

# Rental E-scooter Code of Practice

Version 3





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## Introduction

Auckland Council / Auckland Transport recognise the importance of providing genuine travel choices for Aucklanders to help reduce the need to travel by private motor vehicle. Rental e-scooter schemes can make active and micro-modes more accessible and complement Tāmaki Makaurau / Auckland's cycle network and existing public transport network.

Auckland Council / Auckland Transport may grant a licence for a rental e-scooter scheme to operate from public spaces under our respective Trading and Events in Public Places bylaws (the bylaw).

Compliance with the Rental E-scooter Code of Practice (the code of practice) is a licence condition. The code of practice outlines the requirements that a rental e-scooter operator (the operator) must adhere to in order to maintain a licence to operate under the bylaw.

The council encourages operators to introduce initiatives to increase safety outcomes and reduce any nuisance.

Compliance with the licence conditions, including code of practice requirements, will be monitored by the council for the duration of the licence. Issues with non-compliance may result in enforcement action. If there is non-compliance by the operator which is not remedied to a satisfactory degree, the council may revoke the licence.

Auckland Council reserves the right to review and update the code of practice at any time so that it continues to reflect best practice and the interests of Tāmaki Makaurau / Auckland.

For the purpose of this document, 'the council' refers to all Auckland Council Organisations including Auckland Transport, and any person or organisation delegated by Auckland Council to act on its behalf.

# 1 Engagement with Auckland Council

This section outlines the information operators must provide to the council to demonstrate that they are able to adhere to this code of practice.

Table of operational information required	
Insurance	a. The operator must provide evidence that they hold public liability insurance of at least NZ\$2,000,000.
Contact details	b. The operator must provide a contact details, including a phone number, for a suitable local staff member who can liaise with the council during licensing hours to address operational issues.
Termination	c. The operator must provide a plan for how its operation will be terminated (including the collection of all its equipment) if it no longer chooses to operate or if its licence to operate is suspended or revoked.

Table of safety/nuisance information required	
Safety and risk management plan	<p>d. The operator must confirm they have and provide a copy of a safety and risk management plan, which includes but is not limited to:</p> <ul style="list-style-type: none"> <li>• Ensuring that all electronic hardware and firmware is fit for purpose and checked against appropriate quality standards.</li> <li>• Maintenance processes, which includes defect reporting, rectification and prevention, and also details whether maintenance will be carried out weekly or within a timeframe according to manufacturer's specifications.</li> <li>• Risk assessment or operational management plan that considers the use of e-scooters on roads, footpaths and bicycle lanes and has mitigation measures in place to reduce any risk to users, pedestrians, vulnerable persons, and other road users.</li> <li>• Investigation processes for an incident or accident, including implementing corrective or preventative measures based on the outcome of the investigation.</li> </ul> <p>e. If the operator has previously operated or is operating in other jurisdictions, information prior performance in these areas must be provided.</p>

Product requirements	<p>f. The operator must provide specifications of the e-scooters to be deployed from date of licence issued. This includes but is not limited to:</p> <p>A detailed diagram of e-scooter equipment</p> <ul style="list-style-type: none"> <li>• Brand</li> <li>• Model</li> <li>• Used or new</li> </ul> <p>g. The operator must confirm that:</p> <ul style="list-style-type: none"> <li>• The e-scooter equipment complies with legal standards and requirements, including battery requirements.</li> <li>• The e-scooter equipment is of sufficiently high quality to withstand constant public use and exposure to the Auckland elements.</li> <li>• The e-scooter equipment includes smart technology with active global positioning system (GPS) and wireless connectivity.</li> <li>• The e-scooter equipment contains integrated location technology and on-board wireless diagnostics to identify mechanical failure and enable preventive maintenance.</li> <li>• Any e-scooter reported or believed to be inoperable will be remotely locked, until the e-scooter is removed and repaired.</li> <li>• Every e-scooter will be equipped with a unique identification number that is: <ul style="list-style-type: none"> <li>○ Prominently displayed at all times;</li> <li>○ Located in two places on the e-scooter equipment e.g. rear wheel guard and stem.</li> </ul> </li> </ul>
User reporting of accident and incidents	<p>h. The operator must confirm that in-app reporting features will be available on the home page of the app or within one to three clicks from the home page, to allow reporting of issues including, but not limited to: an accident, incident, damage or malfunction.</p>
Deployment and rebalancing	<p>i. The operator must advise:</p> <ul style="list-style-type: none"> <li>• The number of e-scooters they intend to deploy per tier.</li> <li>• Proposed deployment locations as per the <i>Micromobility Device Deployment Location Requirements</i>.</li> <li>• How e-scooters will be charged and deployed.</li> </ul> <p>j. The operator must provide a plan for re-balancing e-scooters around the city to:</p> <ul style="list-style-type: none"> <li>• Prevent or resolve bunching;</li> <li>• Comply with sections 3(h) and 3(i).</li> </ul>

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Adverse or severe weather or other emergencies	k. The operator must advise council of how they will manage operations in the case of adverse or severe weather or other emergencies.
Influencing user behaviour	l. The operator must provide a plan to influence user behaviour in the areas of riding and parking compliance.

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## 2 Ongoing operational requirements

Table of operational requirements	
Legislative requirements	a. The operator must be aware of and comply with all Acts, Regulations, Bylaws, Policies and Ordinances applicable to the operation. This includes all transport related Acts and Regulations that determine the requirements and use of e-scooters in New Zealand.
Compliance meetings	b. An appropriate operator representative must meet with the council at least once per month to discuss compliance and any other matters.
Termination	c. If the operator is no longer willing or able to operate in Auckland, written notice must be provided to the council at least 30 days before ceasing operations. This does not apply in the event of a licence suspension or revocation.

## 3 Ongoing safety enhancement and nuisance reduction requirements

The operator must have rigorous methods in place to protect the safety of users and ensure that their operation does not cause a hazard or nuisance to other users of public spaces, including less able people.

Table of safety enhancement and nuisance reduction requirements	
Investigations	<p>a. The council may in its discretion require an in-depth investigation and independent review of an operator's safety related systemic hardware or software faults or incidents related to the operator's operations.</p> <p>b. If the council commissions an independent review, all associated costs will be recovered from the operator.</p> <p>c. If the council commissions an independent review, the operator must cooperate with the investigation and must not, in the council's opinion, unreasonably withhold information required for the completion of the investigation.</p>
Safety and risk management plan	d. Within three months of licence issue or an alternative timeframe agreed to by council, the plan must be audited/verified by an appropriately qualified, third party,



	<p>and the results of the audit must be provided to the council.</p> <p>e. Ongoing verification must be provided within 12 months of previous audit.</p>
Product requirements	f. Any changes to product specifications outlined in an operator's licence application will require approval from the council prior to the introduction of the new product specifications in Auckland.
Deactivation	g. All e-scooters must be deactivated outside of licensed hours.
Deployment and rebalancing	<p>h. The council may impose a curfew in certain locations, to mitigate issues such as drink riding, noise and other types of nuisance. This will require all e-scooters to be removed before a specified time.</p> <p>i. Any e-scooter unused for 48 hours must be returned to an approved deployment zone.</p> <p>j. The operator may submit a request to the council for additional deployment locations, which the council may consider and approve. Any request for additional deployment locations must be submitted as per the <i>Micromobility Device Deployment Location Requirements</i>.</p> <p>k. The operator must only deploy e-scooters in public locations approved by the council. Private deployment locations may be arranged independently.</p> <p>l. Where a parking corral is available, nearby deployment locations may be disestablished following notice to the operator.</p> <p>m. No more than six scooters from an operator may be deployed or rebalanced in any one location, unless by previous agreement with the council.</p>
Non-compliant parking	<p>n. To reduce nuisance, obstructions and hazards to pedestrians or vehicles, the operator must ensure that the deployed fleet (including e-scooters deployed by the operator and e-scooters parked by riders) achieves a minimum of 85 per cent parking compliance according to the requirements of:</p> <ul style="list-style-type: none"> <li>• The Trading and Events in Public Places Bylaw 2015; and</li> <li>• The Trading and Events in Public Places Guidelines 2015.</li> </ul> <p>o. The operator must resolve a report of a damaged e-scooter or an e-scooter parked in a non-compliant manner or within two hours of notification by a member of the public or the council.</p>

	<p>p. The operator must resolve a report of an e-scooter out of zone or in a waterway within 24 hours (if reasonably practicable) of notification by a member of the public or the council.</p> <p>q. The operator must require users to provide a photo of the parked e-scooter on the completion of their journey. The operator must conduct an audit of user parking.</p>
Influencing user behaviour	r. Terms and conditions of use must be agreed by users when they use the e-scooter equipment. These terms must provide the user with New Zealand regulations.
Monitoring and Compliance costs	s. The council will recover from the operator any costs incurred, on an hourly rate for any activity associated with monitoring and compliance activities including but not limited to: meetings held with operators, monitoring performance, incident investigation and review, addressing or abating any instances of non-compliance.

## 4 Ongoing information requirements

### 4.1 Reporting requirements

Frequency	Information required
Immediately	<p>a. When the operator becomes aware of an accident that affects the safety of users or the public in Auckland, they must report this to the council immediately.</p> <p><b>Incident</b> = unplanned or uncontrolled event that results in risk to health and safety.</p> <p><b>Accident</b> = unplanned or uncontrolled incident that results in injury or death, or loss of property.</p> <p>The operator must commence an investigation immediately for all accidents. The operator will also undertake an investigation into any incident as directed by council. Information must be reported to the council as follows:</p> <ul style="list-style-type: none"> <li>• An initial investigation report will be provided to the council within 48 hours.</li> <li>• A final investigation report will be provided to the council within seven days or an agreed timeframe with council</li> </ul> <p>b. The operator must immediately report to the council any actual or potential systemic hardware, software or firmware issues in other jurisdictions where the operator is present.</p>
Weekly	c. The operator must provide the following information in a format specified by the council on a weekly basis:

	<ul style="list-style-type: none"> <li>• Consolidated reporting of incidents/accidents, investigations and corrective actions in Auckland.</li> <li>• Consolidated reporting of incidents/accidents, investigations and corrective actions in other New Zealand jurisdictions.</li> <li>• Reporting of maintenance programme and any issues arising, including the number of e-scooters that have not been subject to a full maintenance inspection during the period.</li> </ul>
Monthly	<p>The operator must provide the following information in a format specified by the council on a monthly basis:</p> <ul style="list-style-type: none"> <li>d. An audit report of customer parking compliance, including percentage of customer parking photos reviewed and percentage that were found to be non-compliant, and any action taken.</li> <li>e. Reporting of safety initiatives undertaken.</li> <li>f. Reporting of parking and related complaints and response time logs in line with section 3(o).</li> </ul>

## 4.2 Data requirements

All personal information must be collected, processed and stored in accordance with the requirements of the New Zealand Privacy Act 1993.

Data requirements outlined below must be provided in Mobility Data Specification (MDS) format.

The council reserves the right to display data from the operators on our websites and will not display any personal or commercially sensitive information.

### 4.2.1 Fleet information

The operator will provide the council with real-time information on the entire fleet through a documented application programme interface (API) in MDS format.

For every parked scooter, the following information is required:

- Scooter identification number
- GPS co-ordinate
- Availability start date
- Availability start time

### 4.2.2 Ride information

The following table outlines the usage data to be shared with the council for each trip record, unless agreed otherwise in writing with the council. This is to be sent to or available for the council to access whenever requested or to an agreed reporting schedule.

Field	Comments
provider_id	A UUID for the Provider, unique within MDS
provider_name	The public-facing name of the Provider
device_id	A unique device ID in UUID format
vehicle_id	The Vehicle Identification Number visible on the vehicle itself
vehicle_type	
propulsion_type	
trip_id	A unique ID for each trip
trip_duration	Time, in Seconds
trip_distance	Trip Distance, in Meters
Route	
Accuracy	The approximate level of accuracy, in meters, of points within route
start_time	
end_time	



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