November 26, 2018

Dan Emerine  
Manager, Policy and Legislative Affairs Division  
Office of the Director  
District Department of Transportation  
55 M Street, S.E., 7th Floor  
Washington D.C. 20003

Dear Mr. Emerine,

Advisory Neighborhood Commission 6C would like to submit the following comments regarding the notice of proposed rulemaking regarding regulation of dockless sharing vehicles (DCMR Title 24, Chapter 33, Section 3314). The matter came before us on November 14, 2018, at a regularly scheduled, duly noticed monthly meeting of ANC 6C, with a quorum of 5 out of 5 commissioners and the public present. The commissioners voted unanimously, 5:0:0, to provide the following comments and recommendations.

ANC 6C commends DDOT for accepting dockless vehicle sharing as a valuable component of our transportation network and providing a framework for their lawful use. We are concerned, however, that the restrictions placed on dockless providers—including low caps on vehicle numbers and high permitting fees—may hinder adoption of this technology in the District. These restrictions provide a disincentive for development of dockless vehicle sharing in the District when instead their adoption should be incentivized. Dockless bicycles and scooters provide a low-cost, environmentally friendly transportation option that could help the District achieve its transportation mode-share goals, including reducing car trips to 25% of commutes and increasing biking/walking to 25%.

In addition to the proposed rulemaking on dockless sharing vehicles, DDOT has released terms and conditions applying to dockless vehicle operating permits (https://ddot.dc.gov/page/dockless-vehicles-district) that provide further operating parameters for dockless vehicle systems. ANC 6C objects to the release of these terms without codification in the DCMR and the required public comment associated with proposed rulemakings. As such, implementing these regulations without issuing a proposed rulemaking may violate the Administrative Procedure Act. Procedural issues notwithstanding, ANC 6C provides in this letter our comments and recommendations on the dockless vehicle terms and conditions as well.

**Dockless Vehicle Proposed Rulemaking**

**Fees (Section 3314.3).** It is completely unclear why two separate fee schedules are provided in Section 3314.3 (one effective prior to January 1, 2019, and one effective on that date and after). Furthermore, the per-vehicle cost as scheduled in Section 3314.3 (b) (5) is too high and disproportional from other fees for vehicles on public space, namely Residential Parking Permits (RPP). At $60 per vehicle, the proposed dockless vehicle fees are almost double the per-vehicle RPP...
fees ($35) and yet dockless bicycles and scooters occupy much less public space than cars and contribute more to public good (because they are shared) than do private vehicles.

**Rebalancing (Section 3314.5 (c)).** The required threshold for rebalancing (6 vehicles in each ward) is exceptionally low, to the point of being essentially zero. We support the requirement of regular rebalancing to achieve equitable vehicle distribution, and the requirements should more closely resemble an even distribution across wards.

**Data collection (Section 3314.5 (d) and (h)).** The requirement to collect rider data on origin, destination, and route traveled may have serious privacy implications. DDOT should reconsider which data are necessary to collect and adjust the requirements accordingly.

Dockless Vehicle Terms and Conditions

**Vehicle maximums.** The cap on the initial number of vehicles allowed (600 per vehicle type) is too low. Success of dockless vehicle sharing depends on a sufficiently large number of vehicles to reasonably assure one will be within close proximity at all times. A shortage of vehicles will result in most vehicles remaining in high density areas, limiting access to those in other parts of the city.

**Bicycle locking.** The requirement for bikes to have a locking mechanism is worrisome as it will lead to improper parking, e.g., locking to trees and ADA ramps. To alleviate this, bikes should be required to have instructions on what is and is not an appropriate place to park. Separate from the dockless regulations but essential to support the program, DDOT needs to install many more bike racks throughout the city to accommodate the influx of bikes.

**Scooter speed.** While we agree that scooters traveling at high speeds on sidewalks is dangerous, limiting scooter speeds to 10 mph also creates a dangerous environment for those who choose to ride in the street. ANC 6C suggests that a limit of 15 mph may be better, and is closer to typical speeds at which bicycles travel.

Thank you for giving great weight to the recommendations of ANC 6C.

On behalf of ANC 6C,

Karen J. Wirt
ANC 6C Chair

Submitted electronically to publicspace.policy@dc.gov

cc:
Jeff Marootian, Director, DDOT
Councilmember Mary Cheh, Chair, Committee on the Transportation and the Environment
Councilmember Charles Allen, Ward 6