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## SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

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### MEMORANDUM

**TO:** Board of Directors **DATE:** May 23, 2018  
**FROM:** Carl Holmes  
**SUBJECT:** Regulating Dockless Shared Personal Mobility Devices at BART Stations

The purpose of this memo is to brief BART Board members on efforts to accommodate and regulate dockless shared bicycles and other shared personal mobility devices, such as shared electric scooters, on BART property. Shared “dockless devices” are an emerging service with opportunities and new issues arising almost daily.

Unlike the Ford GoBike dock-based bike sharing system, dockless devices allow users to end their rides and park anywhere they like. There are multiple companies in the Bay Area market and they are quickly expanding beyond traditional bicycles to electric assist bicycles, electric scooters and likely other mobility devices in the near future.

#### DISCUSSION

In 2016, the Board adopted Station Access Policy and Station Access Performance Targets that provide direction to staff to encourage/support active access modes. Although the range of service continues to evolve, for the moment staff is considering the shared mobility devices described here as active access modes.

As an additional point of reference, BART has experience with policies and regulations for similar personal mobility technologies (though these were not shared devices). With the introduction of the Segway Personal Transporter a decade ago, the BART Board adopted an Electronic Personal Assistive Mobility Device (EPAMD) Policy in August 2008. The EPAMD policy was generally focused on regulating use on vertical circulation elements and concourses.

The new shared mobility services can both benefit BART riders, and present challenges for safe, orderly operation on BART property. On the benefit side, these mobility services can provide:

- flexible, affordable first and last mile solutions for riders
- active access opportunities to improve public health
- a broader distribution than dock-based systems which have a much higher capital cost and therefore are less feasible outside denser urban areas
- an alternative to bringing a bike on a train
- an alternative to parking a personal bike at a station—addressing concerns of theft and the need for BART to provide secure parking



Potential challenges may include:

- safety issues if parked improperly (e.g. tripping hazard)
- blocking accessible paths of travel or other pedestrian movement areas
- evidence of appropriate insurance coverage
- visual “clutter” if dockless devices fall over, end up in landscaping or broken devices are not removed
- an additional burden on station-level operations staff to monitor for compliance and request remedy from operator
- depending on dockless revenue model, compliance with BART advertising policies and advertising contract

The intent moving forward is to allow BART riders to take advantage of these new and evolving access options and to regulate them in a way which ensures they are operated in an orderly, safe manner on BART property.

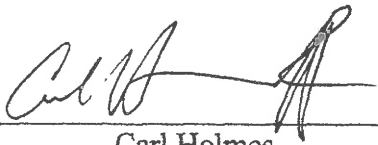
#### PROPOSED PROPERTY USE AND OPERATING AGREEMENT

Each operator who wishes to park their shared bikes or scooters at BART stations will need to enter into a property use and operating agreement. Because there are limited precedents on which to base these agreements and because of the evolving nature of these services, staff is recommending that initial agreements are set-up as six-month pilots. The agreement is designed to be cost neutral so that any capital or operating expense is covered by the operator. The proposed agreements will include the following:

- each company must be permitted to operate on the local jurisdiction’s public right-of-way within the city where participating BART stations are located or an immediately adjacent jurisdiction (on a case by case basis) before BART will permit operation.
- creation of designated parking areas at each station. Each parking area will be approved by BART, demarcated in a clear manner and include racks to help hold bikes upright. Users will be required to park in these designated areas.
- require proof of insurance as defined by BART’s Risk Manager.
- define a remedy protocol to correct improperly parked or abandoned bikes including specified response times (e.g. within two hours between 6am and 6pm weekdays and within 10 hours all other times).
- a prohibition on advertising of any kind other than the operating company’s name/logo
- sharing of data on usage of bikes at BART stations to guide regulation and evaluate effectiveness.

Please contact me at (510) 464-7592 should you have any questions or comments.





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Carl Holmes

cc: Board Appointed Officers  
Deputy General Manager  
Executive Staff

