

Communication from Public

Name:

Date Submitted: 08/03/2020 01:15 PM

Council File No: 17-1125

Comments for Public Posting: Please see attached letter for a joint letter from Bird, Lime, Lyft and Wheels.



Lime



WHEELS 

July 31, 2020

VIA E-MAIL

Seleta Reynolds
General Manager
City of Los Angeles
Department of Transportation
100 S. Main St., 10th Floor
Los Angeles, CA 90012
seleta.reynolds@lacity.org

Dear Ms. Reynolds:

We are jointly expressing concern over the newly proposed rules and guidelines for the City's Dockless On-Demand Mobility Permit that seek to radically alter one of the most successful shared micromobility programs in the Country. As Los Angeles's shared micromobility providers, we were left out of the latest rulemaking process and therefore many elements of this new program were created without sufficient attention to business impact or program sustainability. **We ask that LADOT seek to extend the current program for 6 months to March 15, 2021, instead of rushing to pass an inchoate set of requirements that could significantly impair an essential mobility option during a global pandemic.**

Los Angeles's shared micromobility providers are committed to spending the next few months working alongside LADOT, other stakeholders, and community groups in an open and transparent dialogue to develop a framework that will deliver a mobility program that achieves our shared environmental, social, mobility and economic goals. Many components of this program, with which we all agree in spirit and in principle, were created with limited consideration of business impacts.

Additionally, in light of the global pandemic, we must emphasize that the micromobility industry, similar to so many other industries, is in flux as we try to meet the changing and dynamic needs of our riders - nearly four million Angelenos - who face uncertainty and concern during this pandemic. What the industry, and what transportation needs, may look drastically different six months from now and we request LADOT to adopt a flexible framework to accommodate for the months ahead.

Below are recommendations for the next iteration of the City's Dockless On-Demand Mobility Program. We believe that our recommendations resolve industry concerns, take into account the City's interests and goals, and are actionable by LADOT ahead of the August 5th, 2020 joint Transportation and Public Works/Gang Reduction committee meeting.

Program Extension

The current six-month extension period is set to expire on September 15, 2020. Given the strain due to the pandemic and limited operator input, we request the program be extended.

Cities around the country are reconsidering their program timelines and extending their existing programs in light of uncertainty due to COVID-19. Those cities include: Santa Monica (12 months), San Francisco (6 months - vote scheduled for August), Oakland (2 months), Austin (3 months), Washington DC (through end of 2020), Baltimore (3 months, until declared State of Emergency ends), Tampa (12 months), Charlotte (6 months), Durham (2 months), and Fort Collins (4 months). We expect more cities to join this list as additional permits are set to expire. We recommend that Los Angeles lean on this precedent and adopt a similar approach to help continue a sustainable and essential transportation option during this time.

We also call for an extension due to the lack of involvement of the micromobility industry in the process of forming these new recommendations and rules. Operators have not had a fair opportunity to provide feedback as part of this process, even though we will bear the brunt of the financial impacts. Although we were asked to provide feedback on the existing pilot program to the report's consultants, these new rules and guidelines were never presented to us as part of that process. The first time we saw them was when we recently received the staff report.

We are all still in the process of digesting and analyzing these potential changes -- a process that is complicated by the significant impacts that the industry is facing as a result of the current health crisis. Each operator appreciates the collaborative relationship LADOT has built with the industry, but to make such dramatic changes without allowing the operators to have meaningful engagement as part of this process destabilizes our partnership.

We support a strong compliance framework, including appropriate penalties, and are committed to working with LADOT to provide for that. However, in light of the significant complexity and very substantial penalty amounts included in the proposed compliance structure, time is needed to ensure that this is done correctly. Extending the current program would enable this to happen.

Los Angeles postponed the program initially to allow staff sufficient time to analyze and assess the pilot program for future recommendation. Now with a global pandemic and economic uncertainty, we request another extension to allow for timely input to work toward a more sustainable program.

Equity Zone Price Capping

Reference: *To ensure that equity zone trips are available and affordable for those in the area, the LADOT requires the following maximum charges for trips in these areas: Trips that begin or end in MEZs shall not exceed \$1.25 per trip per customer. Trips that begin or end in MDZs will not exceed \$1.75 per trip per customer. Trips that use adaptive vehicles shall not exceed \$1.25 per trip, per customer in any zone.” (MEZ and MDZ Price Capping, page 14)*

LADOT is recommending a \$1.25 per trip cap for trips that begin or end in MEZs, and a \$1.75 per trip cap for trips in MDZs, in line with current LA Metro transit fares. While the industry appreciates the LADOT’s intended goal of providing individuals living or working in Equity Zones greater access to modes of transportation for short distance trips, the caps fail to take into account that public transit is heavily subsidized by state and federal funding sources - an option that has not been afforded to micromobility companies.

In addition, these zones do not actually account for the individual user and would therefore include riders who would not normally qualify for a subsidized fare, such as tourists or other individuals of significant means who use our services in these zones. Furthermore, preliminary analyses indicate that the caps would have a significant financial impact and would force companies that continued operating in the market to do so with high losses.

Permit Fee Structure

Reference: *Upon Approval of the application and deployment of vehicles on the right of way, the permittee shall be subject to trip fees of \$0.06 to \$0.40 as follows:*

<i>Geography</i>	<i>Applicability</i>	<i>Per Trip Fee*</i>
<i>Base</i>	<i>Trip that begin or end outside of SOZ and MEZ</i>	<i>\$0.20</i>
<i>SOZ</i>	<i>Trip that begin or end in SOZ</i>	<i>\$0.40</i>
<i>MEZ</i>	<i>Trip that begin or end in MEZ</i>	<i>\$0.00</i>
<i>MDZ</i>	<i>Trip that begin or end in MDZ</i>	<i>\$0.06</i>

(Application process and Permit Fees, Page 7)

LADOT’s report and draft guidelines propose an upfront administration fee of \$20,000 along with a tiered per trip fee structure ranging from \$0.06 to \$0.40, depending on where the trip starts or ends. We ask that LADOT consider converting the confusing and difficult to implement tiered fee structure to a standard per-trip fee of \$0.10 invoiced monthly (or quarterly) based on data received via MDS. We request that the per trip fee occur only at the start of every ride.

Assessing a per-trip fee, instead of a per scooter fee, accurately reflects the dynamic movement of fleets across jurisdictional boundaries and is directly tied to trip generation and utilization of the public right-of-way. A per trip fee is a best practice across cities, helping align operators and the City with the goal of high ridership. This fee structure will provide much needed cost amortization as the micromobility industry works to ensure we remain a viable long term transportation option for the City.

Lock-to Capabilities

Reference: *Throughout the course of Permit year 2020-2021, but no later than March 1, 2021, every Vehicle shall be equipped with a locking mechanism to lock to a fixed object preferably a bicycle rack.” (Parking, B, page 16)*

We have concerns about LADOT’s requirement for lock-to capable devices by March 2021. No operators currently offer this device feature in Los Angeles, and complying with this would require that all operators replace their existing fleets with entirely new devices. Collectively this will cost the industry millions of dollars and force the premature retirement of tens of thousands of devices that are still in good repair. This requirement would undo so much of the progress we’ve made in terms of vehicle sustainability.

To date, very few markets have implemented and fully scaled a lock-to requirement - despite years of discussion over the model - and operators in those markets have not experienced a substantial increase in parking compliance. In fact, we have actually seen an increase in poor parking behavior where devices are locked to ADA railings, bus stops, and other prohibited areas. This issue will be exacerbated in Los Angeles as there is no clear plan and limited time to install sufficient parking infrastructure throughout the City and there will be potential conflict between shared micromobility riders and private micromobility owners contending for limited secure locking infrastructure.

Additionally, LADOT has proposed that while all devices must be lock-to capable, the use of the lock-to feature will only be required in certain areas of the City, leading to user confusion.

As the City’s goals of the program are to reduce transportation emissions and congestion by maximizing modeshift to scooters and bikes, the City is best served by a model that encourages ridership. By creating more friction and restriction in usage of shared systems, it will be difficult to achieve growing interest in shared vehicles as a viable transportation option.

Operators believe that the City and Operators can work collaboratively on changes to the rules and guidelines over the next few months that both meet the City’s goals and allow for sustainable operations. **It is our position that the current proposal, as it stands, creates an unfavorable policy environment that dramatically reduces the sustainability of operators in the market, and we encourage the City to work collaboratively with operators to reach agreement on these critical issues prior to the expiration of the 6-month extension for the Dockless On-Demand Mobility Program.**

Sincerely,
Bird, Lime, Lyft, and Wheels

cc: Eric Garcetti, Los Angeles City Mayor
Marcel Porras, Chief Sustainability Officer, LADOT
Jarvis Murray, For-Hire Transportation Administrator, LADOT
Council President Nury Martinez, District 6
Councilmember Bob Blumenfield, District 3
Councilmember David Ryu, District 4
Councilmember Paul Koretz, District 5

Councilmember Mike Bonin, District 11

Councilmember Mitch O'Farrell, District 13

Councilmember Joe Buscaino, District 15

Communication from Public

Name: Bird, Lime, Lyft and Wheels
Date Submitted: 08/03/2020 08:28 AM
Council File No: 17-1125
Comments for Public Posting: Please see the attached joint coalition letter on behalf of Bird, Lime, Lyft, and Wheels that expresses mutual concern over the latest rules and guidelines LADOT is providing City Council.



Lime



WHEELS 

July 31, 2020

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Councilmember Paul Koretz, District 5

Councilmember Mike Bonin, District 11

Councilmember Mitch O'Farrell, District 13

Councilmember Joe Buscaino, District 15

Communication from Public

Name: Cyril Grosjean

Date Submitted: 08/03/2020 06:34 PM

Council File No: 17-1125

Comments for Public Posting: Having access to Bird scooters has been really important for me. I do not drive and I do not feel comfortable taking public transportation (which was my main transportation option before Covid-19) or ride-sharing due to concerns about social distancing. I have been using a Bird Scooter to commute across West LA and in particular have been using the Expo Line bike path as part of my route since mid-June. Having the possibility to take a Bird instead of using ride-sharing has been eye-opening for me. I discovered that my commute was much shorter and by using bike lanes actually a very good option to get around for not too much money. Please keep in mind that scooters like Bird do give citizens options that did not exist a few years ago. Not everyone has the possibility to drive everywhere, public transit options are not always great and ride-share services don't always make financial sense for people. It's important to look at how people are supposed to manage given the current public health context. Thank you for your attention.

Communication from Public

Name: Brian Crumpley
Date Submitted: 08/03/2020 08:30 PM
Council File No: 17-1125

Comments for Public Posting: The future of our cities is dependent upon our ability to shed automobile dependency. Car companies during COVID have deliberately altered the size of their vehicles (even during the pandemic) and is making it a focus to sell larger vehicles as the margins are much better. Add to the mix our extremely dangerous streets that have been intentionally designed to prioritize cars over other modes that result in our own citizens being killed for simply walking or standing on a corner or sitting at a bus stop. Finally, and I say this as someone that lives close to the freeways, the amount of joy and serenity that I and my neighbors have found from the reduced car traffic and calmer streets has been the only silver lining to this pandemic. Ive never seen so many people out walking around, kids on bicycles, teenagers playing catch, its like a real, livable city. For Los Angeles to fight against solutions to the aforementioned problems, including Scooters is a dreadful idea. We need safer streets, calmer neighborhoods and this takes serious action, no more playing around at the margins. Invest in bike lanes. Make our infrastructure pedestrian friendly. Allow for micro-mobility options to have street space. Stop being incrementalist. Serious times call for serious actions and I urge you to do something now before its too late.