



Final Administrative Decision

Date: September 12, 2019

By: David Martin, Director of Planning and Community Development
Subject: Shared Mobility Pilot Program Bird Cap Fleet Size Adjustment

Memorandum

On June 26, 2018 City Council adopted Ordinance 2578 (“Ordinance”) and directed staff to proceed with the implementation of the Shared Mobility Device Pilot Program (“Pilot Program”) for regulating dockless shared mobility companies and technologies in a way that protects public safety and promotes community wellbeing, sustainability and equity. Since the launch of the Pilot Program on September 17, 2018, roughly 2.3 million trips have been taken on shared mobility devices, and respondents to a City-conducted user survey self-reported that 50 percent of their most recent trip on a shared mobility device displaced a car trip (including drive alone, ride share services, taxi’s etc.)

The Pilot Program allowed for a program launch with a city-wide fleet size of up to 3,000 total devices, including up to 1,000 e-bikes and up to 2,000 e-scooters. The Ordinance allowed for the total number and ratio (e-bikes to e-scooters) of shared mobility devices permitted to operate in Santa Monica to be adjusted over time.

As detailed in Section 3.3 in the Pilot Program’s Administrative Regulations (“Administrative Regulations”), an operator may add devices to its fleet, upon request and approval by the City, when the operator demonstrates with device and utilization data that average ridership exceeds a Minimum Utilization Rate (“MUR”) of three (3) rides per day for e-bikes and four (4) rides per day for e-scooters. When utilization falls below the prescribed MUR, the City may require operators to remove the number of devices necessary to meet or exceed the MUR. When utilization is above the prescribed MUR, operators may request to add devices.

The Administrative Regulations outline criteria in addition to the MUR thresholds for the City to consider in the evaluation of requests for device increases or device decrease determinations. The criteria include market needs, the number of devices deployed in the City, device utilization, operator performance, public safety, seasonal and environmental conditions, and special events.

On July 18, 2019 the City issued [fleet size adjustments](#) to Bird, Jump e-Bikes, and Lyft. Currently, following these fleet size adjustments, the four companies selected to participate in the Pilot Program have the following maximum device allocations:

Bird: 500 e-scooters
Jump: 750 e-bikes, 250 e-scooter
Lime: 750 e-scooters
Lyft: 750 e-scooters
TOTAL Launched: 3,000 devices

On July 18, 2019 the City issued a [fleet size adjustment](#) to Bird that required Bird to reduce its e-scooter fleet size from 750 to 500 because of a number of factors, including a relatively higher number of complaints and observed issues with Bird's operations (i.e. improper deployment, response time, and maintenance) relative to the other operators, as well as issues with the data feed provided by Bird. Specifically the Administrative Regulations require that all operators provide the City an Application Programming Interface (API) that meets the City of Los Angeles Mobility Data Specification (MDS) (Section 3.16.1), which the City uses for planning purposes and to regulate, enforce, and evaluate operators' compliance with program regulations (i.e. deployment, daily available device caps, ridership, prohibited zones, etc.). The City observed consistent anomalies unique to Bird's data feed that resulted in a lack of data accuracy and reliability and were inconsistent with the Administrative Regulations. Bird was required to address the issues with its data feed within 7 days of the final publication of the fleet size reduction notice.

On July 24, 2019, Bird provided the City an updated MDS API. The City has reviewed the API over the subsequent weeks and has observed increased reliability and accuracy in the data feed.

On August 29, 2019 Bird requested to increase its e-scooter fleet from 500 to 900. In support of its request, Bird has pointed to operational improvements, an improved MDS API, and high ridership/ average daily utilization.

Between August 1 and August 31, 2019, the Pilot Program generated over 250,000 trips and a combined average of 3.7 rides per device per day for all four operators and devices combined (including both e-bikes and e-scooters). In that same period, Bird has reached a daily utilization of 5.3 rides per scooter per day and has shown improvement in its responsiveness to City regulations and community complaints.

Bird is currently permitted to operate 500 e-scooters in Santa Monica. For the time period between August 1 and August 31, 2019 Bird maintained an average of 638 average daily devices, in excess of the 500 maximum device allocation. Even with this higher number of e-scooters, Bird's e-scooter ridership of 5.6 rides per device per day has surpassed the 4 rides MUR threshold as defined in the Administrative Regulation and demonstrated demand for Bird e-scooters. Based on the high daily ridership/demonstrated demand, Bird's improvements in providing a compliant data feed, and Bird's general improvements in its responsiveness to City regulations and community complaints, but taking into account Bird's lack of strict adherence to the permitted cap size for its e-scooter fleet, the City will partially fulfill Bird's fleet size adjustment request and permit Bird to operate 750 e-scooters. This will allow Bird to meet customer demand and restore Bird's fleet to its original size granting parity with the other operators.

The City will closely monitor and enforce Bird's adherence to the 750 e-scooter fleet cap. The City will also monitor and consider adjustments to the overall Pilot Program fleet size caps as fall and winter months approach if ridership slows due to seasonality as it has in the past.

This adjustment to Bird's device allocation is intended to improve service and responsiveness and meet the growing demand for shared mobility devices. As adjusted, Bird's permitted device cap would be the following:

Adjusted Permitted Caps

Bird: 750 e-scooters (increase from 500)

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