

May 2, 2024

Proposed TLC SUMD Rule Amendments for May 16 Meeting

Per Metro Code 12.62.020 D, the MTLC shall not amend the SUMD regulations without providing a draft of each proposed regulation to all operators and the public two weeks prior to the MTLC's consideration of the amendment.

Current language is in black

Current language proposed to be deleted is in ~~striketrough~~

Newly proposed language is in red

Section 902 APPLICATION FOR PERMITS THROUGH RFP PROCESS Pursuant to the Ordinance No. ~~BL2019-109, as amended (the Ordinance)~~, the MTLC shall pursue a competitive Request for Proposals (“RFP”) process, ~~and no~~ **new certificates of public convenience and necessity shall be issued without a competitive Request for Proposals (“RFP”) process.**, ~~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~~ **future** 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~~ **previously granted certificates of public convenience and necessity that are at the end of their last term extension** ~~granted by the Ordinance~~ shall terminate.

Section 904 D.2. c. Metro, through the MTLC, shall determine certain block faces or areas where freefloating 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: **NEW LINK TO BE INCLUDED**

~~<https://www.nashville.gov/Portals/0/SiteContent/TLC/docs/SUMDRestrictedParkingMapDowntown.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.

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: **NEW LINK TO BE INCLUDED**

~~<https://www.nashville.gov/Portals/0/SiteContent/TLC/docs/SUMDRestrictedParkingMapDowntown.pdf>~~

As more corrals are added, this zone may be expanded by the MTLC.

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Section 904 J. An operator shall not allow a powered SUMD to be operated by a person who is less than eighteen (18) years or older. **Operators will institute additional technological measures, like Amazon's AWS Rekognition Technology, as an age verification system to analyze user data to determine the user's age. Any user that is not verified as being over eighteen (18) via the above must scan a government issued ID in order to proceed with renting an SUMD.**

Section 904 R. SUMD companies will provide technology that only allows one ride per customer. A customer's account may not be used to unlock a ride for another individual. This rule is intended to remove the "Group Ride" feature to ensure all riders are 18 years of age and possess a valid driver's license.

Section 905 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~~ **10** miles per hour, is not permitted, including but not limited to in the following locations:

~~Section 909 B. Each operator shall be allowed to have an initial fleet of 500 scooters each. In addition to the 500 scooters, within three months of the date of the issuance of their certificate of public necessity and convenience, each operator shall offer to the public a number of powered or nonpowered bicycles equivalent in number to the ratios of bikes to scooters that they proposed to have in their response to the RFP, but with respect to Bird and Spin they may increase their number of bikes and e-bikes to match the ratio proposed by Lime. Bird and Spin can go up to the 125 that Lime has.~~ **Operators shall deploy a minimum of one (1) e-bike for every four (4) electric scooters subject to commission approval.** Any powered bikes that the operators add to their fleet per this provision must meet the definition of Class 1 electric bicycles as defined in Tennessee Code Annotated 55-8-301. Any other types of powered bicycles would be subject to the further fleet expansion criteria in **Section 913**. ~~Subsection C. of this section, below.~~

Section 910 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.
- 6. Provide access to in-app instructions in multiple languages.**