

**D.C. Code § 50-2201.03c**

The Official Code is current through March 22, 2024

*District of Columbia Official Code > Division VIII. General Laws. (Titles 43 — 51) > Title 50. Motor and Non-Motor Vehicles and Traffic. (Subts. I — VIII) > Subtitle VII. Traffic. (Chs. 22 — 23D) > Chapter 22. Regulation of Traffic. (Subchs. I — V) > Subchapter I. General Provisions. (Pts. A — B) > Part A. Traffic Act, 1925. (§§ 50-2201.01 — 50-2201.09)*

**§ 50-2201.03c. Operation of shared fleet devices.**

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- (a) No SFD operating company shall offer shared fleet devices for rental without a SFD permit issued by the Director.
- (b)
- (1) To obtain a SFD permit, a SFD operating company shall submit an application to the Director, in a form and manner determined by the Director by rule.
  - (2) The Director shall require a separate SFD permit for each SFD fleet offered by a permitted operator in the District.
  - (3) The Director may:
    - (A) Decline to issue any SFD permits; or
    - (B) If SFD permits are issued, limit the number of permitted operators in the District to any number greater than 2.
  - (4) The Director shall require permitted operators to provide a performance bond in an amount and form specified by the Director by rule, the funds of which shall be applied to costs including:
    - (A) Damage to public property caused by a permitted operator's shared fleet devices;
    - (B) Fines for violations of the terms and conditions of the SFD permit, this section, or regulations pursuant to § 50-2201.03b; and
    - (C) The relocation of a permitted operator's shared fleet device that is parked illegally.
  - (5) The Director shall fine a permitted operator \$100 per device that the permitted operator represented to DDOT as an electronic mobility device and deployed and that, when inspected by DDOT, weighs greater than 75 pounds or is longer than 55 inches.
- (c)
- (1) On the 7th day of each month, or the next business day if the 7th day of the month does not fall on a business day, a permitted operator shall collect and submit to the Director

information regarding its SFD fleet and trip activity within the District during the previous calendar month, including:

- (A) The time, route, starting location, and ending location of all trips;
- (B) A description of all complaints made against the permitted operator via the customer service phone number required by paragraph (g)(3) of this section or online; and
- (C) Any other data the Director determines is pertinent to managing permitted operators or providing safe streets and infrastructure.

(2)

(A) The information required by paragraph (1)(A) of this subsection shall:

- (i) Constitute personal information;
- (ii) Be stored in a secure fashion with controlled access granted only to District Department of Transportation staff or third-party contractors essential to the implementation of this section and the rules issues pursuant to § 50-2201.03b.

(B) Any third-party contractors granted access to the information required by paragraph (1)(A) of this subsection shall be bound by non-disclosure agreements.

(3) Except as provided in paragraph (4) of this subsection, the Director shall not disclose to the public personal information provided by a permitted operator under this subsection, including in response to a request pursuant to subchapter II of Chapter 5 of Title 2 [§ 2-531 et seq.],

(4) The Director may enter into confidential data sharing agreements with researchers and research entities; except, that the Director shall only provide information in a quantity and at a level of detail that is reasonably necessary to conduct the analysis specified in the confidential data sharing agreement.

(5) Within 48 hours after a permitted operator determines that a breach of its data system has occurred that has placed user personal information at risk, the permitted operator shall notify DDOT, and all past and present users of its shared fleet devices who may be affected by the breach, of the breach and the likely consequences of it.

(d) The Director shall not permit the aggregate number of electric mobility devices available for rent from permitted operators in the District to increase above 20,000 before October 1, 2023.

(e) The Director shall construct signage or create conspicuous pavement markings on major shared fleet device routes into and inside of the Central Business District, as that term is defined in section 9901 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 9901), alerting users that they may not operate shared fleet devices on sidewalks within the Central Business District and of the fine amount for such a violation.

(f) By October 1 of each year, for the calendar years 2021, 2022, 2023, and 2024, the Director shall construct, at a minimum, 1000 racks across the District suitable for the parking of shared fleet devices.

(g) A permitted operator shall:

- (1)** Have at least 3% of its fleet deployed in each ward cumulatively between 5:00 a.m. and 7:00 a.m. each day and in any other priority areas identified by the Director; except, that:
  - (A)** A permitted operator with less than 200 permitted shared fleet devices need not comply with this paragraph; and
  - (B)** Permitted operators shall not deploy shared fleet devices if the Director has provided the permitted operator with notice that shared fleet service is temporarily suspended to preserve public safety;
- (2)** Refrain from deploying shared fleet devices within 300 feet of an elementary, middle school, or senior wellness center, unless that space is located on a block face adjacent to a metro rail station entrance;
- (3)** Operate a 24-hour toll-free customer service phone number for users, the general public, and District officials to report shared fleet devices that are inoperable or suspected of being operated or parked in an apparent violation of the law, and to file complaints;
- (4)** Remove or reposition its shared fleet devices that are parked illegally within 2 hours of being notified of a violation by DDOT, any other government agency, or the public;
- (5)** By October 1, 2021, require users to use the lock-to mechanism on the shared fleet device in order to end a ride and make failure to do so subject to a penalty;
- (6)** Leave a shared fleet device involved in an accident in which the police have been called at the scene of the accident until the police have consented to the removal of the device and, if necessary, allow the police to take the device as evidence.
- (7)** Compile crash and injury data reported from the users of its shared fleet devices and share the data, which shall be aggregated so that identification of specific individuals is indeterminable, with the Director and the public on its website or mobile application;
- (8)** Display a plainly visible logo or name on its shared fleet devices to assist the public in identifying which shared fleet devices belong to which permitted operator;
- (9)** Display the customer service phone number required by paragraph (3) of this subsection on its shared fleet devices, including in braille, to inform the public whom to contact to reposition the device;
- (10)** Provide the public with data via its website or mobile application regarding how much of its SFD fleet and what parts, if any, of its shared fleet devices are reused or recycled at the end of the shared fleet device's useful life;
- (11)** Ensure its shared fleet devices are equipped with a headlight and taillight to be used when the safe operation of the device requires it;
- (12)** Ensure its shared fleet devices are equipped with reflective markings on its sides;
- (13)** Ensure its shared fleet devices are equipped with an audible signal to allow users to alert pedestrians to their presence while the device is in use;
- (14)** Offer an optional free class, in person or virtually, at least once a month, to educate users regarding the law and safe practices applicable to operating and parking a shared fleet device;

- (15)** By October 1, 2021, ensure its shared fleet devices are equipped with a lock-to mechanism for safe and legal parking;
  - (16)** Offer to ship a helmet to any user who requests it for a price determined by the Director after consultation with the permitted operator;
  - (17)** Ensure its electric mobility devices are equipped with a speed governor that does not allow the electric mobility devices to travel at a speed greater than the speed limit for electric mobility devices on a paved level surface as determined by the Director;
  - (18)** Not display third party advertising on its shared fleet devices; except, that a permitted operator may display the name and logo of its parent company;
  - (19)** Educate users regarding the law and safe practices applicable to operating and parking a shared fleet device by requiring each user to watch a video with closed captioning, or to participate in other media approved by the Director, through the permitted operator's mobile application when using the mobile application for the first time that explains:
    - (A)** Users must be at least 16 years of age, or any older age that a permitted operator may determine it would prefer to set as its own guidelines;
    - (B)** Users under 18 years of age shall wear helmets;
    - (C)** Users shall park legally, which includes using the lock-to mechanism after October 1, 2021;
    - (D)** Users shall not ride with passengers;
    - (E)** Users shall yield to pedestrians;
    - (F)** Users shall park electric mobility devices in corrals when available;
    - (G)** Users shall ride electric mobility devices in protected bike lanes when available; and
    - (H)** Users shall not ride on sidewalks within the Central Business District; and
  - (20)** Comply with all other requirements established by the Director for the operation of shared fleet devices.
- (h)** A person shall not operate an electric mobility device in excess of the speed limit determined by the Director.
- (i)** A person shall operate an electric mobility device in a protected bike lane if available and safe for operating the electric mobility device.
- (j)** A person shall not operate a shared fleet device:
- (1)** If the person is under 16 years of age;
  - (2)** Upon a sidewalk within the Central Business District, as the term is defined in section 9901 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 9901);
  - (3)** With a passenger;
  - (4)** While carrying any package, bundle, or other article that hinders the person from keeping both hands on the handlebars; or

- (5) While the person is wearing a headset, headphone, or earphone, unless the device is used to improve the hearing of a person with a hearing impairment or the device covers or is inserted in one ear only.
- (k) A person shall park a shared fleet device:
- (1) In an upright position;
  - (2) After October 1, 2021, using the lock-to mechanism; and
  - (3) In such a manner as to:
    - (A) Afford at least 3 feet of unobstructed pedestrian walkway;
    - (B) Maintain unimpeded access to entrances to private property and driveways; and
    - (C) Maintain unimpeded access to handicap accessible ramps or parking spots.

## History

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(Mar. 3, 1925, ch. 443, § 6c, as added Mar. 16, 2021, D.C. Law 23-203, title I, § 101(b), 67 DCR 13886; Nov. 13, 2021, D.C. Law 24-45, title VI, subtitle L, § 6112(b), 68 DCR 10163; Dec. 21, 2022, D.C. Law 24-214, § 2(b), 69 DCR 14004.)