

TLC Regulations for Shared Urban Mobility Devices

Section 010 – Definitions

The following words and phrases shall have the meanings set forth below, unless the context clearly requires otherwise:

“Business District”, as defined in Tenn. Code Ann. §55-8-101(9), means the territory contiguous to and including a highway when, within any six hundred feet (600') along the highway, there are buildings in use for business or industrial purposes, including, but not limited to, hotels, banks, or office buildings, railroad stations and public buildings that occupy at least three hundred feet (300') of frontage on one (1) side or three hundred feet (300') collectively on both sides of the highway.

“Shared Urban Mobility Device (SUMD) system” or “System” means a system which provides urban mobility devices for short-term rentals for point-to-point trips. Such a System can be a Lock-to SUMD System or a dockless SUMD system.

“Lock-to Shared Urban Mobility Device (SUMD) system” means a system which provides SUMDs for short-term rentals for point-to-point trips which must be locked or secured to a stationary object. A SUMD that is not lock-to would be dockless.

“Operator” means a corporation, firm, joint venture, limited liability company, partnership, person, or other organized entity that operates a SUMD system, whether for profit or not for profit.

“Powered” means electric or motorized; in the case of a UMD, it also means any other technology that allows the UMD to be self-propelled.

“Urban Mobility Device (UMD)” means bicycles, tricycles, scooters, hoverboards, skateboards, pedal cars, and other similar devices, whether they are powered or nonpowered. A UMD does not include devices used as assistive mobility devices by persons with disabilities.

“User” means a person who rents and uses a UMD from an operator.

Section 020 – Existing Certificate Holders’ Permits

Permits previously granted pursuant to the provisions of Chapter 12.62 of the Metropolitan Code of Laws (“Prior Chapter 12.62”) as that Chapter existed prior to the passage of Substitute Ordinance BL2019-1658 (the “Substitute Ordinance”) were terminated by the passage of the Substitute Ordinance and replaced by temporary permits such that each certificate holder was allowed to have a fleet size equivalent to 50% of the fleet size for which they had permits prior to the passage of the Substitute Ordinance. With regard to these temporary permits, each existing certificate holder:

1. Continues to be bound by all representations, plans and commitments made in the Certificate of Public Convenience and Necessity Application they filed with the MTLA under the provisions of Prior Chapter 12.62, including but not limited to:
 - a. Images and description of SUMDs and mobile application;
 - b. Service area at launch, including any planned expansions during the pilot period;
 - c. A written plan for educating users on proper SUMD operation and parking;

- d. A written plan for providing equitable access in neighborhoods and to communities and users that are underserved by mobility and transportation options, as described in section 090, below.
 - e. The indemnification signed pursuant to Section 030.E., below.
2. The Certificate Holder must continue to maintain a Certificate of Insurance, compliant with the provisions of Sec. 030.D., below.
 3. The Certificate Holder must execute a new bond agreement compliant with the provisions of Sec. 050.E., below.
 4. The Certificate Holder must continue to make available to Metro five (5) account logins to allow Metropolitan Government staff to login to the operator's system as if they were a User, for oversight.
 5. A certificate shall not be transferred or sold unless approved by the MTLC.
 6. Operators must comply with any and all ordinances, regulations or policies that were duly and lawfully adopted by the Metropolitan Government after a permit was approved.

Section 025 – Application for Permits through RFP Process

Pursuant to the Substitute Ordinance, the MTLC shall pursue a competitive Request for Proposals ("RFP") process, and no new certificates of public convenience and necessity, expansions of the fleet of permitted SUMDs a certificate holder is permitted to have, or renewals of existing certificates or permits shall be granted except through this RFP process. All such RFP proposers must comply with all terms of the RFP in order to be eligible to receive certificates or permits. Through this RFP process, up to three applicants shall be selected to receive certificates of public convenience and necessity to operate SUMD systems. Once the RFP award is final, all temporary permits granted by the Substitute Ordinance shall terminate.

Section 030 – Safety Regulations

- A. To be eligible for a permit, the following standards must be met:
 1. All bicycles used by operators issued a permit under this chapter shall meet the standards set forth in the Code of Federal Regulations (CFR) under Title 16, Chapter II, Subchapter C, Part 1512 – Regulations for Bicycles and ISO 43.150 – Cycles, subsection 4210. All bicycles shall meet the requirements for lights during hours of darkness described in Tennessee Code Annotated § 55-8-177. This includes a front light that emits white light and a rear red reflector.
 2. All electric bicycles used by operators issued a permit under this chapter shall meet the standards set forth for bicycles, including a front light that emits white light and a rear red reflector, and shall meet the National Highway Traffic Safety Administration definition of low-speed electric bicycle. Each electric bicycle must have fully operable pedals, two (2) or three (3) wheels, any of which is twenty inches (20") or more in diameter, an electric motor of less than 750 watts, and a top motor-powered speed of less than 20 miles per hour when operated by a rider weighing 170 pounds. An electric bicycle must meet the standards set forth in Tennessee Code Annotated Title 55, Chapter 8, Part 3. If it is determined that any battery or motor on an electric bicycle is unsafe for public use, the Metropolitan Government reserves the right to terminate the permit issued under this pilot program.
 3. All electric scooters used by operators issued a permit under this chapter shall meet the standards set forth for electric bicycles, including a front light that emits white light and a

rear red reflector, except an electric scooter need not have fully operable pedals nor wheels of twenty inches (20") or more in diameter. An electric scooter shall have a foot board for the user to stand upon and no seat. Each scooter shall have a top motor-powered speed of less than 15 miles per hour when operated by a rider weighing 170 pounds. If it is determined that any battery or motor on a scooter is unsafe for public use, the Metropolitan Government reserves the right to terminate the permit issued under this pilot program.

4. The MTLC is authorized to adopt safety standards to address other types of UMD's, including but not limited to (non-electric) types of powered UMD's, if it chooses to allow them.
- B. All operators permitted pursuant to this program shall provide a mechanism for users to notify the operator of any safety or maintenance issues with the SUMDs.
- C. All operators shall affix to any SUMD visible language that notifies the user:
1. A SUMD shall not be operated upon a sidewalk within a business district.
 2. Whenever operating a SUMD upon a sidewalk, the user shall yield to any pedestrian and shall give a signal audible to such pedestrian before overtaking and passing him or her.
 3. Helmet use is encouraged while riding.
 4. When riding on a street, users must follow the rules of the road as one would in a motor vehicle.
 5. All operators must provide a 24-hour customer service phone number for users and the general public to report safety concerns, complaints or ask questions.
 6. Each SUMD must be labeled with a unique identifier which must be of a size and placed in such a way that the SUMD can be easily identified by a passer-by.
- D. All permitted operators shall have a minimum of one million dollars (\$1,000,000) in automobile insurance and two million dollars (\$2,000,000) per occurrence in commercial general liability insurance. The Certificate Holder's Insurance shall be primary for any liability arising out of its User's use of that Certificate Holder's SUMD.
- E. Prior to a certificate of public convenience and necessity being issued, all certificate holders shall sign and record with the MTLC an indemnification agreement (in a form approved by the Metropolitan Department of Law) in which the certificate holder agrees to indemnify and hold harmless the Metropolitan Government of Nashville and Davidson County. The certificate holder shall further include in its agreements with its users a term that its users must agree to as prerequisite to the use of the SUMD: that the user fully releases and waives all liability of the Metropolitan Government for any injury or harm the user experiences arising from the user's use of the certificate holder's SUMD.
- F. Permitted operators shall agree that the Metropolitan Government is not responsible for educating users on how to ride or operate a SUMDs.
- G. Permitted operators shall inform and regularly educate all users regarding all laws and regulations applicable to riding, operating and parking a SUMD and instruct users to comply with these laws and regulations.
- H. All SUMDs shall include on-board GPS to ensure an operator's ability to locate and retrieve them as needed.
- I. Operators shall ensure that on a regular basis all SUMDs are inspected, maintained, and replaced as necessary.
- J. All certificate holders are required to submit monthly reports to the MTLC certifying under oath their compliance with all of the requirements of the Substitute Ordinance and these Regulations. The MTLC staff, at their discretion, shall have the right to inspect all SUMDs and

records of the operator in order to verify the accuracy of such certifications. Any false certifications shall result in the revocation of the certificate holder's certificate of public convenience and necessity, after notice and a hearing regarding same before the MTLC.

K. Operators shall be capable of remotely disabling the use of a SUMD should it be reported or found to have a safety, maintenance or other hazardous condition.

L. Operators should employ 2 full time employees per 100 SUMD's in their fleet. The primary responsibility of these employees shall be to rebalance fleets to address clustering, sidewalk blockage issues, respond to private property owner complaints, and ensure maximum effective utilization of Metro-provided SUMD corrals and overall fleet safety and reliability.

M. Reasonable helmet promotional activities and increased education activity shall be conducted by all permitted operators and the same shall be reported to the MTLC on a quarterly basis and to the Metropolitan Council annually.

Section 040 – Parking and Use of Shared Urban Mobility Devices

A. Operators shall inform users on how and where to properly use and park a SUMD.

B. Permits issued pursuant to this chapter are valid only for operations within the public right-of-way within the jurisdiction of Metro. Additional zones may be established for other locations upon coordination with the appropriate department, agency, and/or property owner.

C. Any SUMD parked in any one location for more than two (2) consecutive days without moving may be removed by the department of public works and taken to a facility designated by the department for storage at the expense of the operator. Any SUMD causing any kind of ADA violation, including but not limited to impeding the accessibility of the pedestrian path of travel, access to a disabled parking space, entrance to a building, or access to a curb ramp, may be so removed by Metro immediately upon observing the violation without notice to the operator. The department of public works shall invoice the operator for the cost of this removal and storage. Any SUMD shall be upright when parked.

D. SUMDs shall not be parked in such a manner as to impede the right-of-way or impede access to the right-of-way, consistent with the following:

1. SUMDs shall be parked in the frontage zone as defined in the Major and Collector Street Plan (MCSP), or in the hard surfaces of a furnishing zone (e.g., concrete or asphalt surface; never in a planted area) as defined by the adopted standards of the metropolitan government, or at a bicycle rack owned or operated by the metropolitan government. Operators shall inform customers on how to park SUMDs properly, following the requirements for parking of bicycles outlined in Section 12.60.140.
2. Restrictions to eligible SUMD parking zones on sidewalks:
 - a. SUMDs shall not be parked on blocks where the frontage/furnishing zone is less than three feet wide, or where there is no frontage/furnishing zone. In other words, SUMDs shall not be parked on sidewalks less than 8 feet wide.
 - b. On blocks without sidewalks, SUMDs may be parked if the travel lane(s) and six-foot pedestrian clear zone are not impeded.
 - c. Metro, through the MTLC, shall determine certain block faces or areas where free-floating SUMD parking is prohibited. Geo-fenced areas may be used to designate where SUMD parking is or is not allowed; such areas shall include but not be limited to: the areas shown on the map at the following link:
<https://www.nashville.gov/Portals/0/SiteContent/TLC/docs/SUMD-RestrictedParkingMapDowntown.pdf>.

- d. The determinations made by the MTLC re where parking is prohibited shall be made available as a map on the Metropolitan Government's website and the Metro Open Data Portal. Permitted operators shall clearly and conspicuously inform users about these block faces or areas where SUMD parking is not allowed, including in their mobile applications. It is encouraged, but not required, that wherever free-floating SUMD parking is prohibited that dedicated and preferred SUMD parking areas be available on public or private property within a reasonable distance.
- e. SUMDs shall not be parked in the frontage/furnishing zone adjacent to or within:
 - i. Parklets;
 - ii. Transit zones, including bus stops, shelters, passenger waiting areas and bus layover and staging zones, except at existing bicycle racks;
 - iii. B-Cycle stations;
 - iv. Loading zones;
 - v. Disabled parking zone;
 - vi. Street furniture that requires pedestrian access (for example - benches, parking pay stations, bus shelters, transit information signs, etc.);
 - vii. Curb ramps;
 - viii. Entryways; and
 - ix. Driveways.
- f. SUMD's shall not be parked on a sidewalk within the zone shown on the map at the following link unless they are parked within a corral:
<https://www.nashville.gov/Portals/0/SiteContent/TLC/docs/SUMD-RestrictedParkingMapDowntown.pdf>. As more corrals are added, this zone may be expanded by the MTLC.
- g. At all times, SUMDs shall be parked in a manner compliant with the Americans with Disabilities Act, 42 U.S.C. § 12132, et seq.
- h. An SUMD found in a body of water, such as a fountain, pond, lake, stream, bay or any other body of water in a park or elsewhere within the area of the Metropolitan Government shall be deemed to constitute a violation of Metropolitan Code Section 10.24.130 and the SUMD system operator whose SUMD is found in such body of water shall be deemed responsible for the littering and for the \$50 fine therefor that may be imposed pursuant to Metropolitan Code Section 1.01.030.

E. All permitted operators shall provide contact information for relocation requests on each SUMD.

F. SUMD shall not be operated upon a sidewalk within a business district. The Traffic and Parking Commission may also determine specific areas as business districts. Signage will be installed by the MTLC or Department of Public Works indicating areas where the MTLC has determined that SUMDs are not to be operated on sidewalks. Each permitted operator shall reimburse the Metropolitan Government for the cost of the signage on a pro-rata basis, up to a maximum of \$10,000 per company per year.

G. Whenever operating a SUMD upon a sidewalk, the user shall yield to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.

- H. All permitted operators shall comply with any restrictions developed by the Metropolitan Government regarding where SUMDs can be deployed, placed, parked, and operated.
- I. Only one person shall be on a SUMD, unless it is equipped with seating for additional users.
- J. An operator shall not allow a powered SUMD to be operated by a person who is less than eighteen (18) years or older.
- K. An operator shall not allow an SUMD that meets the definition of a motorized vehicle to be operated by any person who does not have a valid driver's license.
- L. In addition to penalties assessed for any separate violation of Tennessee law or Metropolitan Code of Laws, and except where it is specified otherwise in this chapter, any violation of this ordinance by a user in the operation or parking of a SUMD shall be a fine of twenty-five dollars (\$25) to be assessed on the SUMD and paid by the owner of the SUMD.
- M. All Metropolitan Government departments and entities are encouraged but not required to find innovative ways to accommodate and incorporate the use and parking of SUMDs.
- N. A powered SUMD shall only be operated by a person who is eighteen (18) years of age or older. It is unlawful for any person who is less than eighteen (18) years of age to operate a powered SUMD.
- O. Subsection L. of this section, above, sets out the penalty for violation of subsection N. of this section.
- P. Parking a SUMD where it is prohibited pursuant to Section 040., above, shall be a \$10 fine, (except for Section 040.E.2.h. which shall be a \$50 fine as provided in that section) assessed upon the operator. In its mobile application and elsewhere, a permitted operator shall clearly and conspicuously inform users where SUMD parking is prohibited and inform them that parking where it is prohibited shall result in a \$10 fine. The fine shall be collected from the user by the permitted operator through its mobile application or other means, and it shall be remitted to the Metropolitan Government within 60 days. Nothing herein shall prohibit permitted operators from seeking reimbursement of such fines from users whose actions incurred the assessment of fines.
- Q. The department of public works shall continue its work on its program of assigning and marking a limited number of street parking spaces, small sections of sidewalk, areas adjacent to transit stops, and other rights of way as dedicated and preferred parking areas where SUMDs can park without penalty as long as they are properly parked and upright (the "Corral Program"), and report on it annually to the Metropolitan Council. Information on this program shall be made available as a map on the Metropolitan Government's website and the Metro Open Data Portal. Permitted operators shall clearly and conspicuously inform users about these dedicated and preferred or required parking areas for dockless SUMDs, called corrals, including in their mobile applications. Dedicated and preferred parking areas for dockless SUMDs, or corrals, may be located where parking for dockless SUMDs is otherwise prohibited pursuant to Section 040.D.

Section 050 – Operations of Shared Urban Mobility Device Systems

- A. All permitted operators shall have a staffed operations center within the boundaries of the Metropolitan Government of Nashville and Davidson County.
- B. All permitted operators shall have a 24-hour customer service phone number for users and the general public to report safety concerns, complaints or ask questions. The phone number shall be visible on all of the operator's SUMDs, signage and other equipment. In addition, all operators shall jointly establish a "hotline" to be funded on a pro-rata basis by all permitted SUMD operators, that would take such calls for any brand of SUMD and have a required 30-minute response time by the operators to all accessibility or ADA related complaints and issues.

- C. All permitted operators shall create and maintain a Nashville-specific website and/or social media platform that includes information on Metropolitan Government regulation of SUMDs and other relevant and appropriate information regarding their operation. The site shall also explain the terms of service, including user instructions, privacy policies, and all fees, costs, penalties, and unexpected charges.
- D. All permitted operators shall provide the Metropolitan Transportation Licensing Commission (MTLC) with contact information, such as name, phone number, and email, of a Nashville-based manager or operations staff available 24 hours a day, 7 days a week. The Nashville-based manager or operations staff shall be capable of re-balancing or relocating SUMDs and be able to respond to requests, emergencies, and other issues at any time, within 30 minutes.
- E. All permitted operators shall have a performance bond of eighty dollars (\$80) per SUMD, with a cap of one hundred thousand dollars (\$100,000). The form of the bond shall be approved by the Metropolitan Department of Law. These funds shall be accessible to the Metropolitan Government for future public property repair and maintenance costs that may be incurred related to SUMD use, removing, and storing SUMDs improperly parked, or if a company is not present to remove SUMDs if its certificate of public convenience and necessity is terminated. If a permitted operator increases the size of their fleet, the performance bond shall be adjusted appropriately before deploying additional SUMDs. If a towing company is engaged by a property owner to remove an SUMD parked on that property owner's property, the towing company's cost in removing and storing the SUMD may be reimbursed from said bond, if the operator does not pay the towing and storage cost promptly upon application.
- F. Permitted operators shall immediately respond to requests for rebalancing, relocation, reports of incorrectly parked SUMDs, or reports of unsafe/inoperable SUMDs by relocating, re-parking, or removing SUMDs, as appropriate. Improper parking of SUMDs is a violation, that may be cited (and be subject to a civil penalty and/or disciplinary action) immediately upon observation by a Metropolitan employee with citation authority, or upon that employee obtaining evidence establishing probable cause that a violation occurred. To ensure that their Users do not engage in such improper parking of SUMDs, operators should utilize technology that prevents Users from being able to "end a ride" (i.e., cease being charged for continuous use of the SUMD) unless the operator has reasonable assurance that the SUMD has been properly parked by a User.
- G. Every SUMD shall have a unique identifier, such as a unit number, that is visible to the user and to passers-by on the SUMD.
- H. If the Metropolitan Government or any department or agency thereof incurs any costs as a result of addressing or abating a permittee operator's violation of these requirements, or incurs any costs of repair or maintenance of public property, upon receiving written notice of the costs, the permitted operator shall reimburse the Metropolitan Government for such costs within thirty (30) days.
- I. After notice and a hearing, the MTLC may take disciplinary action, including revocation, suspension, reduction of fleet size, or probation, against any certificate holder who willfully fails to comply with this ordinance, any other provision of the Metropolitan Code or any other applicable law. MTLC staff is authorized to take any temporary action until a hearing is held.
- J. Upon revocation or surrender of a certificate of public necessity and convenience, decommissioning shall be completed within thirty (30) days unless a different time period is determined by MTLC or its staff.
- K. The MTLC and the Metropolitan Nashville Police Department shall establish, and all permitted operators shall comply with, procedures and protocol in the event of extreme weather, emergencies, and special or large events.
- L. Operation of SUMDs is prohibited after 9:00 pm and before 5:00 am.

M. MTLC or its staff may establish limitations on the streets within the metropolitan area in which SUMDs can or cannot operate, and streets and areas where SUMDs shall be slowed down remotely by the operator, by using technology where reasonable and practicable where operation of SUMDs, or where speeds in excess of 8 miles per hour, is not permitted, including but not limited to in the following locations:

1. Slow zone – Broadway between 7th Ave. and the Cumberland River (parking SUMDs on Broadway is prohibited);
2. Slow zone – 2nd Ave. between Broadway and Union Street
3. No ride zone – any Metropolitan greenways; and
4. No ride zone – Within any Metropolitan Parks, except on paved streets located within the same.
5. No ride zone -- The Vanderbilt University and Vanderbilt University Medical Center areas shown on the attached Exhibit A.

N. The determinations shall be made available as a map on the Metropolitan Government’s website and the Metro Open Data Portal. Permitted operators shall clearly and conspicuously inform users about these determinations, including in their mobile applications. Any deviation from the approved hours, locations of operation, or streets and areas where SUMDs shall be slowed down remotely by the operator must be approved by the MTLC or its staff. Any approved deviation must be reported to the MTLC or the MTLC director prior to beginning of operations.

O. SUMD operators shall purge duplicate user accounts on a regular basis according to rules to be established by the MTLC.

Section 060 – Data Sharing

A. Permitted operators shall provide the Metropolitan Information Technology Services Department ("Metro ITS") with real-time information on their entire fleet within Nashville and Davidson County through a documented application program interface (API). The permitted operator is directly responsible for providing an API key and REST specifications to Metro ITS. The data available must at least include the following information in real time for every SUMD parked in the Metropolitan Government operational area:

Field Name	Format	Description
GPS Latitude	Decimal (12,9)	Point location X
GPS Longitude	Decimal (12,9)	Point location Y
SUMD ID number	Varchar (25)	SUMD Type + Unique identifier for every SUMD, determined by company
Type of SUMD	Varchar (25)	“Standard” or “Powered”
Fuel/charge level	Decimal (5,4)	Ratio of charge level to full charge (50.1234%)
SUMD Group	Varchar (25)	Name of the SUMD group (“bicycle”, “tricycle”, “scooter”, “hover board”, “skateboard”, “pedal car” or “other”)
Current rental rate per minute	Decimal (5,2)	-

B. The Metropolitan Government is permitted to display real-time data provided via the API described in 12.62.060.A.

C. The Metropolitan Government is able to publish real-time SUMD availability data to the public.

D. All permitted operators shall provide the following anonymized data for each trip record to inform and support safe and effective management of the SUMD system, and for transportation planning efforts. The permitted operator is directly responsible for providing an API key and specifications to Metro ITS based on the following:

Field Name	Format	Description
Company Name	Varchar (25)	Company Name
Type of SUMD	Varchar (25)	"Standard" or "Powered"
SUMD Group	Varchar (25)	Name of the SUMD group
Trip record number	Varchar (25)	3 letter company acronym + consecutive trip #, Xxx#, xxx#+1, xxx#+2, ...
SUMD ID number	Varchar (25)	SUMD Type + Unique identifier for every SUMD, determined by company
Trip duration	Decimal (9,3)	Minutes
Trip distance	Decimal (5,4)	Feet
Start date	Date (YYYY-MM-DD)	n/a
Start time	Time (HH:MM:SS)	n/a
End date	Date (YYYY-MM-DD)	n/a
End time	Time (HH:MM:SS)	n/a
Start latitude	Decimal (12,9)	Point location X
Start longitude	Decimal (12,9)	Point location Y
End latitude	Decimal (12,9)	Point location X
End longitude	Decimal (12,9)	Point location Y
Trip Route	Varchar (256)	Sequential GPS coordinates for entire trip duration at a minimum collection frequency of one per 30 seconds.

E. The Metropolitan Government is able to publish the anonymized trip record data to the public.

F. For oversight of parking compliance and SUMD distribution by minute, all permitted operators will provide Metro ITS with real-time information on the availability and identity of all parked vehicles through a documented REST application program interface (API). The permitted operator is directly responsible for obtaining an API key from Metro ITS to which they will publish the data described below, updated at a frequency of every five minutes. Data shall be submitted to the Metro Open Data Portal, where it will be made available to the public.

Field Name	Format	Description
GPS Latitude	Decimal (12,9)	Point location X
GPS Longitude	Decimal (12,9)	Point location Y
Availability duration	Time (HH:MM:SS)	Minutes
Availability start date	Date (YYYY-MM-DD)	n/a
Availability start time	Time (HH:MM:SS)	n/a
Company website	Varchar (128)	Link to website with customer service capability
Company phone	Decimal (10,0)	Local customer service number
Real Time Fare	Decimal (5,2)	Real-time fare per unit distance
SUMD Type	Varchar (25)	"Standard" or "Powered"
SUMD Group	Varchar (25)	Name of the SUMD group - "bicycle", "tricycle", "scooter", "hoverboard", "skateboard", "pedal car" or "other"
SUMD ID	Varchar (25)	SUMD Type + Unique identifier for every SUMD, determined by company

G. Permitted operators and their customers shall consent to the sharing of operator data by the Metropolitan Government with the Metro Transportation Data Collaborative (MTDC). Permitted operators shall include in terms of use that customers also consent that trip data will be shared with the Metropolitan Government and become public record. (All data will be anonymized).

H. All permitted operators shall consent to distribute to all users a customer survey, provided by the MTLIC, under circumstances agreed to by the Metropolitan Government and the company regarding customer service and program evaluation.

- I. All permitted operators under this pilot permit program shall keep a record of maintenance activities, including but not limited to SUMD identification number, maintenance performed, and SUMDs retrieved due to unauthorized parking. These records shall be sent to MTLC weekly.
- J. All permitted operators agree to participate with any evaluation of the program.
- K. All permitted operators will first clean data before providing or reporting data to Metro. Data processing and cleaning shall include:
 - 1. Removal of staff servicing and test trips
 - 2. Removal of trips below one minute
 - 3. Trip lengths are capped at 24 hours
- L. Permitted operators shall provide all data so that individual users can not be identified.
- M. Should the Metropolitan Government adopt a standard or standards for SUMD data collection, each permitted operator shall achieve compliance with such standard(s) within ninety (90) days of receipt of notification of updated interface availability from the Metropolitan Government, submitted to the operator address on record.

Section 070 – Fees

- A. Applicants shall pay a program administrative fee of thirty-five dollars (\$35) per SUMD to the MTLC for the administrative costs during the interim until the MTLC sets a higher fee, as per the below. This fee must be renewed annually, and may be changed by the MTLC based on the authority granted to it by the metropolitan council, in the Substitute Ordinance, to establish additional fees the MTLC determines are necessary to carry out and enforce the Substitute Ordinance.
- B. If any stations or other structures are proposed, each site shall require additional review deposits and permitting, including obtaining a separate encroachment permit.

Section 080 – Number of Shared Urban Mobility Devices allowed

- A. Permitted operators' fleets shall be limited in number with separate limitations for each type or category of SUMD, such as bicycles, powered bicycles, and powered scooters. The MTLC may establish other categories of SUMDs.
- B. Each type of category of SUMD in a permitted operator's fleet shall be limited in number to the number determined through the RFP Process.
- C. At any time the MTLC or its staff shall allow permitted operators to increase their fleet size only as determined to be permitted through the RFP Process.
- D. The MTLC shall establish regulations, requirements and limitations to reduce clustering of SUMDs. Until the MTLC establishes such regulations, requirements and limitations, all permitted operators shall have systems with service areas that do not exceed three hundred forty of each type of SUMDs per square mile. The MTLC shall designate the location of the square mile locations in relation to service areas.
- E. Any permitted vendors operating systems with more than 1,000 SUMDs must include Nashville Promise Zones in 20% or more of their service area.

Section 090 – Equitable access

- A. Permitted operators shall have a plan to provide equitable access in neighborhoods and to communities and users that are underserved by mobility and transportation options.

- B. Permitted operators are encouraged to:
1. Provide pricing options that address the needs of low-income residents;
 2. Provide discount programs to low income individuals;
 3. Develop options that do not require a smartphone;
 4. Provide cash-payment options; and
 5. Provide adaptive SUMDs that enable operation by people with disabilities.

Section 100 – Termination of Certificates

The SUMD certificates awarded through the RFP process shall terminate as determined through the RFP Process.

Section 110 – Severability

If any sentence, section, subsection or provision of these Regulations, or the application of any provision of these Regulations to any person or circumstance be held invalid or unconstitutional, such declaration shall not affect the validity of other provisions or applications of these Regulations that can be given effect without the invalid provision or application; and to that end, the provisions of these Regulations are declared to be severable.