

- (e) Devices locked in a way that violates this section may be subject to impoundment and fines.
- (f) An integrated locking mechanism shall be deployed on all Devices. Locking mechanisms should be designed so that they cannot be removed using simple tools and can securely hold the Device upright when parked at a bike rack or other fixed object. A combination lock will not be considered an integrated locking mechanism.

**(M) User Education and Safety Plan**

- (1) Operators shall provide screenshots, images and explanations of all existing User education materials and technologies, including those in the mobile application, on the Device, and via in- person interaction.
- (2) Operators shall describe in their Permit application any additional education, incentives, training, Device modifications, notification systems, infrastructure, etc. they propose to provide.
- (3) Operators shall describe in their Permit application how they will monitor Users' compliance with the terms and conditions regulating Device use, including any technology that the Operator will employ to monitor Device Use, and how they will address Users who fail to comply with Device Use rules and regulations.
- (4) Operators shall deploy in-app technology that requires a User to submit a photo of their parked Device at the end of each ride.
- (5) Operators shall coordinate with City staff to conduct outreach, both in-person and digital, to raise awareness and provide public education on proper and legal use of the Devices.

**(N) Number of Operators, Fleet Size, and Service Area Coverage**

- (1) The City may issue Permits to up to three (3) Operators on a competitive basis, with the first two Permits reserved for Operators that use their own employees (with wages from the Operator reported on a federal W-2 Form), rather than contract workers, for Device recharging and rebalancing, and the third Permit reserved for an Operator that uses Devices with a seat as the primary Device available to Users. If such Permit applications are not received on or before the stated application deadline ~~within three (3) months of the release by the City of the Permit application~~, the City may consider issuing Permits to up to two (2) other Operators in the order in which qualifying Permit applications are received.
- (2) Operator must provide a minimum of fifty (50) Devices to ensure availability.
- (3) Operator must serve the public right of way in the entire City of Berkeley. An Operator shall not restrict the use of its Devices to certain geographical areas of the City without written permission, such as geo-fencing certain areas.
- (4) Devices should be distributed equally throughout Berkeley. More than 50% of Devices must be deployed in the Berkeley Equity Priority Communities (as designated by the Metropolitan Transportation Commission).
- (5) Operators shall provide to City real-time access to data showing the location of all of their

#### **(4) Application Materials**

In your application, please provide responses to the questions below. ~~Page limits are highly recommended (additional images and maps do not count towards the limit).~~ Please review the Terms and Conditions, and incorporate how you will meet or exceed these terms in your responses.

**(A) Company Overview and Pricing Structure:** Provide a brief overview of your company including:

- (1) Description of pricing structure including low-income and other discounted customer plans, detailing cash payment options.

**(B) Scooter Availability and Service Area**

- (1) Proposed hours of operation.
- (2) Storage of devices during non-operational hours.
- (3) Proposed fleet size and service area at launch.
  - (e) How many devices would you deploy in different portions of the service area, including disadvantaged communities? *Applicants should bear in mind that the permit program provides for a maximum of 1200 devices in total for the City of Berkeley, beginning with 200 devices per operator at program launch with the ability to dynamically raise the cap to a maximum of 400 devices per operator. (The City will award franchises to three (3) operators).*
- (4) How would your deployment area change depending on the number of scooters you are permitted for?
- (5) Describe methods for deploying and redistributing scooters.
- (6) Would your service area apply to where users are allowed to deposit scooters?
- (7) Provide map of proposed service area.

**(C) Plan for Safe Riding and Storage of Devices**

- (1) Proposed approach to ensure compliance with laws - The City of Berkeley will monitor the degree to which shared electric micromobility users comply with applicable laws, particularly related to riding on sidewalks and safe parking of devices. If the City of Berkeley in its sole discretion determines that the grantee's users are not sufficiently compliant with applicable laws, the City of Berkeley may require that the permit implement additional measures or may revoke the permit.
- (2) Describe any education, incentives, training, scooter modifications, notification systems, infrastructure, etc. you propose.
- (3) Describe how you would monitor compliance, including any technology innovations that allow monitoring, and how you would address users who are noncompliant.
- (4) Describe how you would phase-in additional measures if your initial approach does not achieve desired levels of compliance.
- (5) The City of Berkeley is interested in a tethering/lock-to system. Describe opportunities to consider a tether or locking mechanism for the devices to be secured to fixed objects and how much notice would be needed in order to deploy such a program if determined necessary by City of Berkeley Staff.
- (6) How will you ensure customers have valid driver's licenses?
- (7) How will you work with University staff to appease their operational demands? (Example: