

Administrative Regulations
for Shareable Powered Micromobility Vehicle Permit Holders

Effective for all Permits issued on or after July 1, 2021

I. Introduction and Interpretation

- a. Purpose. The purpose of the Administrative Regulations is to provide a set of rules and regulations to be adhered to by all Shareable Powered Micromobility Vehicle Permit holders per City of Knoxville Code of Ordinances (“City Code”) Sec. 16-701, *et seq.* These regulations are designed to provide the flexibility needed to respond and quickly adapt to the changing mobility environment.
- b. Subject to Amendment or Revocation. These regulations are subject to amendment as the City of Knoxville works with the Operators to make data-driven decisions prioritizing public safety and accessibility. A key to the success of the Shareable Powered Micromobility Vehicle Permit is an open dialogue between the City of Knoxville and Operators in which Operators are responsive to any concerns that may arise relating to public safety and accessibility of the public-right-way.
- c. Guiding Principles. The Guiding Principles of the Shareable Powered Micromobility Vehicle program will be posted online.
- d. Interpretation. These Administrative Guidelines are meant to supplement the Code. In the event of any conflicts between these Administrative Regulations and the City Code, the City Code shall be controlling. The permit manager shall resolve any other interpretation issues.

II. Definitions

- a. The definitions in the City Code at Sec. 16-701 *et seq.* are incorporated by reference. The definitions provided below are for convenience and ease of reference.
- b. *Device* shall mean any permitted transportation device defined as a *Shareable Powered Micromobility Vehicle (“PMV”)* in City Code Section 16-701, *et seq.*
- c. *Operator* shall mean any person or business meeting the definition of *Dockless PMV System Operator* as established in City Code Section 16-701, *et seq.*
- d. *Permit* and *Permitting* shall refer to the *Shareable PMV Permit* as defined in City Code Section 16-701, *et seq.*
- e. *Permit Manager* means the person designated by the city in the administrative regulations to manage all shareable PMV operating permits in the City of Knoxville and to perform all other duties assigned in the Administrative Regulations.

III. Shareable Powered Micromobility Vehicle Permit

- a. Operating Permits. Two operating permits will be issued by the City business license and tax office. Limited numbers of permits are necessary due to the limited right-of-way in the city, Knoxville’s unique diversity and land use patterns, the presence of multiple universities and colleges, and the ability of operators and the City to manage the program. The limited number will be two (2) permits issued.
 - i. Application Process

1. Permit Applications and the Scoring Criteria will be posted online. Interested Operators must submit an application to the City business license and tax office. Completed applications will be reviewed to determine if they meet all permit qualifications. All qualified applicants will be scored by the Application Review Panel according to the scoring criteria posted online with the permit application.
 2. The cost to apply for a permit is five hundred dollars (\$500).
 3. Awarding of Operating Permits will be at the discretion of the City business license and tax office and the permit manager based on alignment with guiding principles and overall application score. The operators with the highest scoring applications will be selected to receive the available operating permit(s).
 4. Operating permits will only be awarded to one member of a subsidiary family or franchising collaborative.
 5. Application Submission Period. The Operating Permit Application Schedule will be noted in the application which is posted online.
- ii. Awarded Operators. After notification of any permit awards, selected operators must provide the following before a valid permit may be issued.
1. Bond.
 - a. A five thousand dollar (\$5,000) bond, per the form posted online, is required to be paid before any shareable PMVs may be deployed or staged in the Knoxville city limits.
 - b. Bond Fund Deductions. The permit manager shall provide written notice to Operator prior to making a deduction from any bonds stating the reasons for and the amount of the deduction and advising the Operator that any objection must be submitted, in writing to the permit manager, no later than seven (7) business days after the date of the written notice. Any decision adverse to the Operator shall be in writing and shall set forth the reasons for denying the objection and shall be sent to the Operator three (3) days before a deduction is made. The permit manager shall make final decisions regarding any pending deductions.
 2. Insurance and Indemnification. Each permitted operator must comply with the requirements in Exhibit 1, "Insurance Requirements for Permitted Operators" and must agree to the indemnification in Exhibit 2, "Indemnification."
 3. Permit Fee, as provided herein.
 4. Official relinquishment of any previous shareable PMV system permits held in the City of Knoxville.
- iii. Permit Denials. Where the City business license and tax office denies an application for a permit or issues a permit with modifications, the City business license and tax office shall issue a notice of denial to the applicant by

email, which shall include a statement of the grounds for denial, or a notice of a permit granted with modifications, which shall include the grounds for the modification.

- iv. Operating Permit Fee. Operators must pay all permit fees prior to the issuance of a valid permit. The City will not refund any fees for Devices that are required to be removed from deployment. The Permit costs include the following.
 1. An application fee of \$100.
 2. A shareable PMV permit fee of \$12,000 for up to 300 shareable PMVs.
 3. An additional \$50 for each additional shareable PMV over the standard 300 device limit, if such an increase is approved by the City per the Code.
 - v. Changes to Permit Assumptions. Operators will be responsible for informing the City within 48 hours of any operational changes or technology modifications that may differ from what was presented as part of the Permit Application. This includes changes to new fleet models, fleet specification or logo modifications, changes to software technology that affect compliance, pricing or incentive structures, service area, membership options, critical staff additions or losses, changes to insurance, and other changes.
 - vi. Launch Deadline. Operators that have not launched the minimum fleet size by the deadline may have their operating permits suspended or revoked.
- b. Sub-Permit. The Permit Manager may establish Sub-Permits to expand Operators fleet sizes for a specific number of devices, device types, and time period. This will allow the City to monitor public safety while also allowing Operators to increase the size of their fleets over time to meet demand. The Permit Manager will heavily consider market needs, overall utilization rates, overall performance and regulatory compliance, capacity of the right-of-way, and other factors in establishing any Sub-Permits. Prior to any Sub-Permit expiration, the Chief Policy Officer may establish any subsequent sub-permits as appropriate. Permit holders are responsible for removing any temporarily permitted Devices from the City's ROW prior to the expiration of any sub-permits.
- i. Application for a Sub-Permit. Upon administrative declaration by the City's Chief Policy Officer, applications for sub-permits shall become available and shall be approved or denied by the City business license and tax office. When available, the sub-permit Application and process will be posted online, and all permit holders will be notified directly and instructed on how to apply. Review and approval of sub-permit pay deploy their fleet based on sub-permit specifications.
 - ii. Sub-Permit Fee
 1. Per Device fees for any Devices permitted through a Sub-Permit will be set at a proportionate rate the time of sub-permit based on permit rate.

2. Fees must be paid in full prior to the issuance of the Sub-Permit for additional devices.
3. The City will not refund any fees for Devices that are required to be removed from deployment.

IV. Device and Mobile Application Standards

- a. All devices shall comply with all applicable state law and design standards described in the Code of Federal Regulations and by the International Organization for Standardization.
- b. [All scooters must meet the SAE J3194 classifications of WT1, SP2, and E; Electric bicycles and seated scooters deployed under this permit shall meet the SAE J3194 classifications of WT2, WD2, SP2, and E).]
- c. All PMVs must comply with the “Equipment and Vehicle Maintenance” provisions in the NACTO Guidelines for Regulating Shared Micromobility, available online at https://nacto.org/wp-content/uploads/2019/09/NACTO_Shared_Micromobility_Guidelines_Web.pdf.
- d. [Motor-driven speed. All motor driven devices must be equipped with a device that ensure the motor of a Device is incapable of propelling the vehicle at a motor driven speed in excess of the mandated speed limit set by the City of Knoxville. Motor driven speeds must be able to be limited to comply with any reduced speed zones or no riding areas designated by the City of Knoxville. All devices must be capped at 20 miles per hour (mph).
- e. Geo-fencing. All PMVs must be equipped with GPS technology that allows the Operator to apply specialized rules created by Administrative Zones to specific geographies (e.g. reduced speed zones, no parking areas, no riding areas).
- f. Operators shall ensure that all permitted devices are painted the same color, such color to be chosen by the operator and approved by the City and shall have all of its devices marked with a uniform logo or insignia. Operators shall submit as part of the Permit application a company logo and identification scheme. The City shall approve such logos and identification scheme which are not the same or substantially similar to any other permitted Operator’s logo and identification scheme.
- g. [Signage]
 - i. All Devices shall have vendor contact information, including phone number and email address, and have a unique identifier affixed to the shareable PMV per City Code, Section 16-701 *et seq.* Contact information shall be printed in an easy to read font no less than one-quarter inch in height per line of text and shall be located as near as possible to the top of the stem near the handlebars.
 - ii. The City of Knoxville requires Operators to include visible signage on Devices to inform users and non-users of the City regulation that devices may not be ridden on sidewalks. Information shall be printed in an easy to read font no less than one-inch (1”) height per line of text.
 - iii. The City of Knoxville encourages Operators to include visible signage on Devices to inform users and non-users of parking and riding regulations. This could include clearly stating the following:

1. Follow traffic safety rules
2. Park responsibly
- iv. Operators must work with the City to display temporary or semi-permanent messaging on their Devices as developed and requested by the City to provide standardized City issued information to users. Operators will fabricate and display any City issued messaging at their own expense.
- h. In-App Messaging. Operators must work with the permit manager to display temporary messaging through their mobile application as developed and requested by the City.

V. Operation Standards

- a. Operational Fleet Size. Operators shall maintain a maximum fleet size of 300 devices.
- b. Operators shall maintain staffing and operational commitments made in the application.
 - i. Staffing. Permitted operators shall provide sufficient local staff to manage the Knoxville program and fleet. The City will review job descriptions and determine alignment with the following:
 1. Operator provides sufficient staffing levels to proactively manage safety and organization of the public right of way.
 2. Operator provides sufficient management level staff to administrate a successful local program. Management-level staff should be located in the Knoxville metro region.
 3. Operators are encouraged to work with local employment agencies to fulfill staffing needs and to staff their ROW management teams with non-contract labor as practicable.
- c. Maintenance. Operators must monitor and maintain Devices in their fleet to ensure all Devices are in good condition. Any Device determined to be inoperable for any reason, including low battery, must be taken out of service immediately and removed from the public right-of-way as soon as possible.
- d. Staging Requirements
 - i. Within the In-Street Parking Zones and outside of operating hours, permitted operators must either rebalance and stage shareable PMVs in the City designated spaces only or move the device outside of the In-Street Parking Zone.
 1. In designated parking spaces, each permitted operator may deploy devices in one of the following combinations: (1) five standing scooters, (2) two seated scooters or e-bikes, or (3) one seated scooter plus either two standing scooters or two e-bikes.
 2. Permitted operators must monitor and rebalance devices to ensure they do not exceed the allowed number of devices and to ensure compliance with all applicable ordinances, laws, and these regulations.
 - ii. Within any zone and during operating hours, shareable PMVs which are parked improperly must be relocated to and staged in any proper parking area.

- iii. The permit manager will monitor compliance, safety concerns, capacity, and other concerns. The permit manager will increase or decrease the number of devices allowed per operator, modify the In-Street Parking Zone as needed, and notify the permitted operators of any such changes. Permitted operators must comply with such changes within 24 hours, or sooner in the case of emergency circumstances.

VI. Administrative Zones

- a. Zones. The Permit manager retains the right to designate areas as specific zone types, either on a permanent or temporary basis.
 - i. Any proposed zones will be reviewed and approved by the City.
 - ii. Zone boundaries may be accomplished through signage, painting, the use of geofencing, or any other appropriate means.
 - iii. The location and nature of zones will be based on City goals for the shareable PMV program, availability of right-of-way, parking supply/demand, special events, safety concerns, available resources, and other measures.
- b. Establishment of Zones. Any established zones will be communicated to permitted operators and posted online at least 5 days prior to taking effect. Mapped zones will be posted online, and a geographic file will be provided directly to permitted operators.
- c. Zone Types
 - i. No Ride Zones. No device may operate inside a no-ride zone.
 - ii. Reduced Speed Zone. Devices inside a Reduced Speed Zone must alter their maximum allowable speed via GPS to the speed designated by the City.
 - 1. All City greenways will be designated as reduced speed zones, with the speed limit set to 15mph.
 - iii. Equity Zone. The Permit manager has established Equity Zones within the City to ensure Devices are distributed to geographic areas determined to include higher concentrations of communities potentially subject to equity and environmental justice issues.
 - iv. Parking Zones. Parking Zones may be required to organize high demand areas or prevent parking in inappropriate locations. Parking Zone Types include:
 - 1. In-Street Parking Zones. The City may establish in-street parking spaces designated specifically for the parking of shareable PMVs. The In-Street Parking Zone is available at:
<https://www.google.com/maps/d/u/0/edit?hl=en&mid=1A80ciAf27L7WjUBp3kQLmVNCbZJwJF2X&ll=35.96697711281331%2C-83.92600273963525&z=14>
 - 2. No-Parking Zones. Neither permitted operators nor users may deploy or restage devices, park a device, or end a trip in the No-Parking Zone.
 - a. All City greenway multi-use paths will be designated as no-parking zones.
- d. Semi-Permanent or Permanent Administrative Zones in Effect

i. No Ride Zones

1. There is a City-wide No Ride Zone from 7:00 AM– 11:00 PM daily that is in effect until further notice. No Permitted Device shall be rentable during this time period. During this time period every day, permitted operators must rebalance the shareable PMVs.
2. There is also a City-wide No Ride Zone from 11pm Friday to 7am Sunday on all home University of Tennessee football games.

ii. Equity Zones

VII. Community Engagement and Responsiveness

- a. Operators must work to continuously improve customer service programs and public education around rules and regulations.
 - i. Customer Service. The customer service program for each permitted operator must be highly responsive and adhere to response times states in responsiveness table (pg.10). The vendor contact information posted on each device must be monitored 24 hours a day, 7 days per week and all requests and responses must be documented. Documentation shall include the nature of the complaint including description, time of day, and address or coordinates, as well as a description and time of the resolution.
 - ii. User Education. Operators must develop a user education program that informs users of the rules and regulations around parking and riding devices. Operators should provide creative and effective education outreach programs. These programs will need to evolve over time to focus on problematic behavior and specific compliance issues. Educational programming shall include in-app/in-email education as well as non-app/non-email education outreach.
- b. User Survey. The City may develop an optional user-survey for permitted operators to distribute to their users and report the results to the City. Participating in the administration of such a survey will be voluntary on the part of permitted operators.

VIII. Data Sharing and Reporting

- a. Generally. Permitted operators must work with the City to provide accurate data for enforcement and planning purposes. Permitted operators will submit MDS and General Bikeshare Feed Specification (GBFS) feeds to the City permit manager and the City's chosen data validation and implementation provider.
- b. Data Sharing Agreements. Permitted operators shall be required to sign a Data Sharing Agreement with the City and/or with data validation providers as required by the City permit manager.
- c. Data Specification. Operators shall be required to provide the City or its designee with accurate, privatized, and real-time data on its entire city fleet through documented Application Programming Interfaces (APIs) built to MDS, GBFS, or similar standards. Data specifications will be communicated directly to permitted operators.
- d. Monthly Permit and Marketing Reporting. A monthly data report will allow the City to compare summary statistics across permitted operators over time and provide the

City with a qualitative summary of how each permitted operator is working to ensure safe operations.

- i. The Monthly Permit Report Template will be provided to all permitted operators and posted on the website. This template shall be filled out completely and returned to the City by the 15th of each subsequent month.

The report must include:

1. Operations Report
 - a. Monthly Permit Recertification. A summary of operational changes or technology modifications that may differ from what was presented as part of the Permit Application. This includes changes to new fleet models, fleet specifications or logo modifications, changes to software technology that affect compliance, pricing or incentive structure, service area, membership options, critical staff additions or losses, changes to insurance, and other changes.
 - b. A summary of new technological strategies (implemented or under development) to improve safety and general compliance with the ordinance and regulations.
 - c. A summary of other efforts in Knoxville and across the country to improve safety.
2. User Education and Communication. A list of activities to improve education around riding and parking shareable PMVs (e.g., outreach events, in-app modifications, or other strategies).
 - a. Description of each activity.
 - b. Estimated number of people reached.
 - c. Equity Programming? [Y/N]
 - i. If yes, describe qualification.
3. Ridership Report (broken down by device type)
 - a. Total trips per day
 - b. Number of shareable PMVs deployed per day
 - c. Average trip duration (in minutes) per day
 - d. Average trip distance (in miles) per day
 - e. Average trip distance per day
 - f. Daily deployment locations given by heatmap or similar format
 - g. Unique users
4. Equity Report (broken down by device type)
 - a. Number of unique users registered for Equity Program
 - b. Number of Trips Taken Using Equity Program
 - c. Number of devices deployed per day per zone
5. Safety Report – for each incident reported to the permitted operator
 - a. Date Incident Occurred
 - b. Description
 - c. Device Type (Scooter/Bike/Other)

- d. Incident Type (Fall/Crash/Other)
 - e. Injury (y/n)
 - f. Fatality (y/n)
 - g. Customer Report Time
 - h. Time of Report Resolution
 - i. Description of Company Resolution
6. Parking Report – for each parking complaint reported to the permitted operator
- a. Coordinates or address of Reported Device
 - b. Description
 - c. Property Type (Public/Private)
 - d. Device Type (Scooter/Bike/Other)
 - e. Customer Report Time
 - f. Company Resolution Time
 - g. Description of Company Resolution
7. Maintenance Report
- a. Number of Customer Service Reports
 - b. Average Time (in minutes) until device is removed from public right-of-way
- ii. Upon request, permitted operators shall provide additional data identified by the City permit manager to verify compliance with City regulations, to protect the health and welfare of the community, or for any other purpose.

IX. Partnership

- a. The success of the partnership between permitted operators and the City will require the permitted operators to proactively engage with City staff to resolve issues, develop solutions, and improve compliance.
- b. Permitted operators will be required to provide contact information for the general manager of the Knoxville fleet. This person shall be available to City staff during normal business hours and shall promptly respond to inquiries and requests. Both the City and the permitted operator shall make themselves available as requested for in-person meetings.
- c. Special Events. Permitted operators must cooperate with the City, the Knoxville Police Department, Mayor’s Office of Special Events, Department of Parks and Recreation, the Department of Public Works, the Department of Engineering, the Department of Sustainability, the Downtown Coordinator, and any other relevant entity to ensure public safety during special events, construction, or emergency conditions. Cooperation to ensure public safety may include removing Devices from a specific area, prohibiting riding and/or parking in certain areas, or establishing unique zones as set forth in Section VI of the Administrative Regulations. Permitted operators may be invited to participate in special event planning and must be prepared to submit temporary operation plans to the City for special events as requested.
- d. Permitted operators shall notify the permit manager within 24 hours if any issues arise which could affect public safety. This includes but is not limited to reports of

criminal activity involving PMVs, reports on any data hacking, or any systemic defects in hardware or software.

- e. Permitted operators shall provide the City with an account for their smart phone application within 1 week of receiving a valid permit. This account shall allow Department of Transportation staff, the Permit Manager, Operations staff, and Sustainability employees to unlock and rent, without being charged a fee, any shareable PMV for the purpose of education, routine vehicle inspections, or vehicle repositioning.
- f. City Partner Agreements. Permitted operators must cooperate with the City and City-approved partners (i.e. Knoxville Area Transit, the Public Building Authority, and Visit Knoxville) to enter into any partnership agreements or otherwise comply with operational rules or regulations. Partnership agreements will be reviewed for appropriateness and reasonableness by the City, and permitted operators shall receive, upon request to the City, a copy of such partnership agreements.

X. Enforcement

- a. Documenting Violations and Safety Concerns.
 - i. Permit Manager Audits. The permit manager may conduct audits of compliance with regulations and document any violations or safety concerns.
 - ii. Partner Reports. City departments or partners enacting Administrative Zones with special rules for permitted devices may document violations of regulations or safety concerns and submit to the City and permitted operators.
 - iii. Reporting from the Public. The community may report any devices in violation of regulations or safety concerns to the contacting the permitted operator using the contact information in Article IV(g) of these rules.
- b. Responding to Documentation. Permitted operators must respond to documentation of violations or safety concerns received through any channel listed above. Response must be within the specified timeframe and include all items listed below in Exhibit 3, “Responsiveness and Administrative Fines.” Non-responsiveness shall mean that either no response was received, response requirements were not met, or the response showed that violation or concern was not addressed with the response period.

Responsiveness and Administrative Fines

	Administrator Partner & 311 Reports	Administrator Corrections	Administrator Audit	Major Violations
Description	Any report received from Administrator Partners	Violation is blocking access [1] and administrator can relocate [2]	Violation is not blocking access. [1] Or Violation is blocking	<ul style="list-style-type: none"> • Compliance violations [3] • Fleet safety concerns including but not limited to malfunctioning hardware or software

			access but cannot be corrected by administrator [2].	<ul style="list-style-type: none"> Other systematic or large-scale safety concern
Response Period	Company has 2 hours to respond	None	Company has 2 hours to respond	1 hour for vendor response to administrator information request. 48 hours for solution unless otherwise contacted.
Response Requirements	Photo documentation and time stamp of issue resolution.	Photo documentation and time stamp of issue resolution	Photo documentation and time stamp of issue resolution	Documentation of issue and subsequent resolution w/timestamp
Fines	\$5 for each separate offense of non-responsiveness	\$10 for each separate correction	\$100 for each documented violation And \$100 for each separate offense of non-responsiveness	\$250 for each separate violation And Up to \$500 per day for each separate offense of non-responsiveness
Other possible administrative action	<ul style="list-style-type: none"> Immediate suspension of operations Reduction in any fleet sizes authorized in Sub-Permits Revocation or suspension of Sub-Permits and/or Annual Permit 			
<p>[1] Access is defined at the discretion of the Administrator and shall include but is not limited to access to doorways, crosswalks, sidewalk with 5 feet of clearance, bus stops, and driveways.</p> <p>[2] Devices will be determined to be relocatable if there is a legal parking option nearby as deemed by City employees.</p> <p>[3] Including but not limited to: violations in meeting data reporting deadlines, data reporting accuracy, digital programming (i.e. fleet violating speed limit or Administrative Zone), deploying devices over maximum fleet cap or under minimum fleet requirements, or unreported changes to permit assumptions.</p>				

- c. Administrative Fines. If a documented violation or safety concern receives no response within the response period or the response shows that the violation was not addressed within the response period, the permitted operator may be subject to administrative fine, citation, or a reduction in the number of permitted devices. Extensive non-responsiveness may result in the suspension or revocation of any sub-permits or permits. Failure to pay fines by the due date on an invoice may result in a

reduction of any sub-permit fleet size or suspension or revocation of the permit. Unpaid fines may be deducted from any issued Performance Bond upon notice from the City. This section is not intended to limit the City's available remedies.

XI. Device Removal

- a. In the event that an operating permit is revoked, or an permitted operator is no longer willing or able to operate within the City, the operator must immediately surrender its permit(s) to the City and remove all shareable PMVs from the public right-of-way and private property immediately. The City will not refund any fees for Devices that are removed by the City of Knoxville. Operator must continue to provide data for any days they are in operation and until all devices are removed from the City's right of way.