

Communication from Public

Name: Mark Steinberg

Date Submitted: 07/20/2019 11:52 AM

Council File No: 17-1125

Comments for Public Posting: [This is the second part of a two-part submission Re: Council File 17-1125, the Dockless Bike Share Systems/ Pilot Program] The question, then, resolves to whether I correctly perceive that the Dockless Mobility Program is misconceived and ineffectively regulated, or whether it is serving a purpose that outweighs its deficiencies, i.e. whether the Program has become a tradeoff of safety and municipal esthetics for convenience and motorized litter. I suggest that the Council needs more than regular reports from LADOT to answer these questions. What is required is detailed information about what is (or isn't) happening on the ground. To that end, the Council might consider an order or resolution to the following effect: 1. Directing all firms and individuals holding permits to operate Dockless Mobility Vehicles in Los Angeles to provide: a. A description of their plans and practices to enforce the Rules and Guidelines, including the number of individuals assigned to enforcement activities; b. All logs and records of enforcement events, including but not limited to the retrieval of improperly parked devices; the improper operation of devices by users, including their use on sidewalks and other pedestrian thoroughfares; the operation of devices by underage users; the operation of devices with two passengers; and the operation of devices by users wearing earphones or other items that interfere with the safe operation of the vehicles. c. Enumeration of the number and substance of all communications received by any City entity concerning violation of any of the Rules and Guidelines, including but not limited to the use, operation and location of the devices. d. The length of the period between receipt and final action on all communications responsive to item "c.", above; e. The number of users personally warned (as distinct from warnings attached to the vehicles) or banned from use of vehicles for violation of any of the Rule and Guidelines; f. The number of reported accidents or other incidents involving a vehicle, including any reports by public or private health facilities, resulting in human injury or property damage; g. The location of the Operators' operations centers, the number of employees assigned to work in the City of Los Angeles, and the average time required for an employee to reach a location at which a reported violation of the Rules and Guidelines has occurred. 2. Directing, as appropriate, the LAPD, LADOT,

Parking Enforcement, and any other City entity involved in enforcing the Rules and Guidelines, to provide the following information: a. The number and subject matter of citations issued for violation of the Rules and Guidelines, including the improper operation and illegal parking of vehicles. b. The number and subject matter of calls received by the City's 311 line concerning violation of the Rules and Guidelines. c. The number of citations or other enforcement actions taken in response to calls to the City's 311 line. d. A detailed description of the training given to personnel of the LAPD, LADOT and Parking Enforcement authorities concerning enforcement of the Rules and Guidelines. e. Notes, recordings or other records of citizen comments, including any complaints, on the Dockless On-Demand Personal Mobility One-Year Permit program. I apologize for the length of this submission, but I believe that only detailed, specific data will enable the Council to determine whether this program is accomplishing a goal that outweighs its impact on the City and its citizens. Respectfully submitted, Mark Steinberg

Communication from Public

Name: Mark Steinberg
Date Submitted: 07/20/2019 03:47 PM
Council File No: 17-1125
Comments for Public Posting: Due to a formatting problem in a comment I posted earlier today, I am resubmitting it as a pdf attachment. I apologize for any inconvenience.

To: The Honorable Members of the Los Angeles City Council
Re: Council File 17-1125, the Dockless Bike Share Systems/ Pilot Program,

Although I am aware that the Council took action on this matter in June, I feel obliged to lodge these comments because I see evidence on a daily basis that close examination of the Dockless Mobility program and, in particular, the enforcement of its Rules and Guidelines, is urgently required.

Over the past several months I have spent significant time driving and walking through the Council District in which I live (District 4) and in adjacent Districts. In the course of these excursions, I've witnessed violations of the entire spectrum of Rules and Guidelines applicable to Operators and users of these vehicles, as set out in the "Dockless On-Demand Personal Mobility One-Year Permit" plan <http://basic.cityofla.acsitefactory.com/sites/g/files/wph266/f/Final%20One-Year%20Dockless%20Permit.pdf> ("Rules and Guidelines").*

Specifically, I have seen or experienced:

1. A scooter ridden on a sidewalk;
2. A scooter ridden by two persons;
3. A scooter ridden by a clearly underage operator;
4. A scooter ridden, both on a sidewalk and in a street, by a rider wearing earphones;
5. A scooter ridden on a sidewalk with a dog leashed to the user;
6. Accidents, both injury and non-injury, involving scooters;
7. Scooters parked illegally:
 - a. in front of driveways, crosswalks, and transit stops;
 - b. near fire hydrants;
 - c. next to "color curbs" such as "no parking," loading, and accessible parking zones;
 - d. on landscaped areas or grass;
 - e. in front of driveways, crosswalks, and transit stops;
 - f. on private or public property (my spouse encountered a scooter abandoned halfway up a dirt trail to the Griffith Park Observatory).
8. Scooters destroyed or dismantled, with parts strewn on the streets, sidewalks, and private property.

Perhaps most disturbingly, I have seen employees of the Operators unload and arrange scooters at red ("No Parking") and other colored curbs.

The Rules and Guidelines place the lion's share of enforcement responsibility on the Operators. Unfortunately, these responsibilities are in direct conflict with the goals of these entrepreneurs: to generate and maximize profits. As regulations, by definition, inhibit profit maximization, it's hardly surprising that only a few months into the Pilot Program, the providers have failed repeatedly to meet their obligations. <https://la.curbed.com/2019/6/14/1867904/los-angeles-scooters-rules-pilot>

While there are non-conflicted entities, such as LAPD, that have the power to enforce certain of the key Rules and Guidelines, such as the prohibition of sidewalk riding, my impression, and that of many individuals with whom I've spoken, is that the LAPD has not filled the gap between what the Rules and Guidelines require the Operators to do, and what they are actually doing.

As I've noted above, in the course of my driving/walking trips I've seen scores of illegally parked and illegally operated scooters. Though on several occasions LAPD officers witnessed the violations, none made an effort to address them. On Hollywood Boulevard, the situation was simply absurd. Scooters sped down sidewalks within a few feet of an LAPD car, sometimes stopping adjacent to the vehicle to take pictures of one of the embedded stars. On another occasion, I came upon three scooters leaning against a red curb, beside which a Parking Enforcement officer was ticketing an illegally parked car. When I asked the officer if he intended to ticket the scooters, he said that only the LAPD had that authority.

Even if what I saw is representative of what is occurring across the City, one can hardly fault the LAPD. Officers may well be unaware of their duty to enforce the Rules and Guidelines pertaining to scooters. Even if they were aware that they bore such responsibility, it would be logical if they placed such offenses at the bottom of their priority list. Not only does pursuing a sidewalk-riding scooter scofflaw involve weaving through pedestrian traffic, it also consumes time disproportionate to its monetary value to the City and its deterrent effect on other riders or potential riders. Beyond that, the use of these vehicles has risen from a river--1.9 million trips during the six month conditional period--to an ocean. This, in this environment, a citation is less than a drop in the ocean.

The question, then, resolves to whether I correctly perceive that the Dockless Mobility Program is misconceived and ineffectively regulated, or whether it is serving a purpose that outweighs its deficiencies, *i.e.* whether the Program has become a tradeoff of safety and municipal esthetics for convenience and motorized litter.

I suggest that the Council needs more than regular reports from LADOT to answer these questions. What is required is detailed information about what is (or isn't) happening on the ground. To that end, the Council might consider an order or resolution to the following effect:

1. Directing all firms and individuals holding permits to operate Dockless Mobility Vehicles in Los Angeles to provide:

- a. A description of their plans and practices to enforce the Rules and Guidelines, including the number of individuals assigned to enforcement activities;
- b. All logs and records of enforcement events, including but not limited to the retrieval of improperly parked devices; the improper operation of devices by users, including their use on sidewalks and other pedestrian thoroughfares; the operation of devices by underage users; the operation of devices with two passengers; and the operation of devices by users wearing earphones or other items that interfere with the safe operation of the vehicles.
- c. Enumeration of the number and substance of all communications received by any City entity concerning violation of any of the Rules and Guidelines, including but not limited to the use, operation and location of the devices.
- d. The length of the period between receipt and final action on all communications responsive to item "c.", above;
- e. The number of users personally warned (as distinct from warnings attached to the vehicles) or banned from use of vehicles for violation of any of the Rule and Guidelines;
- f. The number of reported accidents or other incidents involving a vehicle, including any reports by public or private health facilities, resulting in human injury or property damage;
- g. The location of the Operators' operations centers, the number of employees assigned to work in the City of Los Angeles, and the average time required for an employee to reach a location at which a reported violation of the Rules and Guidelines has occurred.

2. Directing, as appropriate, the LAPD, LADOT, Parking Enforcement, and any other City entity involved in enforcing the Rules and Guidelines, to provide the following information:

- a. The number and subject matter of citations issued for violation of the Rules and Guidelines, including the improper operation and illegal parking of vehicles.**
- b. The number and subject matter of calls received by the City's 311 line concerning violation of the Rules and Guidelines.**
- c. The number of citations or other enforcement actions taken in response to calls to the City's 311 line.**
- d. A detailed description of the training given to personnel of the LAPD, LADOT and Parking Enforcement authorities concerning enforcement of the Rules and Guidelines.**
- e. Notes, recordings or other records of citizen comments, including any complaints, on the Dockless On-Demand Personal Mobility One-Year Permit program.**

I apologize for the length of this submission, but I believe that only detailed, specific data will enable the Council to determine whether this program is accomplishing a goal that outweighs its impact on the City and its citizens.

**Respectfully submitted
Mark Steinberg**

***I use interchangeably the terms "vehicles," "devices," and "scooters" in this document as the term "vehicles" is defined in the Rules and Guidelines.**