

## Communication from Public

**Name:**

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**Council File No:** 17-1125

**Comments for Public Posting:** See attached letter from Bird regarding City's micromobility program.



LETTER SENT VIA EMAIL

March 12, 2021

Los Angeles City Council  
Attn: Transportation and Public Works Committees  
200 N Spring St  
Los Angeles, CA 90012

Re: Bird Feedback Related to March 2021 Dockless Mobility Program

Dear Honorable Members of the Transportation and Public Works Committees,

Bird Rides, Inc. (Bird) would like to thank the Joint Committee, the Los Angeles Department of Transportation, Council Staff, and all those who have contributed to this program over the past two plus years to build one of the most robust micromobility programs in the world. This program has seen tremendous growth, success, and opportunity; and provided some meaningful lessons for all stakeholders involved along the way. While we are saying goodbye to one program and moving onto the next, we hope to impart our deepest recognition to those who have brought this program to fruition, supported it, and nurtured it to its current state. We believe that this program demonstrates the true possibilities that public / private partnerships can achieve in taking on the many challenges we currently face.

In the proposed program before you, while many issues addressed by stakeholders and operators have been reconsidered, we fundamentally believe that for this program to be taken to another level, some amending considerations should be made. The Department of Transportation has made strides in improving this program to meet the many needs of the community, operators, and the City, and we would be remiss to not acknowledge the hard work their dedicated team has put into this program. With that, we wish to share our perspective on how this program could be improved to further meet the needs, goals, and reality of today's demands.

**Caps**

Bird has always supported this program with a large fleet, and with that fleet alone, we have generated millions of rides that have offset car trips, supported the local economy, and allowed residents to move more freely about the City. In the program proposed before you, the overall city cap for all operators is being reduced from 10,500 units to 3,500 units. We believe that for a number of reasons, this is a miscalculation, misaligned with the goals of the City, and may ultimately harm the financial stability of the program.

Out of full transparency, no operator is currently operating at 10,500 total vehicles due to challenges with the original payment model, map distribution, seasonality of the business, and COVID-19 shutdowns that have reduced travel for many. However, with a revised map and new payment structure, Council should consider keeping the vehicle cap at the status quo of 10,500 or eliminate the cap altogether. Payment is no longer tied to the vehicle totals, and inversely, by limiting the total number of vehicles, rides will also become limited.

In this new program, the funding stream to the Department is tied directly to the trips generated from rides. Staff reports that they believe this structure will allow for cost recovery for

administering the program, but fail to mention that by decreasing the volume of devices from the largest operators, they will affect the overall potential for ride generation and therefore the ability to recover costs. With this current proposal, thousands of devices will be removed from service which will cost jobs, minimize access for residents that in turn generates trips, undercut equity goals, and potentially reduce the availability of vehicles below the threshold needed to support the program's administration.

Most importantly, the City's data shows a significant drop in 311 tickets, confirming that the current operators' efforts to improve parking and rider behavior have been effective. Technically there is no cap on vehicles as there is no cap on the number of operators. Rather than building on successes and ensuring this program can support itself, staff is proposing a program that allows for an unlimited number of unvetted operators. This new program should allow those who have worked through the past few years the ability to test and potentially flourish within the new map and payment structures. If potential new operators do not participate in the program, the overall fleet cuts will limit availability and rides, thus harming the financial sustainability of the program. There are other negative externalities that will result from limiting device quantities.

### **Equity Distribution Model**

As proposed before you, staff have tied equity and operations in the Special Operations Zones directly by requiring a 5% fleet deployment to the Equity-Focused Mobility Deployment Districts (EFMDDs) to gain full access to the Venice SOZ, Hollywood SOZ, and future DTLA SOZ. In the Venice SOZ, there is a current operator cap of 150 vehicles, which will remain unchanged from one program to the next. The minimum fleet deployment to participate in the City's program is 500 vehicles. If unchanged, an operator with 500 vehicles would only need to distribute 25 vehicles to EFMDDs to have an equivalent fleet in the Venice SOZ, whereas an operator with 3500 vehicles will have to distribute 175 for an equal fleet size. We believe that leaving this model in place will concentrate vehicles even more densely in the SOZs, not encourage true equitable distribution, and will oversaturate SOZs as new operators will have very little fleet requirements to provide service to these zones.

We have proposed that LADOT add a 20% deployed requirement to the Mobility Disadvantaged Districts as well as a ratioed 3-to-1 equity to SOZ deployment model to ensure the greatest impact toward the equity goals of the program. We request that City Council seek to raise the minimum fleet requirements to operate in the program from 500 to 1000 or greater to ensure that operators who truly share a mutual goal of equitable distribution throughout the city bring forth a fleet for which is commensurate with this goal.

### **New Operator Moratorium in DTLA, Hollywood and Venice**

With years of experience in managing and ensuring the highest standards are met in these zones, we urge Council to move forward with a moratorium on operations to the special operations zones and Downtown Los Angeles for new operators to the City. As was the requirement for current operators before the Conditional Use Permit, and with an additional set of requirements on the technical backend and with personnel for the SOZs, we believe that a moratorium should be placed on these zones for new operators who have yet to demonstrate technical capabilities required to maintain maintenance and upkeep of the zones. We respectfully request a one year moratorium on new operators to these zones.

### **Fifth Payment Fee**

With multiple municipalities operating and managing micromobility programs that neighbor the City of Los Angeles, Bird has requested staff make changes to add a ride fee specific to trips that originate from outside of the city limits. We request a flat fee of \$0.10 per trip.

With city limits not clearly defined, our goal is to ensure that we can keep ride costs low for users, support interoperability within the region, and ensure that double payments are not occurring on operators who maintain presence in multiple programs. We should be encouraging an interoperable system and this recommendation would allow us to keep fares affordable across the Los Angeles region.

### **Compliance Changes**

In the original proposed program changes, staff proposed a sweeping overhaul of the compliance program. This resulted in more questions from Council and operators than answers. Since the last meeting of Council regarding this item, staff have not consulted with operators on discrepancies or concerns regarding compliance changes, and operators were assured that meetings and input would take place before any changes were made effective. We urge City Council to request a report back on the implementation and changes to the compliance program from LADOT and at least a 3 month delay of proposed compliance changes for operators to fully invest engineering and staff time to monitor and implement requirements. Without proper leetime or notice, these sweeping changes could have devastating impacts on the program and operators.

In closing, we value the relationship we have built with City Council, LADOT, Council Staff, and all those involved in this program. We believe that if the following set of recommendations are implemented, City Council will fundamentally ensure that this program remains financially sustainable, increases access to micromobility for residents, creates more job opportunities and economic growth, and maintains the environmental gains seen thus far. It will also ensure a minimum standard and quality of operators to meet the needs of the City.

Thank you for your consideration.

Sincerely,

Morgan Roth  
Manager, Government Partnerships

Tim Harter  
Regional Senior Manager, Government Partnerships

CC:

Mayor Eric Garcetti  
Council President Nury Martinez  
Councilmember Mike Bonin  
Councilmember Paul Koretz  
Councilmember Bob Blumenfield  
Councilmember John Lee  
Councilmember Joe Buscaino  
Councilmember Mitch O'Farrell  
Councilmember Kevin de León  
General Manager Seleta Reynolds, LADOT