 7 days a week.

Starting July 1<sup>st</sup>, vendor must provide a fleet of dockless bikes that have lock-to technology only, which requires that the bikes be locked to a fixed object to end a rental trip. From May 1<sup>st</sup> to June 30<sup>th</sup>, any vendor participating in the pilot program may utilize up to 50 wheel-lock technology bikes, with the

requirement that further participation in the pilot program from July 1<sup>st</sup> to November 1<sup>st</sup> must guarantee lock-to technology only. Wheel-lock bikes must be parked in compliance with the Municipal Code of Chicago. All bikes must have lock-to technology by July 1<sup>st</sup>, 2018 and must be locked to a fixed object to end a rental trip. Approved lock-to bikes parking locations include: designated public bike racks and corrals, covered bike parking shelters, retired Chicago parking meters, and street signs. If bikes are locked to a street sign, it must be positioned parallel to the sidewalk so as to prevent blockages on roadways and sidewalks. Non-approved lock-to bikes parking locations include: any parking areas that block the pedestrian clear-zone area of the sidewalk; any fire hydrant, call box, or other emergency facility; bus bench; or utility pole or box.

A bike shall not be parked in a way that does not leave at least six feet of public way unobstructed for pedestrian passage.

Vendors are required to meet with the Mayor's Office for People with Disabilities and other City of Chicago staff during the first month of the pilot program, and monthly thereafter, and provide monthly reports and data on issues affecting members of the community with disabilities, including but not limited to: number of complaints of public right of way obstruction that affected an individual with a disability, details about the complaint, and timeliness to resolve issues. Reports will be received and reviewed by the Mayor's Office for People with Disabilities and other City of Chicago staff.

### ***Equity Requirements***

Vendors must be committed to addressing equity issues and utilizing their dockless service to expand mobility to people facing financial and technological barriers. These barriers must be addressed in vendors' operations and communications programming.

Vendors must detail their anticipated pricing model in their application materials.

Vendors must provide cash payment options for the unbanked community, and provide locating and locking capabilities without the use of smartphones for customers with limited technology access. To support public knowledge of these options, vendors must create and distribute print publications and a webpage explaining their cash payment options, phone access, program qualifications (if any), and how residents can access bikes via these methods. Please see more instruction under "Safety, Education & Outreach" section below.

Vendors must detail their hiring plan in their application materials. Vendors are encouraged to include in their hiring plan steps they will take to identify, train, and employ local residents that have been historically disadvantaged in participating in the local economy. Vendors are also encouraged to have specific contracting goals for minority and women-owned businesses (M/WBE). The hiring plan may also include, 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. Vendors must, to the extent practically possible, implement their hiring approaches immediately and uphold their commitments over the duration of the pilot program.

### ***Geography of Pilot***

Vendors shall operate in the pilot area. The pilot area is the geographic area in which vendor's dockless bicycles may be rented from or end a trip, subject to all generally applicable bicycle parking rules and restrictions. For this pilot program, the dockless bikeshare pilot area shall be all that portion of the City of Chicago bounded as follows, and as shown on the attached map: beginning at the intersection of West 79<sup>th</sup> Street and South Western Avenue; thence south on South Western Avenue to West 99<sup>th</sup> Street; thence west on West 99<sup>th</sup> Street to South California Avenue; thence south on South California Avenue to West 103<sup>rd</sup> Street; thence west on West 103<sup>rd</sup> Street to South Central Park Avenue; thence north on South Central Park Avenue to West 99<sup>th</sup> Street; thence west of West 99<sup>th</sup> Street to South Pulaski Road; thence south on South Pulaski Road to West 111<sup>th</sup> Street; thence west on West 111<sup>th</sup> Street to South Cicero Avenue; thence south on South Cicero Avenue to West 115<sup>th</sup> Street; thence east on West 115<sup>th</sup> Street to Central Park Avenue; thence south on Central Park Avenue to West 117<sup>th</sup> Street; thence east on 117<sup>th</sup> Street to South Homan Avenue; thence north on South Homan Avenue to West 115<sup>th</sup> Street; thence east on West 115<sup>th</sup> Street to South Kedzie Avenue; thence north on South Kedzie Avenue to West 113<sup>th</sup> Street; thence east on 113<sup>th</sup> Street to Whipple Street; thence south on Whipple Street to West 115<sup>th</sup> Street; thence east on West 115<sup>th</sup> Street to South Maplewood Avenue; thence south on South Maplewood Avenue to West 119<sup>th</sup> Street; thence east on West 119<sup>th</sup> Street to Maple Avenue; thence south on Maple Avenue to 123<sup>rd</sup> Street; thence east on 123<sup>rd</sup> Street to South Halsted Street; thence south on South Halsted Street to West 127<sup>th</sup> Street; thence west on West 127<sup>th</sup> Street to South Aberdeen Street; thence south on South Aberdeen Street to 129<sup>th</sup> Place extended to the Little Calumet River; thence easterly along the Little Calumet River to East 130 Street; thence easterly on East 130<sup>th</sup> Street to South Indiana Avenue; thence south on South Indiana Avenue to West 138<sup>th</sup> Street; thence east on the city limit line to South State Line Road and the Illinois and Indiana state line; thence north on South State Line Road and the Illinois and Indiana state line to the Chicago Skyway; hence westerly on the Chicago Skyway to West 79<sup>th</sup> Street; hence west on West 79<sup>th</sup> Street to the place of beginning.

Vendors must geofence boundaries of the pilot area to limit their fleet operations to the pilot area. Provided however, if a vendor is permitted to operate outside of City limits in a jurisdiction adjacent to the Pilot Area, the vendor is not required to establish a geofence boundary along the border of the adjacent jurisdiction and the pilot area.

Vendors must ensure that no bikes within their fleet are parked outside of the pilot area or any other areas in which the vendor is not legally permitted to operate. Any bikes that are parked outside of permitted areas of operation must be locked down and retrieved by the vendor within 2 hours and may not be rented by a customer until returned to the pilot area.

### ***Data Sharing Requirements***

Vendors are required to submit data to the City's Department of Transportation in the following categories on the 1<sup>st</sup> of every month, starting on June 1, for the duration of the pilot. All data must be stored within the United States. Data must be submitted in proper format through the City's secured file transfer site. Detailed data reporting requirements are provided by the City.

A vendor is not required to provide personally identifiable customer information to the City. Each data submission to the City by the vendor shall be accompanied by an attestation, made under penalty of perjury, that the data submitted is accurate and complete.

**Bike Availability.** Bicycle availability should be publicly published using v1.1 of the General Bikeshare Feed specification (<https://bit.ly/2HMt0Xq>). Vendors must inform the City of the URL of this data.

**Rider Demographics.** If vendors collect de-identified demographic data from their users, including age cohort, gender and general trip purpose, such data shall be shared with the City upon request.

**Trip Data.** Vendors must provide monthly data reports of anonymized trip information. Data must include bike ID number, trip date, trip start time, trip end time, trip duration in seconds, GPS coordinates of trip origin location, GPS coordinates of trip destination location. Vendors must also provide anonymized GPS data of the route taken (GPS crumb data) for each trip on monthly basis.

**Violation Data.** Data reports must also include a list of all reported violations including: bikes parked outside of pilot area, bikes blocking the public right of way, bikes parked on private property, bikes locked to private property, bike-related parking irregularities (e.g., bikes deposited in waterways, suspended from trees or other fixtures), bikes missing from the vendor's fleet, damaged bikes and maintenance needs reported.

**Bike Maintenance Data.** Data reports must include a list of maintenance procedures performed on each bike with a bike ID number and date of tune-up.

**Gyroscope Data.** Vendors who collect real-time data by gyroscope must include gyroscope data in monthly reports.

Real-time data shall be provided for the City only for purposes of law enforcement or emergency response.

### ***Safety, Education & Outreach***

Vendors must educate dockless bike users to be courteous of public way and encourage proper parking behavior. Vendor shall implement a marketing and targeted community outreach plan at its own cost by distributing education and outreach materials to communities in the Pilot Area. Materials must be distributed to alderman, police commanders, local chambers and community organizations. Vendors must host one community event in the Pilot Area for education and outreach, and/or present at local alderman's Ward Night.

Vendors must have visible language on vendor's website and smartphone app that informs riders about applicable laws and regulations requiring riders to agree to follow rules before allowing them to unlock a dockless bike. Vendors must also have visible language on vendor's website and smartphone app that informs riders about proper bike parking and locking practices. Each bike must have a unique identifier, the vendor's name, 24/7 phone number, website and email address.

Vendors shall work with local businesses or other organizations to promote the use of bicycle helmets by system users through partnerships, promotional credits, and other incentives.

***Consumer Agreements & Privacy***

Vendors must include a copy of their user agreements and privacy policies with their permits for review and approval by the City. Vendors must provide notice to the City of Chicago regarding any changes to these terms of service, user agreements, or privacy policies for the duration of the pilot.