



Dockless bike share code of practice

For Operators in London

September 2018

Contents

1. Introduction	3
2. Aim and scope	3
3. Definitions	4
4. General requirements	6
5. Engagement	6
6. Safety and maintenance	7
7. Operations	8
8. Parking	10
9. Customer experience and education	11
10. Data requirements	12
11. The environment	13
12. Accessibility requirements	13
13. Future considerations	13

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, other transport providers and key stakeholders such as the Royal Parks and the Canal & River Trust, 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 Bicycles 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 Bicycle 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 and other key stakeholders. 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 only to Dockless Bike share schemes. However, Transport for London may revise or expand the scope of this Code from time to time.
- 2.3. 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.

Dockless Bike or Dockless Bicycle

3.4. Dockless Bike or Dockless Bicycle means an unassisted pedal bicycle or any pedal assisted or electrically assisted bicycle which uses Cloud or smartphone app technology to lock and unlock the bicycle by preventing the wheels from turning or otherwise rendering the bicycle inoperable and which does not depend on any on-street infrastructure to lock or unlock the bicycle.

Geographic Controls or Geo-fencing

3.5. 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

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

Non-participating Borough

3.7. Non-participating Borough means any Borough which is not directly associated with an Operator or any Borough which has entered into an agreement with an Operator which explicitly or implicitly precludes other bike share schemes from operating within the boundary of that Borough. In this instance 'operating' means, proactively placing bikes for hire or allowing bikes that have been parked by customers in a Non-participating Borough to be hired by another customer.

Nuisance

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

Obstruction

3.9. 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 to adversely affect the free use of a highway (including a footway or a carriageway), or adversely affect the free use of any other public or private land (including river, canal and park environments (excluding the Royal Parks, where different restrictions apply)) which is not specifically assigned for the purposes of dockless bikes, without lawful authority or excuse.

Operator

- 3.10. Operator means any company 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, other partners or private land owners.

Participating Borough

- 3.11. 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 on public roads in that Borough.

Public Road

- 3.12. Public Road means any highway or other road maintainable at public expense. This does not include private land within Boroughs, which may include park, river and canal environments.

Private Land

- 3.13. Private Land means any land other than highway land. This includes (but is not limited to) land comprising of railway, bus or other transport premises, Canal & River Trust, Park land, Universities and other private land in London not authorised for dockless bike use.

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; and
 - Take out and maintain appropriate insurances, for itself and users of the scheme, as well as appropriate public liability insurance.

5. Engagement

London Boroughs are the Highway Authorities for the majority of the roads within their respective Borough boundary. Transport for London is the Highway Authority for the major arterial routes throughout the Greater London Authority area. Therefore, prior to launching a Dockless Bike share scheme, Operators must engage with the relevant London Borough, TfL and all other relevant Authorities responsible for the roads or premises the scheme is proposed to operate or whose roads or 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:
 - Effective Geographic Controls
 - Parking infrastructure and control including on private land, (non Royal) parks, river and canal environments not directly owned or managed by the Borough or Highway Authority.
- 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 and other private land owners such as park, river and canal owners/authorities likely to be affected by the scheme in the Participating Borough (i.e. all neighbouring Boroughs); and
- Providing operational plans as to how the Operator intends to deal with pre-defined no-go areas, areas of high footfall and private land, including how Dockless Bike share scheme users will be discouraged or prevented from ending their journeys in these areas and how they will remove them if they are left in such locations.

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

- 5.2. If Operators are proposing to use private land to deposit Dockless Bicycles, Operators are required to fully engage with the Highway Authority in the area in which the private land is located and seek the prior written agreement of the relevant Highway Authority to operate. Failure to do so may result in the Highway Authorities taking appropriate action as stated in Section 7.
- 5.3. Under no circumstances will any memorandum of understanding (MOU) or other agreement between an Operator and Borough be interpreted as permission to use TfL land within the Participating Borough, or other areas of London, for Dockless Bicycle parking.

- 5.4. 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.
- 5.5. Boroughs may wish to introduce Dockless Bike share schemes initially 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.
- 5.6. Operators must agree to cease operations and remove all Dockless Bicycles if instructed to do so by the relevant Highway Authority. Ceasing operations and removal of Dockless Bicycles should take no longer than four (4) weeks from and including the date of the relevant Highway Authority's instruction or, if shorter, the period stated in any MOU or other agreement between the Operator and the relevant Highway Authority.
- 5.7. It is highly recommended that Operators undertake wider engagement at the 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
 - Agreeing arrangements for the collection of Dockless Bicycles found on non-Highway Authority land and agreeing measures to prevent Dockless Bicycles being hired or locked on non-Highway Authority land; and
 - 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; and
- 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 9 (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; and
 - **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; and
 - **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 Dockless 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. In certain circumstances where Dockless Bikes are deposited on the highway so as to cause a danger to other highway users, the relevant Highway Authority has reasonable grounds to remove the bike(s) including if they are obstructing the view to users of the highway.
- 7.3. What constitutes a Danger is considered on the facts of each case, but large number of Dockless Bikes left and likely to fall across the footway so as to cause a trip hazard may be considered a Danger. Large scale obstruction may also be considered a danger where a substantial part of the footway is blocked. The decision to remove bikes for reasons of Danger may be taken for location specific reasons; such as a high level of footfall in an area or the level of security concern.
- 7.4. The highway authority may seek to limit or control the number of Dockless Bikes allowed in specific areas due to the likely impact on other highway users and on any other reasonable grounds.
- 7.5. Where Dockless Bikes have been removed either by a Highway Authority or emergency services, the Operator will be liable to pay all associated reasonable costs. On the TLRN, the cost of a bike being removed could be up to £235.
- 7.6. 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. Relevant charges may be imposed.
- 7.7. Highway Authorities retain the right to request a financial endowment to cover all associated reasonable costs in the event that an Operator is no longer present to remove the Dockless Bicycles, On the TLRN, the cost of a bike being removed could be up to £235. Relevant charges may be imposed.
- 7.8. Operators must make sure that an Obstruction does not arise because of the deposit of Dockless Bikes, and that such bikes are not deposited in predesignated no-go areas such as around fire escapes or on private land (in the absence of agreement with the private landowner) (e.g. through using Geo-fencing where the user will receive, for example, a text or push notification). This should be detailed in the Operator's plans and provided to the relevant Highway Authorities.
- 7.9. Operators must also be able to monitor and report the location of all their Dockless Bikes in real time. It is recommended that they can identify any Dockless Bikes that have fallen over or have been deposited anywhere, and so pose a safety risk, and therefore are liable to be removed.
- 7.10. **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 or on non-Highway Authority land or premises;
- In preparation for planned events as instructed by Highway Authorities or emergency services; and
- If requested to cease all operations.

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

- 7.11. 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.
- 7.12. 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.
- 7.13. Operators must provide the Highway Authorities and other relevant landowners (including but not limited to Network Rail, Royal Parks, Canal and River Trust) 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. Parking

Dockless Bike share schemes must not cause Obstructions or Danger and must not restrict or affect the use or enjoyment of footways or other public spaces in London. Safe and effective parking guidelines are essential to ensuring the schemes work for all Londoners.

- 8.1. Operators must engage with the relevant Highway Authority, organisations such as Network Rail and any other land owners to establish guidelines for where Dockless Bikes can and cannot be parked. This will include general parking rules and details of specific areas where parking is prohibited and Operators should ensure that customers trying to end their hires in these locations understand clearly what is permitted and the sanctions for non-compliance. Operators must have the ability to incentivise customers not to deposit Dockless Bicycles in areas such as the Royal Parks and other no-parking zones where parking is prohibited.
- 8.2. Restrictions applicable to eligible bicycle parking zones on the footway includes, without limitation:
- Dockless bicycles shall not be parked within 2 meters (m) of a junction;
 - Dockless bicycles shall not be parked on a footway where the effective distance between the building line and the kerb is less than 2m wide. This is in addition to a 60cm parking provision for Dockless Bicycles; and
 - Dockless bicycles shall not be ridden or parked within Royal Park premises.
- 8.3. Dockless Bicycles must not be available to hire on Canal and River Trust land including canal towpaths, access points, around locks or docks (and should not be parked in these locations by customers) without permission from the Canal & River Trust. Highway Authorities reserve the right to determine certain footways where Dockless Bicycle parking is prohibited.

- 8.4. The London Cycling Design Standards is recommended for further guidance to Operators and Boroughs on space requirements for Dockless Bicycle parking.
- 8.5. Operators are encouraged to adopt safe and effective parking guidelines on private land as well.
- 8.6. Operators must inform customers how and where to park a Dockless Bicycle properly in their mobile application visually. It is recommended using best practice/ poor parking images and maps, and ensuring that the customer agrees with these in order to unlock the bicycle and is made aware of any sanctions associated with non-compliance. Examples of where not to park include, without limitation, fire escapes, emergency exits, lifts, accessibility infrastructure (wheelchair lifts or ramps) and TfL cycle hire docking stations.
- 8.7. Operators also need to comply with TfL byelaws, these can be found on the TfL website <https://tfl.gov.uk/corporate/terms-and-conditions/byelaws>.

9. Customer experience and education

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

- 9.2. 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 highly visible cycling safety tips and general advice on their mobile application 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;
 - Cycling slowly and considerately in places shared with pedestrians and others, for example on canal towpaths;
 - Provide links within their mobile application and on their website to Transport for London's Cycle Skills webpage to provide consistent advice about the safe use of bicycles on London's road network; and
 - Provide a 'frequently asked questions' page on their website and mobile app.

- 9.3. 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.
- 9.4. 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; and
 - Be accessible so that disabled customers can lodge and progress a complaint.

10. 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.

- 10.1. Operators must share anonymised trip data with the relevant Highway Authority and TfL to help enhance the cycling network. The process of anonymization must ensure that individuals cannot be identified. Any transfer of data should be discussed with the relevant Highway Authority before taking place
- 10.2. It is recommended that Operators share data with Participating Boroughs and TfL via portals or dashboards to allow access to operational reporting as and when required. Data should include as a minimum:
- The number of bikes deployed as well as the number available to hire indicating the number of stolen and damaged bikes
 - Number of hires per bike per day indicating the utilisation rate of the scheme
- 10.3. In some circumstances, disclosures of personal data to the police and other law enforcement agencies are permitted by data protection legislation, if they relate to the prevention or detection of crime and/or the apprehension or prosecution of offenders. Before any such disclosure takes place, the police are required to demonstrate that the personal data concerned will assist them in this respect, to ensure that any disclosure is lawful and in accordance with data protection legislation.
- 10.4. In the provision of data to Highway Authorities, particular importance should be given to reporting crime to the Police, including vandalism, dumping and theft associated with Dockless Bicycle sharing schemes. All personal data processed by operators must be done so in accordance with data protection legislation (including the General Data Protection Regulation and Data Protection Act 2018). This includes making sure appropriate security measures are taken against unauthorised access to, or alteration, disclosure, accidental loss or destruction of, personal data.

11. 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.

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

12. 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 people to use, particularly older and disabled people and those travelling with children. To safeguard this, it is essential that Operators in London follow this Code and, in particular, the parking guidelines set out in section 8 which are intended to ensure safe and accessible Public Roads and spaces.

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

13. 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.