



City of Oakland

QUALIFIED CAR SHARING ORGANIZATION TERMS AND CONDITIONS

Parking and Mobility Management Program

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Qualified Car Sharing Organization Terms and Conditions

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Qualified Car Sharing Organization Terms and Conditions

DEFINITIONS

"Car sharing" is defined as a membership-based service, available to all qualified drivers in a community, which allows members to make vehicle trips with the use of a rented vehicle without a separate written requirement for each trip. (Oakland Municipal Code 10.44.030)

"Car sharing organization" is an organization that provides members with access to a minimum of 20 shared-use vehicles at geographically distributed locations with hourly, daily, and/or weekly rates (or fractions thereof) that include insurance. The Public Works Department will maintain a list of the criteria necessary to become a "qualified" car sharing organization as well as a list of qualified car sharing organizations entitled to apply for car sharing-related permits. (Oakland Municipal Code 10.44.030)

"Car sharing vehicle" is a vehicle made accessible by a car sharing organization for use by its members. Each car sharing organization shall display its identifying emblem on any car sharing vehicle. (Oakland Municipal Code 10.44.030)

"Motor vehicle" means and includes automobile, truck, motorcycle or other motor driven form of transportation not in excess of 10,000 pounds in gross vehicle weight rating. (Oakland Municipal Code 10.44.030)

"Free-floating zone parking permit" (FFPZ Permit) is a permit that entitles members of a permitted car sharing organization to lawfully park car sharing vehicles in metered and unmetered spaces with duration limits of two hours or longer for up to 72 hours within a designated zone. (Oakland Municipal Code 10.71.030)

"Free-floating zone area" is the area agreed upon by the car sharing organization permit holder and the Public Works Department, which bounds the permitted parking area for permit holder's car sharing vehicles within Oakland. (Oakland Municipal Code 10.71.030)

"Operable hours" means the hours that a vehicle is in operation regardless if has been rented. Inoperable hours refer to the hours the vehicle is out of service or removed from the sharing platform.

AUTHORITY

In ordinance 13301 C.M.S. and a companion resolution, 85459 C.M.S., the City Council delegated the authority to the Director of Public Works or a designee to approve the criteria and administrative rules to become a qualified car sharing organization (Oakland Municipal Code 10.44.030).

INTENT

The primary intent of the Qualified Car Sharing Organization designation is to establish an official list of car sharing organizations, which operate car sharing services that meet the objectives of the City's Car Sharing Principles (85459 C.M.S).

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Only a Qualified Car Sharing Organization will be considered an eligible buyer of car sharing permits. Car sharing permits – such as the Free-Floating Parking Zone Permit – entail considerable parking privileges that may entice entities other than car sharing service providers. This qualification process intends to restrict the eligible applicant pool to entities that have or will demonstrate the ability to provide a car sharing service that embodies the Car Sharing Principles (85459 C.M.S.).

The Qualified Car Sharing Organization designation will also direct other City department approvals of car sharing, such as Planning and Building Department approvals of car sharing services for the purpose of meeting zoning requirements. The list of Qualified Car Sharing Organizations should determine what car sharing organizations should provide car sharing services in Oakland.

GOALS OF CAR SHARING

In the resolution that established the car sharing program (85459 C.M.S.), the City acknowledged the following benefits of car sharing:

- Reduction in demand for private vehicles
- Decrease in per capita greenhouse-gas emissions
- Increase in affordable mobility options

These benefits support the goals of adopted City policy such as the Energy and Climate Action Plan (84126 C.M.S.) and the Alternative Modes Policy (73036 C.M.S.). Furthermore, the City established the Car Sharing Principles (Attachment A, 85459 C.M.S.) to direct the development of the car share program. The City specifically committed to the following objectives:

- Support Car Sharing on Public Property and the Public Right-of-Way
- Balance the Opportunities for Car Sharing with the Constraints of Local Parking Conditions
- Expand the Availability of Car Sharing Services to All Drivers
- Clarify Existing Car Sharing Policies and Business Rules
- Operate a Cost-Neutral Program

The pursuit of the aforementioned benefits and the objectives should guide the development of the Car Sharing Program. Any evaluation of the program or its participants should be conducted with respect to the anticipated benefits of car sharing and the Car Sharing Principles as enumerated in 85459 C.M.S.

The City of Oakland can amend the Car Sharing Principles and adopt a new strategic vision for the car sharing program at any time. Such guidance could take the form of a resolution, an update to the Oakland Municipal Code, a departmental strategic plan or similar document. In the case that a new policy document has been adopted, transportation staff will make every effort to incorporate those principles into this document, issue an updated version of these terms and conditions in a timely fashion, and circulate the updated version to Qualified Car Sharing Organizations.

CRITERIA OF A QUALIFIED CAR SHARING ORGANIZATION

To become a certified Qualified Car Sharing Organization in Oakland, the prospective car sharing organization (CSO) must demonstrate that it meets the following criteria. The Qualified CSO:

1. Provides a member-based vehicle sharing service, available to all qualified drivers in Oakland;
2. Provides insurance, which meets the standards of the City of Oakland and the State of California, for each shared vehicle and for each member operating the vehicle during the period of use;
3. Provides members with access to a minimum of 20 shared-use vehicles at geographically distributed locations or well-defined zones throughout Oakland or in locations that demonstratively serve Oakland residents;
4. Has an online or similarly accessed real-time system used for processing and paying for car share vehicle rentals;
5. Facilitates vehicle rentals per minute, hour, and/or day, with or without per mile surcharges, and without separate written contracts per each rental; and
6. Makes vehicles available to members at unstaffed self-service locations and available for pick-up by members on a twenty-four (24) hour, seven (7) days per week basis and must be available for access where the car share vehicle is parked without requiring a member to go to a different physical location in order to access the vehicle.
7. For peer-to-peer CSOs only: Must demonstrate that the majority of cumulative operable hours of the CSO's car sharing fleet in Oakland is available for use of the CSO's membership and not restricted to the owners' private use.
8. Must demonstrate a commitment to public outreach by presenting or tabling at a public forum in Oakland within the first year of receiving a car share permit. CSOs can satisfy this requirement by attending, an OakMob 101 community engagement workshop, First Friday, or a similar community event. Similar events must be approved by the Oakland Department of Transportation before they are deemed satisfactory for this requirement.

QUALIFICATION PROCESS

Upon submitting evidence to demonstrate that the applicant is a Qualified Car Sharing Organization in the City of Oakland, the City will process the application within ten (10) business days of the date of submittal. There are four (4) potential determinations from the City:

1. **Qualified:** The City will return a credential to the applicant that states the applicant is a Qualified Car Sharing Organization in the City of Oakland.
2. **Conditionally Qualified:** The City will return a letter to the applicant, which acknowledges that the car sharing organization would be deemed "Qualified," if the car sharing vehicles were already available in the City (#3). Because the Qualified status is required to receive

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- various permits specific to car sharing, which are required to initiate the car sharing service, the City recognizes that a “Conditionally Qualified” status is required to facilitate the launch of some car sharing services. An applicant with a Conditionally Qualified status will be considered a Qualified Car Sharing Organization for six (6) months from the date of the letter. At the end of that six-month period, the car sharing organization will need to submit evidence that it provides access to at least 20 vehicles (#3) to Oakland residents to receive a qualification for the remainder of the certificate’s term. Failure to submit sufficient evidence within the first six months of service will revoke the CSO’s Conditionally Qualified status.
3. **More Information Required:** The City will return a letter requesting more information to make a determination about how the applicant meets the City’s criteria of a Qualified Car Sharing Organization. After receipt of the new information, the City will have an additional ten (10) business days to make a determination.
 4. **Denied:** The City will return a letter, which states that the applicants request has been denied and explains the justification for denial. The applicant is allowed to appeal the determination to the supervisor of the staff member responsible for the determination.

EVALUATION

The City of Oakland intends to evaluate the Qualified Car Sharing Organizations annually. Participation as a Qualified Car Sharing Organization requires the QCSO to annually share data about the service as a whole. As a condition of the program, the City will request the following information from QCSOs:

- membership demographics, such as ethnicity, household income, etc.
- vehicle-miles traveled (VMT)
- vehicle greenhouse gas emissions per mile
- safety record
- average user costs
- number of users and vehicles in Oakland
- share of vehicle time in MTC-designated Communities of Concern areas

The City reserves the right to evaluate Qualified Car Sharing Organizations annually on the basis of the following performance metrics:

- membership demographics that reflect the City (by ethnicity, income, etc.)
- evidence of private vehicles shed or avoided
- VMT avoided
- fleet greenhouse-gas emissions per mile
- geographic distribution of service area within Oakland
- average user cost per hour and/or mile

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- number of users with special needs

While the City is subject to the Sunshine Ordinance and California Public Records Act, any information that the QCSO deems proprietary or confidential will be protected, should a public records request occur.

The City reserves the right to adjust the evaluation criteria and performance metrics at any time, but the City will notice Qualified Car Sharing Organizations in a timely fashion. In the two-year pilot phase of the program, the City will work with car sharing organizations to acquire data and shape the form of the evaluation without making determinations about participation in the program. Any determinations about a Qualified Car Sharing Organization's future participation in the program will take place after the pilot phase.

The City will annually share the findings of the evaluation with the Qualified Car Sharing Organizations.

RENEWAL PROCESS

Renewal of the Qualified Car Sharing Organization's status will take place annually after the City conducts the evaluation. During the pilot phase, the City will automatically issue renewals to Qualified Car Sharing Organizations, provided the car sharing organization meets the eligibility criteria outlined in this document.

The credential (paper and/or digital evidence of qualification) that designates that a Qualified Car Sharing Organization will be dated when issued. The City will send credentials to car sharing organizations in a timely fashion. Those credentials will be valid for the remainder of the fiscal year in which they were issued. Renewing the Qualified Car Sharing Organization (QCSO) status will initiate the renewal process for any car sharing permits, and will begin place no earlier than April 1 of a given fiscal year. If a car sharing organization receives its Qualified status in March or later of a fiscal year, the City may choose not to evaluate it until the following year and extend the expiration date until June 30 of the following fiscal year.

REVOCAATION

The City reserves the right to revoke a Qualified Car Sharing Organization's (QCSO) status at any time. The City will send written notice of the revocation to the CSO. From the date of the revocation, the CSO will have 30 days to appeal the Qualified status revocation to the City Council. If the Qualified status is not reinstated through appeal, then any permits held by the Car Sharing Organization will expire five (5) business days after the City Council's determination or the expiration date on the permits, whichever date comes first