



Dockless bike share code of practice

For Operators in London

September 2017

Contents

- 1. Introduction3
- 2. Aim and scope3
- 3. Definitions4
- 4. General requirements5
- 5. Engagement.....5
- 6. Safety and maintenance6
- 7. Operations.....7
- 8. Customer experience and education.....8
- 9. Data requirements.....9
- 10. The environment9
- 11. Accessibility requirements9
- 12. Future considerations10

1. Introduction

- 1.1. Transport for London (TfL) and the Boroughs have a key role in shaping what life is like in London, helping to realise the Mayor's vision for a 'City for All Londoners'. We are committed to creating a fairer, greener, healthier and more prosperous city. The Mayor's Transport Strategy sets a target for 80 per cent of all journeys to be made on foot, by bike or using public transport by 2041. To achieve this, TfL, the Boroughs and other transport providers must work together to make the city a place where people choose to walk and cycle more often.
- 1.2. **The potential to get more people cycling is huge, and dockless bikes are a way to make cycling more accessible and will complement London's existing public transport network.**
- 1.3. Alongside this, streets must be made more accessible for those who prefer to walk, especially children and older and disabled Londoners. Safety remains our primary objective and it is our duty to protect the rights of the public to use and enjoy the Capital's highways and footways. **Dockless bike share schemes must work for everyone without impacting, or causing a Danger to, other road users.**
- 1.4. This code of practice (this Code) has been developed in collaboration with London's Boroughs. It outlines the requirements and recommendations that Operators are expected to follow as part of delivering safe and effective schemes in the Capital.
- 1.5. **This Code will be reviewed and updated regularly so it continues to reflect best practice and the interests of Londoners.**
- 1.6. It complements the existing legal and regulatory framework, which Operators must observe and comply with at all times. Failure to follow this Code may be taken into account should any Highway Authority take enforcement action (see Section 7 of this Code) or begin legal proceedings against any Operator.
- 1.7. Copies of this Code are publicly available, in accordance with the Local Government (Access to Information) Act 1985.

2. Aim and scope

- 2.1. A key aim of this Code is to ensure well-designed, dockless bike share schemes that complement London's public transport network and support the Mayor's Transport Strategy.
- 2.2. This Code applies to all Operators and sets out the operational and safety standards that Operators are expected to adhere to.

3. Definitions

- 3.1. For the purpose of this document the following definitions apply:

Boroughs

- 3.2. Boroughs mean all of the 32 London boroughs and the City of London.

Danger

- 3.3. Danger means risk of bodily harm or injury or damage to property.

Geographic Controls or Geo-fencing

- 3.4. Geographic Controls or Geo-fencing means the use of Global Positioning Systems (GPS) or Radio Frequency Identification Device (RFID) technology to create a virtual geographic fence. When a device moves into (or out of) the space defined by the fence, triggers are sent and the user will receive, for example, a text or push notification.

The technology allows Operators to specify where a bike can be safely parked, or create an exclusion zone that prevents the bike from being manually locked.

Highway Authority

- 3.5. Highway Authority means a body responsible for the administration of Public Roads including TfL, Highways England and the Boroughs.

Non-participating Borough

- 3.6. Non-participating Borough means any Borough which is not directly associated with an Operator that could be interpreted as not supporting dockless bike share schemes, either explicitly or implicitly.

Nuisance

- 3.7. Nuisance means an act, omission, situation or practice that materially affects the reasonable comfort and convenience of the public.

Obstruction

- 3.8. Obstruction means a situation arising from the deposit of a bike or bikes (whether by reason of its or their position, their number, or otherwise) so as adversely to affect the free use of a highway (including a footway or a carriageway), or adversely to affect the free use of any other public or private land which is not specifically assigned for the purposes of dockless bikes.

Operator

- 3.9. Operator means any Operator running or planning to run a dockless bike share scheme on Public Roads or which may affect any premises or assets of TfL or the Boroughs.

Participating Borough

- 3.10. Participating Borough means a Borough that has entered into a Memorandum of Understanding (MoU) or other agreement with an Operator to support the operation of a dockless bike share scheme in that Borough.

Public Road

- 3.11. Public Road means any highway or other road maintainable at public expense.

4. General requirements

- 4.1. Any Operator wishing to run a dockless bike share scheme within the Capital should be an accredited London Living Wage Employer. It must also:
- Comply with all applicable laws, codes of practice and standards
 - Take out and maintain appropriate insurances, for itself and users of the scheme, as well as appropriate public liability insurance

5. Engagement

Prior to launching a dockless bike share scheme, Operators must engage with TfL and all other relevant Highway Authorities responsible for the Public Roads on which the scheme is proposed to operate or whose premises may be affected by such scheme.

- 5.1. Engagement with Highway Authorities includes (without limitation):
- Agreeing a detailed operations plan specifying how the scheme will comply with all of the requirements contained in this Code, in particular the provision and application of:
 - Strict Geographic Controls
 - Parking infrastructure and control
 - Agreeing detailed plans outlining where and when the Operator plans to introduce a scheme, the number of cycles and the extent to which the Operator expects the volume of bikes to grow and be managed
 - Providing evidence the Operator has engaged with Highway Authorities likely to be affected by the scheme in the Participating Borough (eg neighbouring Boroughs)

The Operator must also agree to any additional terms required by the relevant Highway Authorities to supplement this Code.

- 5.2. As well as adhering to this Code, it is recommended that Operators establish an appropriate form of agreement with Participating Borough(s). It must be noted, however, that any such agreement is without prejudice to the requirement for Operators to comply with all applicable laws including those governing interference with free passage on Public Roads.
- 5.3. Dockless bike share schemes should be introduced on a trial basis. Parameters should be set with Participating Boroughs specifying, as a minimum, the number of bikes to be deployed, when the trial will take place, how long it will last and reporting on the performance and impact of the trial scheme.
- 5.4. Operators must agree to cease operations and remove all bicycles if instructed to do so by a relevant Highway Authority.
- 5.5. Operators should also consider the benefits of wider engagement, at proposal stage and during operation, with the public, private landowners, and other stakeholders likely to be impacted by the scheme. This should include (without limitation):
- Communicating the general nature of the scheme including approval to operate from the relevant Borough(s)
 - Explaining the scope, for instance the number of bicycles involved and the geographical area in which they may be used

- Providing reassurance and addressing any concerns that the public and local stakeholders may have. Particular consideration should be given to vulnerable road users such as pedestrians, disabled people and those who are visually or hearing impaired

6. Safety and maintenance

The safety of Londoners is a primary concern and increases in the number of people cycling must be achieved safely, minimising Danger to the public. Without limitation, Operators must meet the standards set out below.

- 6.1. Operators must achieve and maintain ISO 4210:2014 standards for bicycles in the UK and it is always their responsibility to ensure this. They must have robust maintenance and servicing regimes in place so bicycles continue to meet applicable laws and standards. As a minimum, bicycles should be given a full service annually, with formal checks and repairs taking place regularly throughout the year.

It is, at the time of publication, a legal requirement to:

- Provide hand-operated brakes arranged left-hand rear and right-hand front
- Provide front and back lights on the bike so it can operate safely in low light conditions – BS EN ISO 4210:1-9 The Pedal Bicycles (Safety) Regulations 2010 and Road Vehicle Lighting Regulations 1989
- Provide a rear red reflector and amber/yellow reflectors on the front and rear of each pedal
- Make sure all bicycles have an individually identifiable asset number

This is not a list of all legal requirements. It is the Operators' responsibility to make sure they comply with all applicable laws and standards for bicycles in the UK.

- 6.2. Operators must also comply with all applicable health and safety legislation. This includes (without limitation) setting out how they will report the number of staff and customers killed or seriously injured (if any) while working for, or using, the scheme.
- 6.3. They must have operational processes in place to enable customers and members of the public to easily report unsafe or damaged bicycles (see Section 8 (Customer experience and education)). It is the responsibility of the Operator to make sure these bicycles are no longer available for hire, and are recovered within the following service response times:
 - **Where a bicycle is considered to be causing a Danger or Obstruction**, the bicycle should be removed within two hours, or within the Highway Authority's emergency response time, whichever is the quickest. If bicycles are causing an immediate Danger, the relevant Highway Authority may remove them without prior notice. The Operator will be liable for all associated costs
 - **Where a bicycle is reported to be causing a Nuisance**, a maximum response time of 24 hours will be required
- 6.4. Operators must make sure the bicycles are cleaned frequently and within suitable timeframes as agreed with the relevant Highway Authorities. This will include, but is not limited to, removing offensive graffiti and biohazardous material proactively or when directed by the Highway Authorities.

- 6.5. TfL encourages Operators to achieve the Fleet Operator Recognition Scheme (FORS) bronze accreditation to demonstrate their business is being run safely, efficiently and in an environmentally sound manner. FORS aims to ensure:
- **Safer operations** – Operators meet accreditation standards and report, investigate and analyse incidents
 - **Safer drivers** – approved training is available to drivers to increase their awareness of vulnerable road users' safety
 - **Safer vehicles** – those over 3.5 tonnes are fitted with specified safety equipment
- 6.6. The minimum age recommended for a registered user of any scheme will be 18. If accompanied by an adult, users must be at least 14-years-old. This will be explained both in the user terms and conditions and on the bicycle.

7. Operations

Dockless bike share schemes must be operated so as not to cause disruption. The deposit or use of shared dockless bikes (individually or collectively) must not cause Nuisance or Obstruction, and must not restrict or affect the use or enjoyment of property on Public Roads, the premises of any Highway Authority, or private land. The Highways Act 1980 and relevant Highway Authority byelaws provide powers to remove unlawfully deposited bicycles. A Highway Authority may consider giving a warning or taking enforcement action such as issuing Fixed Penalty Notices (FPNs) or prosecuting, where this is required. Operators will be treated as responsible for the use (including the deposit) of any bike they own or manage.

- 7.1. Where an Obstruction occurs, the bike or bikes involved must be moved to a compliant parking space within the timescales set out in Section 6.3. Failure to comply may result in removal, a formal warning, FPN or prosecution.
- 7.2. Where bikes have been removed either by a Highway Authority or emergency services, the Operator will be liable to pay all associated reasonable costs.
- 7.3. Any specific infrastructure requirements that are considered necessary to support the proposed scheme, for instance demarcation, additional parking areas and Sheffield bike stands, will be agreed with the relevant Highway Authorities.
- 7.4. Operators must liaise with TfL, the relevant Borough(s) and organisations such as the Royal Parks and Network Rail, to establish guidelines for where bikes can and cannot be parked. This will include general parking rules and details of specific areas where parking is prohibited at all or certain times.
- 7.5. Operators must make that an Obstruction does not arise because of the deposit of bikes, and that bikes are not deposited in predesignated no-go areas such as around fire escapes (eg through Geo-fencing).
- 7.6. Operators must also be able to monitor and report the location of all their bikes in real time. It is recommended that they can identify any bikes that have fallen over, and so pose a safety risk, and therefore are liable to be removed.
- 7.7. **Operators must have the capability to manage the removal and redistribution of bicycles including when required by a Highway Authority or the Police and (without limitation):**

- When clustering of bikes occurs, for example around transport interchanges during peak times and at large stadia and other important venues
- If there has been a major incident and the emergency services have requested the immediate removal of all bikes
- When cycle journeys have ended in a Non-participating Borough
- In preparation for planned events as instructed by Highway Authorities or emergency services
- If requested to cease all operations

Service level agreements addressing these situations must be agreed with the relevant Highway Authorities.

- 7.8. The Operator must ensure the safe and lawful loading and unloading of bicycles by properly trained individuals with suitable training records kept and available for inspection. Obstruction must be avoided.
- 7.9. Operators' staff must be properly trained as to where bikes may and may not be deployed with suitable training records kept and available for inspection.
- 7.10. Operators must provide the Highway Authorities with a telephone number and details of a named person or persons who can be contacted directly and immediately, at any time of day, on any day, and who will have the authority and resources available to them in order to rectify any foreseeable problems or take any other appropriate action.

8. Customer experience and education

- 8.1. Operators must offer 24-hour communication channels. This includes a telephone number that is clearly advertised on their website, mobile apps and bicycles.

Customer enquiries made during business hours should go direct to the Operator. An after-hours phone menu should be available for queries outside business hours, where not direct to the Operator.

- 8.2. The Operator must make sure the terms and conditions of use for their scheme/s are easily available to customers, via their website and mobile apps. They must:
 - Require all customers to accept their scheme's terms and conditions that includes clear guidelines on where the scheme operates and where bicycles can and cannot be parked
 - Highlight important components of their terms and conditions including parking restrictions, incentives for good behaviour and penalties for non-compliance
 - Provide general advice on their mobile app as part of the sign-up process that promotes safe and lawful bicycle use in London. This should include, but is not limited to, guidance on:
 - Staying back from heavy goods vehicles
 - Not cycling on pavements
 - Staying away from parked cars
 - Stopping at red lights
 - Staying central on narrow roads

- Hand signals for safe turning

- Provide a ‘frequently asked question’ page on their website and mobile app

8.3. All Operators’ deposit and payments policy must be in accordance with the Payment Card Industry Data Security Standard. It should be transparent, reasonable and clearly communicated to the customer when they sign up to the scheme and when they hire a bike.

8.4. Operators must have a complaints handling procedure. It must be well publicised and clearly communicated on their website and mobile app. It must also:

- Include contact details, and the process, for making a complaint
- State the timeframes in which the Operator will endeavour to resolve the complaint, including when they are likely to notify the complainant about its progress or resolution
- Be accessible so that disabled customers can lodge and progress a complaint

9. Data requirements

The Mayor’s commitment to increasing safe cycling in London requires TfL and the Boroughs to understand patterns of cycle demand and use. Dockless bike sharing provides an opportunity to do this more accurately, which will better inform the Mayor’s cycling strategy for London.

- 9.1. Operators must share anonymised trip data with the relevant Highway Authority to help enhance the cycling network.
- 9.2. They must also share data with the police and other law enforcement agencies if bicycles are suspected of being used for illegal or antisocial purposes.
- 9.3. In accordance with data protection legislation, all personal data must be processed lawfully. Operators must make sure appropriate security measures are taken against unauthorised access to, or alteration, disclosure, accidental loss or destruction of, personal data.

10. The environment

TfL and the Boroughs are determined to reduce the impact of their transport operations on the environment. Measures in the Mayor’s clean air strategy will target the most polluting vehicles in London.

- 10.1. When redistributing bikes, Operators should consider the environmental impact of any vehicles used. Compliance with the FORS bronze accreditation will contribute to this.
- 10.2. It is recommended that Operators comply with ISO 14001:2015 to minimise negative impacts on the environment.
- 10.3. Recognising that bicycles have a limited useful life, Operators must share their policy for reusing and recycling their assets with TfL and the relevant Boroughs.

11. Accessibility requirements

TfL and the Boroughs continue to improve the Capital’s urban realm, decluttering streets and making public spaces more pleasant and easier for disabled people to use.

11.1. Operators should recognise TfL's equality and inclusion policy and must be committed to improving transport in London by making it more accessible, safe and reliable.

12. Future considerations

TfL, in partnership with the Boroughs, remains open to innovative new services that could help achieve the Mayor's goals for cycling, provided they are safe and effectively managed.

The introduction of dockless bike sharing will be closely monitored as appropriate governance and regulatory controls are explored to make sure it works for everyone in the Capital.