

# TRN-3.309- Carsharing Parking Administrative Rules

## 1. POLICY

The City of Portland recognizes that carsharing provides benefits to the City and its residents. Carsharing can help reduce greenhouse gases and harmful air pollution and reduce traffic congestion while increasing travel options including transit ridership, biking, and walking. To support carsharing in Portland, the Portland Bureau of Transportation (PBOT) allows carshare organizations to obtain a permit with parking rules and regulations that help support carsharing operations.

## 2. PURPOSE

The purpose of this administrative rule is to establish a transparent and consistent policy for allowing carshare vehicles to operate and park in Portland. The operation of a commercial carshare company that locates cars in city right-of-way is a privilege, not a right. This administrative rule describes the rules and requirements for carshare parking permits. Carshare companies must certify to the City of Portland that all shared vehicles have met applicable certifications and operating requirements.

## 3. DEFINITIONS

For the purposes of this policy, the following definitions shall apply:

"Business-to-Consumer (B2C)" is a carshare vehicle model where the vehicles are owned, leased or operated by a carshare organization. Also referred to as "fleet ownership".

"Carsharing" is a shared-use vehicle program that provides a geographically distributed fleet of vehicles to serve its members.

"Carsharing Operation Parking Program" is the City of Portland Bureau of Transportation program that authorizes carsharing organizations to provide carsharing requiring parking in the City right-of-way.

"Carsharing operation parking permit" is the revocable permit issued by the PBOT Parking Services Group Manager authorizing a carsharing organization to operate and park their vehicles in the public right-of-way. The City may issue individual permits by carsharing space, carsharing vehicle, or carsharing organization. Permit(s) must be displayed as directed by the PBOT Parking Services Group Manager.

"Carsharing organization" is an organization that provides members with access to a minimum of five (5) shared-use vehicles at geographically distributed locations with hourly, daily, and/or weekly rates that include insurance.

"Carsharing vehicle" is a vehicle made accessible by a carsharing organization for use by its members. Each carsharing organization shall display its identifying emblem on the outside any carsharing vehicle using on-street spaces

"Designated carsharing on-street space" is a metered or non-metered on-street parking space designated and reserved by the City for use by a carsharing organization.

"Free-floating Carshare Model" is a carshare model that allows vehicles to be picked up and dropped off at different locations within a certain boundary area. Also referred to as "point-to-point" or "one-way" carshare models

"Historically underrepresented and economically disadvantaged people" include Black, Indigenous, People of Color (BIPOC), people living on low incomes (less than 80% median family income), veterans, people with disabilities, immigrants and refugees, and formerly incarcerated people.

"Metered on-street space" is an on-street space within a City meter district or area.

"Operating Area" is the area defined by a distinct boundary that a free-floating carshare organization operates within. The Administrative Rules in this section apply to vehicles parked within the Operating Area. Vehicles parked outside of the Operating Area must adhere to the rules and regulations of Title 16 that are applicable to any privately owned vehicles operating within the right-of-way, which includes adhering to posted time limits on parking

"Peer-to-Peer (P2P)" is a carshare vehicle model where the vehicles are privately owned, rather than a vehicle fleet which is owned by the carshare organization.

"Round-trip Carshare Model" is a carshare model that relies on a vehicle being picked up and returned to the same location.

## 4. RESPONSIBILITIES OF CARSHARING ORGANIZATIONS

To be eligible for a parking permit, carshare organizations must meet the definition of "carsharing organization" in Section II.

Carsharing organizations must pay all permit and other appropriate fees or surcharges to the City.

Carsharing organizations are responsible for the payment of all citations and towing fees incurred by their vehicles.

Carsharing organizations must adhere to all parking rules and regulations set for in Title 16, unless specified in their permit.

Carshare organizations may not place brochures or advertisement media in the public right-of-way other than their corporate branding on their company vehicles.

Carsharing organizations shall survey their membership on an annual basis and shall provide the survey results to the City of Portland Bureau of Transportation annually. Carsharing surveys shall gather data on changes in travel behavior, costs, and benefits and shall be jointly developed with and approved by the City.

Carsharing organizations shall provide the City, a City-identified third-party researcher, and/or contractor access to data in accordance with the requirements specified in the City's mobility data specification published at <https://github.com/CityofPortland/mobility-data-specification>.

Carsharing organizations shall coordinate with the City during times of Inclement Weather, Emergencies, and during Disaster Declarations. In such times, the Director may limit or prohibit dynamic pricing, change these Operating Requirements, require changes to permittees' operation plans, and/or require carshare vehicles to be removed from the streets if safe operation is deemed not feasible.

Carsharing organizations shall adhere to all terms and conditions as outlined in their operation parking permit.

## 5. GENERAL REQUIREMENTS FOR ROUND-TRIP CARSHARE

### Carsharing permits

A Reserved-Zone Carshare Permit provides a dedicated on-street or SmartPark garage parking space that can only be used by vehicles from the permitted carshare organization. In order for a carsharing vehicle to use a reserved carsharing space, the vehicle must have a valid permit on file with PBOT. Carsharing organizations will work with the City to obtain permits by carsharing space, carsharing vehicle, or carsharing organization, whichever is applicable. Permit(s) must be displayed as directed by the PBOT Parking Services Group Manager.

### Reserving Carshare Spaces

The Carsharing Program will make available at least fifty (50) metered on-street spaces and at least fifty (50) non-metered on-street spaces, with a maximum of three hundred (300) carsharing on-street spaces citywide.

Reserved carsharing spaces will be reserved for the exclusive use of one carsharing organization at all times, and may not be used by any other carsharing organization.

## Reserving Spaces within Metered Districts

Reserved-Zone Carshare Permits within meter districts will be issued once per year, valid at the start of the fiscal year (July 1st of each year). During the spring prior to permit issuance, PBOT will reach out to existing permittees outlining the request process for the following year:

- Carshare company identifies existing metered stalls they are interested in getting permitted for and submits them to the Carshare Permit Manager.
- Carsharing parking spaces will not be installed in the downtown retail core (except for SmartPark garages), currently defined as the 17-block area bounded by SW Alder and SW Taylor and SW 3rd and SW 9th Streets. The PBOT Parking Services Group Manager has the authority to redefine these boundaries at any time.
- Carshare Permit Manager will research location to verify that the spaces requests result in no traffic or safety conflicts, and will determine the appropriate adjacent properties.
- Carshare company will be responsible for reaching out to adjacent properties and getting the Adjacent Property Approval form signed. If the carsharing on-street space is within an Area Parking Permit Zone, the carsharing organization must notify the APP Committee and obtain a recommendation from the Committee.
- If the proposed carsharing on-street space is within an Area Parking Permit (APP) Zone, the carshare organization will notify the APP Committee and obtain an approval recommendation from the Committee.
- Carshare permits will be issued on a first-come, first-served basis, meaning that if two carshare companies are requesting the same space, the company that submits the signed Adjacent Property Approval form first will be awarded the locations.

If a new carshare organization is interested in reserved carshare spaces after the start of the permit year, they may contact the Carshare Program Manager to discuss the process and determine if they can participate in the program after the permit year has started.

In order to ensure efficient use of the public right-of-way, carshare organizations reserving spaces must meet certain vehicle availability and utilization requirements.

A vehicle placed in a reserved space must:

1. be available as part of the carshare program for at least 75% of the total monthly hours, averaged over a three-month period.
2. meet utilization requirements of at least 60 trips per month (excluding any trips reserved by the owner of a vehicle for P2P business models), averaged over a three-month period (due to low usage and not to circumstances beyond the carsharing organization's control).

Failure to meet these requirements may result in removal of the carshare parking space and modification of the permit. Notice of the space being removed will be sent to the carshare company.

## Fees for Spaces within the Metered District

For on-street and SmartPark the fee for reserving the space will be determined by a meter recovery rate calculation of the meter where the space is located. This fee includes:

1. meter recovery,

2. a \$50 fee, and
3. a \$300 installation fee for locations not currently permitted.

See permit for specific fees and details.

#### Reserving Spaces outside of Metered Districts

On-street carshare spaces outside of the meter district will be approved on an ad-hoc basis.

Carshare organizations may propose on-street carshare locations outside of the meter district to PBOT. For each proposed space, the carsharing organization must provide the City with City-approved forms signed by the adjacent property owner or designee acknowledging consent to install a carsharing on-street space along with a statement discussing the rationale of why the space is being proposed. If the carsharing on-street space is within an Area Parking Permit (APP) Zone, the carsharing organization must notify the APP Committee and obtain a recommendation on whether or not the space should be converted.

The City may also suggest carshare spaces outside of the metered district depending on transportation demand management strategies, and local requests. The City will inform all carshare organizations that operate in Portland when a suggested space is determined.

In order to ensure efficient use of the public right-of-way, carshare organizations reserving spaces must meet certain vehicle availability and utilization requirements.

A vehicle placed in a reserved space must:

1. be available as part of the carshare program for at least 75% of the total monthly hours, averaged over a three-month period.
2. meet utilization requirements of at least 60 trips per month (excluding any trips reserved by the owner of a vehicle for P2P business models), averaged over a three-month period (due to low usage and not to circumstances beyond the carsharing organization's control).

Failure to meet these requirements may result in removal of the carshare parking space and modification of the permit. Notice of the space being removed will be sent to the carshare company.

#### Fees for Spaces outside of the Metered District

The City of Portland Bureau of Transportation is authorized to establish fees and surcharges to recover the costs of installation, relocation, removal, maintenance, improvements, and administration of carsharing on-street spaces, carsharing permits, and stewardship of the public right-of-way. If the carsharing space to be reserved is within an Area Parking Permit (APP) Zone, the cost of the APP will also be included in the fees.

Fees will be reviewed and adjusted as part of the City of Portland Bureau of Transportation's periodic review.

See permit for specific fees and details.

## Removal and Relocation of Reserved Carsharing Spaces for both Metered and Non-Metered Districts

Carsharing spaces may be removed or relocated with thirty (30) days' notice at the discretion of the PBOT Parking Services Group Manager. PBOT will review and approve refunds for prepaid spaces on an ad-hoc basis.

If a construction or maintenance project necessitates the removal of an existing carsharing on-street space, the City of Portland Bureau of Transportation will work with the affected carsharing organization to find a suitable alternative location.

Each carshare vehicle using a reserved space must have a carsharing permit that allows for parking in reserved spaces. The City may issue individual permits unique to a carsharing space, carsharing vehicle, or carsharing organization. Permit(s) must be displayed as directed by the PBOT Parking Services Group Manager.

## Reporting Requirements

For all carshare spaces, carshare organizations are required to submit quarterly reports to PBOT. Carshare organizations shall furnish these reports to the City each quarter, due within 30 days from end of that quarter. These reports are used to verify compliance with the carshare parking program rules.

Required data submission is specific to the carshare parking space, regardless of which vehicle is parked there, and must include the following information:

- Total hours that the vehicle was available as part of the carshare program
- Number of unique users (excluding vehicle owners)
- Number of reservations (excluding vehicle owners)
- Total reservation hours (excluding vehicle owners)

## 6. GENERAL REQUIREMENTS FOR FREE-FLOATING CARSHARE

### Permits

A non-reserved carshare parking permit allows the fleet of vehicles under the permitted carshare organization to operate in City right-of-way and park in metered and non-metered parking spaces for extended times and without meter payment. Permit requirements are explicit and detailed for each permittee and can be found in the specific permit. Carshare companies not wishing to participate in the permit program do not receive any benefits listed in this administrative rule and are treated as private automobiles for the purposes of enforcement.

Carsharing organizations will work with the City to obtain operation parking permits by carsharing vehicle or carsharing organization, whichever is applicable. Permit(s) must be displayed as directed by the PBOT Parking Services Group Manager.

## Operation and Parking Guidelines

Operating Areas shall require initial approval by the PBOT Parking Services Group Manager before a free-floating carshare organization is issued a permit. Any proposed changes to the boundaries within the time period of this permit must be submitted to the Parking Services Group Manager for review at least sixty (60) days before the planned changes. If changes to the operating area are proposed by Permittee, Permittee must contact City recognized neighborhood organizations and/or business associations that are impacted and provide an opportunity for neighborhood input.

The City may provide a list of any and all parts of the Operating Area that Permittee permits will not be honored. Permits will not be valid when the vehicle is parked in these areas and therefore must follow the same rules and regulations as any other motor vehicle.

Carshare vehicles may park without time limit or payment of meter on public right-of-way, in legal and not otherwise restricted parking spaces that are time limited as 2 hours or more.

Refer to permit for additional operating details and restrictions.

## Fees

Each free-floating carshare company shall be responsible for all fees and surcharges related to the administration of their carsharing operation parking permits, which include fees for each of the Area Parking Permit (APP) Zones that fall within the carshare organizations Operating Area. These fees will be covered by a combination of permit fees and per-trip fees.

Free-floating carshare vehicles will be assessed the following fees:

1. A fee of \$30 per vehicle is due at the beginning of each permit year.
2. In addition to the per-vehicle fee, Permittee will pay a \$1.00 per-trip fee to PBOT for every trip that starts or ends in the City of Portland as outlined in TRN 1.504 Fee Schedule.

## Equity

To advance City policies that support equity and address structural racism, free-floating carshare organizations shall:

1. Provide a discounted low-income pricing plan to individuals that qualify for programs such as but not limited to TriMet's low income program, the State of Oregon's Supplemental Nutrition Assistance Program (SNAP);
1. Pursue and report on collaboration with community-based organizations, particularly those serving Black, Indigenous, and People of Color (BIPOC) Portlanders, to advance innovative partnerships and programs that make the carshare service available to their constituents;
2. Comply with PBOT's High Road Standards which promotes workforce diversity and fair labor practices for historically underrepresented and economically disadvantaged people working at the carshare organization and its subcontractors; and
3. Provide PBOT with a quarterly report that outlines its progress and challenges on each of the above requirements.

## Zero Emission Vehicle Requirements

To advance City policies to mitigate climate change and reduce its disproportionate impacts on low-income and people of color communities, the Permittee agrees that:

1. Within six months of permitting, carshare organization shall provide PBOT with a Zero Emissions Plan that details how at least twenty percent (20%) of its fleet will operate using zero emissions vehicles (ZEV) by 2023. The plan shall outline operational considerations such as vehicle types and costs, including incentives; existing and any recommended improvements for charging/fueling infrastructure; user perceptions; necessary partnerships with stakeholders, including but not limited to the local public utilities; and, any limitations.

## 7. ENFORCEMENT

The City of Portland Bureau of Transportation will enforce dedicated on-street carshare spaces as well as free-floating vehicles. The City will issue citations for unauthorized vehicles in carsharing on-street spaces or vehicles violating the parking rules of their permit.

The City is responsible for notifying carsharing organizations in advance of scheduled events, street cleaning or street repairs that require on-street vehicles to be moved. Parking Enforcement will notify the carsharing organization prior to citing or towing carsharing vehicles in assigned spaces as soon as the information is available.

Carsharing organizations are responsible for promptly moving carsharing vehicles upon notification by PBOT or may face enforcement action, including citation or towing. Carshare organizations are expected to move vehicles within 3 hours of notice during normal business hours. Notifications that occur after business hours are expected to be responded to within 3 hours of start of business the next day.

Violation of any of the contractual or permit responsibilities will result in one 30-day notice per permit year to resolve the issue. Following that notice, failure to resolve the issue to the City's satisfaction may result in revocation of the permit.

## 8. Customer Service

Carshare companies are required to have a local presence in the City and shall be responsive to requests, whether in response to the Carshare Permit Manager, customer complaints, or for other purposes.

Carshare companies must also provide a customer service telephone number, which is answered by a live person twenty-four (24) hours per day, seven (7) days per week. Customer service representatives shall be competent and knowledgeable about the program in Portland and able to answer questions and provide information, including information related to parking prohibitions for the carshare program.



## 9. Insurance Requirements

Carshare companies are required to carry insurance matching or exceeding the limits listed below. These numbers may be adjusted at PBOT's sole discretion but will not change during a permit year.

- a. Commercial General Liability Insurance covering bodily injury and property damage in a form and with coverage that is satisfactory to the City. This insurance shall include personal and advertising injury liability. Coverage shall be written on an occurrence basis. The limit per occurrence shall not be less than \$1,000,000 or as may be required by subsequent amendment and shall provide that the City of Portland, and its agents, officers, and employees are Additional Insured.
- b. Automobile Liability insurance with a combined single limit of not less than \$1,000,000 per occurrence for Bodily Injury and Property Damage, including coverage for owned, hired, or non- owned vehicles, as applicable, and any other insurance as required in the company's permit. Such insurance shall provide that the City of Portland and its agents, officers, and employees are Additional Insured.
- c. On all types of insurance. Carshare provider must meet all State of Oregon insurance requirements. There shall be no cancellation, material change, reduction of limits, or intent not to renew the insurance coverage(s) without 30-days written notice from the permittee or its insurer(s) to the City.
- d. Certificates of insurance. As evidence of the insurance coverages required by this permit, the permittee shall furnish acceptable insurance certificates to the City at the time permittee returns signed permits. This certificate will specify all of the parties who are Additional Insured and will include the 30-day cancellation clause that provides that the insurance shall not terminate or be cancelled without 30-days written notice first being given to the City Auditor. Insuring companies or entities are subject to City acceptance. If requested, complete policy copies shall be provided to the City. The permittee shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

Carshare organizations shall agree to indemnify, defend, and hold the City of Portland and its elected officials, officers, employees, and agents harmless from and against all claims, arising from, in whole or in part, the Permittee's operations under its permit, including but not limited to claims against the City for negligent design, maintenance, or management of the right of way in connection with Permittee's operations under its permit.

## 10. Data Requirements

Free-floating carshare companies must maintain publicly available APIs in accordance with the requirements specified in the City's mobility data specification published at <https://github.com/CityofPortland/mobility-dataspecification/tree/dev/provider#realtimedata>. PBOT may use a third-party researcher and/or contractor to evaluate the data.

Carshare companies are required to retain and maintain all records and documents relating to a City permit for (5) years after the date in which the permit terminates, and upon the City's reasonable request, shall make them available for inspection and audit by authorized representatives of the City.