



## **SMM Permit Application**

**Approved 6/14/2024**

*Please send the completed application package to [craig.dittmann@sanjoseca.gov](mailto:craig.dittmann@sanjoseca.gov) by 11:59pm 7/28*

### 1) Applicant Information

- a) Application Date
- b) Business Name
- c) Mailing Address
- d) Physical Address (if different than mailing address)
- e) Business Phone
- f) Business Email Address
- g) City of San José Business License Number
- h) Primary Contact Name
- i) Primary Contact Title
- j) Primary Contact Direct Phone
- k) Primary Contact Direct Email Address

### 2) Company Information

- a) List the name or business address of each person or entity that:
  - i) Has more than 10% equity, participation, or a revenue interest in the Applicant; or
  - ii) Is a trustee, director, partner, or officer of another entity that owns or controls the Applicant, excepting persons serving in those roles as volunteers, without compensation, or for tax-exempt organizations under Section 501(c)(3), (4), or (6) of the US Internal Revenue Code.
- b) List the name and business address of any parent or subsidiary of the business namely any other business entity owning or controlling the Applicant in whole or in part, or owned or controlled in full or in part by the Applicant, and a statement describing the nature of any such parent or subsidiary business entity.
- c) Briefly describe the applicant's technical and legal qualifications to operate a shared micro-mobility program.

- i) These include but are not limited to:
  - (1) **Business License:** The company needs to have a valid business license to operate within the city of San Jose.
  - (2) **Permits or Authorizations:** The company needs to obtain permits to operating dockless scooter services.
  - (3) **Compliance with Local Laws and Regulations:** This encompasses a wide range of legal requirements, including adherence to traffic laws, parking regulations, data privacy laws, and any other relevant regulations governing transportation services in San Jose.
  - (4) **Liability Insurance:** As part of the indemnification process, the company must maintain liability insurance coverage to protect against potential claims or lawsuits related to accidents, injuries, or property damage involving their scooters.
  - (5) **Financial Responsibility:** The company must demonstrate their financial ability to fulfill indemnification obligations, which could include providing proof of insurance coverage or having sufficient financial reserves to cover potential liabilities.
  - (6) **Indemnity Agreement:** The company must enter into an indemnity agreement with the city, wherein they agree to indemnify and hold harmless the city from any claims, lawsuits, or expenses arising from their scooter operations or the use of the scooters.
  - (7) **Compliance with Indemnification Terms:** The company must show a history of compliance with the terms and conditions outlined in any indemnification agreements or requirements set forth by the city or relevant authorities.
  
- d) If applicable, describe the Applicant's history in San José, including current and previous operations, types of shared micro-mobility Devices, and the number of Devices.
- e) References: Please provide a contact person in three comparably-sized cities where the applicant recently or are now operating. Provide the title, email, and phone number of that person.
  - i) For those three cities, please provide the following:
    - (1) Length of operation for fleets of 500 Devices or more,
    - (2) Annotated list of all penalties, citations, and/or warnings received in 2023 (12 months)
      - (a) Include what the violation was for, when the Applicant received it, and whether or how the offense was resolved

- (3) Record of any suspension or revocation of the applicant's shared micromobility (or power scooter) permit in San Jose or any other city that the Applicant, parent company or subsidiaries has operated in.
  - (a) Include what the suspension was for, when the Applicant received it, and whether or how the suspension was resolved
- (4) Outreach and marketing in Equity Priority Communities (EPCs) in those specific cities, as defined in section (4)(b) of this document.

### 3) Shared Micro-Mobility Device and General Operations Information

*Describe the Applicant's proposed operation plan for the City of San Jose (City), including but not limited to:*

- a) The Applicant's proposed shared Devices and how these Devices meet the requirements in the Terms and Conditions Administrative Regulations, section 2.2. Please provide photos, drawings, or sketches of all proposed device models.
- b) Information on the hours of operation, initial deployment area, and the number of Devices. The number of Devices deployed at the beginning of the 2024-25 permit period will determine the Shared Micro-Mobility Annual Permit fee. This fee must be paid to the City before permit issuance. Note that electric-assist bike share is not part of the shared micromobility permit program.
- c) The Applicant's method for addressing improper parking and use of Devices in the City (Administrative Regulation Section 2.4, 1). In your response, be sure to address (i) recommended parking zones and (ii) Standard Operating Procedures for Retrieval of Devices from Bodies of Water (Administrative Regulation Section 2.4,8.i.vi).
- d) Describe the Applicant's hiring and labor plan (by contract or Federally reported W2), including the number of full-time, contract employees and other any associated entities expected to be employed in San José.
- e) Describe the Applicant's plan to comply with the privacy requirements of the Administrative Regulations (Administrative Regulation Section 2-4,8), including complying with applicable federal, state, and local privacy laws. How will the Applicant protect the privacy of personal information provided by users?
- f) Describe the Applicant's plan to comply with the data sharing requirements of the Administrative Regulations (Administrative Regulation Sections 2-4 (8) and (9)).
- g) Describe the Applicant's plan to comply with the City's speed limit requirement (Administrative Regulation Section 2.2, 5).

- h) Describe the Applicant's cash-based payment option(s); what is the procedure for renting a device without a bank account and/or smartphone access (Administrative Regulation Section 2-4, 7b)? Please describe all steps, available locations, and costs required to access the service.
- i) Describe the Applicant's plan to deploy new hardware, software, program features, or pilot programs during the 2024-25 permit cycle.

#### 4) Program Delivery

*NOTE: Operators have the option to apply for the full program vehicle cap. If an operator exercises this option, they must pay for the full cap upfront for the year. If an operator proposes a lower initial fleet and wants to increase its fleet during the permit term, the operator must pay a prorated fee for each vehicle added before it comes online as per the permit administrative regulations.*

- a) Downtown Area (40% of total fleet maximum)

*As defined by US Census tracts: 5008, 5016.02, 5009.02, 5009.01 and 5010*

- i) Describe Applicant's conceptual plan for ultimate deployment by including the following (2.3,10)
  - (1) Map of the proposed and ultimate fleet distribution
  - (2) Proposed fleet size at launch
  - (3) Proposed distribution within the downtown area
  - (4) Proposed methods for avoiding overcrowding of devices in the downtown area
  - (5) Designated deployment zones within the area
  - (6) The approximate number of Devices at each deployment zone
  - (7) Provide an ESRI Shapefile/GeoJSON of the area boundary with deployment zones, staged scooter (based on the applicant's ultimate deployment), and area boundary

- b) Equity Priority Communities (15% of total fleet minimum)

*As defined by the Metropolitan Transportation Commission (EPC definition and layers)*

- i) Describe Applicant's conceptual plan for ultimate deployment by including the following (2.3,9)

- (1) Map of the proposed and ultimate fleet distribution
- (2) Proposed fleet size at launch
- (3) Plan for maintaining minimum deployments in equity priority communities
- (4) Approximate deployment zones within the area
- (5) Approximate number of Devices at each deployment zone
- (6) Provide an ESRI Shapefile/GeoJSON of the area boundary with deployment zones, staged scooter (based on the applicant's ultimate deployment), and area boundary

c) Other Planned Deployments

- i) Describe Applicant's conceptual plan for ultimate deployment by including the following
  - (1) Map of the proposed and ultimate fleet distribution
  - (2) Proposed fleet size at launch
  - (3) Designated deployment zones within the area
  - (4) The approximate number of Devices at each deployment zone
  - (5) Provide an ESRI Shapefile/GeoJSON of the area boundary with deployment zones, staged scooter (based on the applicant's ultimate deployment), and area boundary

*NOTE: "Conceptual plan for ultimate deployment" refers to the applicant's proposed strategy for the long-term deployment and management of scooter operations within the city, including considerations such as scalability, infrastructure development, and community engagement.*

5) Program Planning

- a) Education: Describe the Applicant's education and promotion plan for the first three months of the permit period (Administrative Regulation Section 2-4, 5e) and if and how that practice will be continued.
- b) Community Outreach and Education: Submit a Community Outreach and Education plan, consistent with Administrative Regulation Sections 2-4,5, that includes the following:
  - i) Equity Priority Community Outreach: Describe the Applicant's plan to increase its Devices' safe utilization in the EPCs the Applicant proposes to operate in, consistent with Administrative Regulation Section 2.3,9. Describe how the applicant will conduct culturally and linguistically appropriate outreach in these communities to ensure that residents are familiar with the applicant's services, available discounts and payment options, integration with public transit, and can safely utilize the

Applicant's service. Please provide screenshots, images, and explanations of relevant user education materials and describe any additional education, incentives, training, device modifications, notification systems, or other approaches the applicant plans to employ.

- ii) In areas the Applicant plans to operate, identify the community-based organization(s) it plans to partner with to implement its outreach plan. What events in that community does the Applicant plan to participate in to promote the program? What other specific ways might the Applicant work with its partner(s) to increase interest in and use of your service?
- iii) Access Discount Programs: Describe the Applicant's marketing and outreach plan to increase awareness and utilize the Applicant's low-income discount options. (Administrative Regulation Section 2.4,6 and 2.4,5g). Provide the applicant's goal(s) for increasing low-income program utilization and how the applicant intends to measure that (Administrative Regulation Section 2.4,5h)
- iv) Broader Program Engagement:
  - (1) Community Partnerships: Describe the Applicant's plan for partnering with private firms (such as housing developers and employers), public agencies, non-profits, and the public to increase usage of its Devices across its service area. Identify three organizations the applicant wants to partner with and describe how the applicant envision collaborating with them.
  - (2) Rider Safety: Describe the Applicant's strategy for educating and encouraging safe and responsible conduct of its users (Administrative Regulation Section 2.4, 5c), including compliance with all state laws and local ordinances regarding parking and use of Shared Micro-Mobility Devices (Administrative Regulation Section 2.4, 5a/b).
  - (3) Language Access: Describe the Applicant's plan to comply with the multi-language requirements of, at minimum, English, Spanish, and Vietnamese in the Administrative Regulations (Section 2.4,3).
  - (4) Communication: Describe the Applicants proposed plan to develop multilingual communication services, including but not limited to maintaining a city-specific web portal, a local call center, and a 24-hour mobile application customer interface
    - (a) Website must include:
      - (i) A service change log (listing changes to pricing, service area, and fleet size)
      - (ii) A searchable and regularly updated public-facing online forum for receiving and hosting community feedback

(iii) Searchable annotated record of community engagement

- c) Pricing: Describe the Applicant's initial and projected pricing plan for the permit period. In this section include base pricing and any differentiated pricing for members, ride packages, and reduced fare programs. Note that the Applicant shall notify the City of all current pricing and fees and timely updates regarding fee changes (Administrative Regulation Section 2.4,1k).

*NOTE: The evaluation of pricing in question 5.c will consider various factors, including but not limited to, affordability for users, competitiveness in the market, and financial viability for the operator. Lower prices will not necessarily produce a higher score but provide insight into the operator's plan for deployment.*