

Micromobility Share Schemes

Guide for Councils



VICTORIA
State
Government

Department
of Transport
and Planning

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Purpose of this document

This document is designed to support the deployment and management of micromobility shared hire schemes in Victoria. It has two distinct sections:

Section 1: Legal requirements

- Details the legal requirements for operators to deploy shared hire scheme devices in Victoria.

Section 2: Guidance for local councils

- Provides advice on matters that councils may wish to consider when establishing a shared hire scheme, including elements to address in agreement arrangements. The guidance in this section is informational only and is not binding or exhaustive. Application will vary based on local factors and needs.

This guide can be supplemented with the sample agreement available on the vic.gov.au/shared-hire-schemes website, or you can email DTP for more information at sharedhire@transport.vic.gov.au

Disclaimer: The information contained in this Guide is provided for general reference only and does not constitute legal or procurement advice. It is not intended to be relied upon as a substitute for professional guidance in relation to contracts or procurement decisions. Relevant parties should seek applicable independent legal and/or procurement expertise.

List of acronyms used in this document

ABS – Australian Bureau of Statistics

DDA – *Disability Discrimination Act 1992*

DTP – Department of Transport and Planning (Victoria)

GPS – Global Positioning System

LGA – Local Government Area

OVIC – Office of the Victorian Information Commissioner

TAC – Transport Accident Commission

1. Shared Hire Requirements

1.1. Definition of commercially operated shared hire scheme

Under the *Transport (Compliance and Miscellaneous) Act 1983 (the Act)*, a commercially operated shared hire scheme can only operate if certain conditions are met. A shared hire scheme is defined as the commercial hire of bicycles, electrically power-assisted bicycles (e-bikes), or electric scooters (e-scooters), or other “relevant vehicle” types that the government may declare,¹ where the device is:

- made available for hire; and
- hired, from wherever the device is located, through a wholly or partly automated electronic system; and
- not required to be returned, after the period of hire ends, to private premises.

Examples of hire businesses that are **not** considered shared hire schemes (and therefore not covered by the shared hire scheme requirements under the Act) include:

- hiring out devices from a retail outlet that are returned to the same location;
- hiring out devices from one location in a chain of businesses where the device is returned to another location operated by that chain of businesses; and
- apps for hiring cars or other motor vehicles for short-term use (cars are not a “relevant vehicle”).

1.2. Joint arrangement requirements

Under the Act, commercially operated shared hire schemes for bicycles, e-bikes or e-scooters can only operate if the hire provider has an agreement with the local council to provide shared hire services within a municipal area.

If a shared hire scheme operator deploys devices in a municipality without the council’s permission the operator is subject to significant penalties under the Act.

This requirement enables local governments to manage issues specific to micromobility shared hire schemes and their impacts on amenity and accessibility, and enables local governments to have determination over whether to allow shared hire schemes to operate in their municipality.

The requirement is in place to prevent operators from deploying shared micromobility devices in local government areas (LGAs) without council permission (as occurred with oBike in Melbourne in 2017), and provides an avenue for councils to set standards and conditions for use (i.e. the number of devices permitted, parking requirements, amenity management plans etc. – see Section 2 **Guidance and Best Practice Advice for Shared Hire Schemes**).

1.3. Approval requirement for e-scooter shared hire scheme operators

Under the Act and the *Transport (Compliance and Miscellaneous) (Vehicle Sharing Schemes) Regulations 2026 (the Regulations)*, e-scooter shared hire scheme operators must meet specified safety standards and be approved by DTP before providing services in Victoria.

The purpose of the approval requirement is to increase safety for riders and the broader community, enhance management of e-scooter sharing schemes and also to assist councils in procuring safe and responsible operators.

To be approved to provide e-scooter shared hire services in Victoria, e-scooter shared hire scheme operators will have to meet minimum requirements in relation to –

- device specifications
- operations

¹ If in the future an additional type of vehicle (that is not a motor vehicle) is used in shared hire schemes that should be regulated in the same way, that vehicle can be prescribed as a new “relevant vehicle” under the Regulations.

- insurance, and
- demonstrating that the operator is “fit and proper” to engage in providing regulated transport services.

DTP administers the approval scheme. Approvals are valid for five years, after which operators must seek renewal.

The following table shows a summary of the operational capability requirements that operators must have as a minimum to be approved in Victoria.

Table 1: Summary of minimum operational capability requirements to be approved in Victoria.

Category	Capability description
Footpath riding (metropolitan Melbourne only)	<ul style="list-style-type: none"> • Footpath detection which plays an audio warning and slows the device when footpath riding is detected.
Helmet use	<ul style="list-style-type: none"> • Helmet detection that restricts hire if an e-scooter does not have a helmet available. • Helmet use verification that requires riders to unlock the helmet before a trip can be started, or provide evidence of wearing their own helmet.
Zone management	<ul style="list-style-type: none"> • Ability to apply zone-based rules through GPS geofencing, for example to prevent devices leaving the LGA or entering no-riding zones, as well as managing device speeds in low-speed zones.
Parking management	<ul style="list-style-type: none"> • Ability to apply virtual parking zones. • End of trip photo and location checking (including technology such as Bluetooth parking beacons).
Riding while intoxicated	<ul style="list-style-type: none"> • Information prompts and cognitive/reaction tests to deter drug and alcohol affected riding.

More information about the e-scooter shared hire operator approval scheme—including insurance and device requirements, applications, and approved operators—is available on the vic.gov.au website.



2. Guidance and Best Practice Advice for Shared Hire Schemes

2.1. Guidance and sample model agreement

The management of the arrangement between a council and a shared hire scheme operator and the format and detail of this agreement is up to the council to manage. While there are no universally agreed standards for the management of shared hire schemes, and different councils will have different service standards and expectations, many elements that shape the management of public hire schemes share similar characteristics.

To assist councils with setting up an agreement, this section highlights some of the key elements that councils may wish to cover and guides councils through the set-up phase of engaging with a micromobility shared hire scheme operator.

DTP has also drafted a sample e-scooter shared hire agreement that councils can use to guide their planning. The purpose of the sample agreement is to provide a template set of terms that councils can build on to manage and administer an e-scooter shared hire scheme with an operator. Many of the elements will also be applicable to a bicycle or e-bike shared hire scheme. Councils can amend, delete or add new clauses as they see fit.

The sample agreement is available on the [vic.gov.au](https://www.vic.gov.au) website, or you can email DTP for more information at sharedhire@transport.vic.gov.au

2.2. Administration Elements

2.2.1. Insurance and liability

E-scooters and bicycles/e-bikes are generally not covered by the Transport Accident Commission (TAC) unless a crash occurs that involves a motor vehicle (regardless of who is at fault or whether the driver or rider is doing something illegal or not). If a motor vehicle is not involved in a crash with an e-scooter or bicycle/e-bike, TAC coverage generally doesn't apply (except in some exceptional circumstances for bicycle crashes).²

Agreements should require operators to hold appropriate insurance coverage for their operations and provide a range of insurance cover for riders and other third-party street users.

Appropriate insurance coverage will assist in securing public acceptance for the shared scheme and may also serve to protect council from liability.

In particular, operators should:

- Hold **third party insurance** to provide coverage to third parties (such as pedestrians) in the event that they are hit and injured by a shared scheme device. Such insurance should apply to third parties even if the rider is in breach of the road rules at the time of the incident (such as not wearing a helmet or riding on a footpath). The Regulations specify a per claim limit of no less than \$1 million.
- Hold **public liability insurance** with cover of no less than \$20 million.
- Provide riders with **personal injury insurance**, to provide protections to riders in the event that a rider has a crash.

2.2.2. Fleet size

Fleet size should be determined by councils in consultation with operators and be included as a condition of agreements between the two parties.

The fleet size should balance adequate access to devices during times of high-demand and the need to manage negative amenity impacts (such as crowding and visual clutter). Subject to the agreement, the fleet size may

² E.g. cyclists are covered by TAC if the rider crashes into a stationary vehicle or if a car door is opened into their path, whereas e-scooter riders are not.



change over time, for example starting with a manageable initial fleet with the capacity to grow in line with the observable market demand and compliance with other conditions of the agreement (e.g. parking management) and other council priorities. If appropriate, fleet size could also change with seasonality, with more devices in warmer months and fewer in cooler months.

Councils should work with operators to determine an initial fleet size and should also have clear benchmarks to guide and limit any increase in the fleet size, for example setting a threshold for average trips per device per day, dwell time (the time a device is left unriden), and other factors. By way of example, each e-scooter in the initial Melbourne trial between 2023-2024 was used between 3–6 times per day on average, while Ballarat was around a third of this.

Below is a guideline for fleet size, with one estimate suggesting one vehicle per 500 people as an initial baseline³, though actual thresholds should be dependent on market conditions and LGA-specific characteristics. For example, special population considerations, such as a large commuter base, strong visitor numbers (including workers in a central business district), seasonal population swings, and large student populations may mean that it is appropriate to consider additional vehicles. See the case studies on Melbourne and Ballarat during the e-scooter trial below for more information.

Fleet growth or reduction should be tied to operator performance based on metrics measuring compliance with council conditions under the agreement (including tidiness, responsiveness, maintenance, etc.).

Case studies

Melbourne

For the three metropolitan LGAs which participated in the initial e-scooter trial between 2023-2024 (the Cities of Melbourne, Yarra and Port Phillip), the resident population was approximately 356,000 (2022, ABS), which would suggest 712 e-scooters being made available. The initial fleet size began at 1,500 but was increased subsequently by agreement between operators and participating councils due to higher-than-expected demand for the vehicles in the service area: the average number of rides per scooter was 8 rides per day, and on weekends some scooters were being used over 25 times per day. In collaboration with the operators, the councils determined to increase the maximum number of e-scooters made available at any one time to 2,500. This figure recognises that the City of Melbourne, in particular, swells enormously with over 1 million visitors and workers each day.

Ballarat

Ballarat had a resident population of around 116,000, which, using the formula of 1 scooter per 500 residents, would suggest 232 e-scooters being made available. During the trial 250 e-scooters were made available, which closely aligns to the suggested industry benchmark.

2.2.3. Number of permitted operators

An appropriate number of operators relative to the service area and fleet size should be considered to balance operational efficiency, financial sustainability, competition, customer choice and administrative burden for councils.

Councils should consider the size of their municipality and use area (which may include adjoining municipalities) and determine whether the community would be best served by a single or multiple operators.

In inner metropolitan Melbourne areas, particularly if the use area covers multiple adjoining municipalities, it may be advantageous to appoint multiple operators. Competition between the operators may result in better customer outcomes and choice for users while still being relatively easy to administer. Having more than one operator also provides opportunities for benchmarking and comparisons and will aid in driving suppliers to provide the best product for consumers. However, multiple operators may become an administrative burden for councils and

³ *Share Scooter Leaders Co-Creat 10 Rules for Best Industry Regulation*, Micromobility Report, June 2023, <https://micromobilityreport.com.au/uncategorised/share-scooter-leaders-co-creat-10-rules-for-best-industry-regulation/>



produce choice fatigue for customers, as customers must have the individual app of each operator to use each company's device.⁴

In regional areas and cities as well as peri-urban or outer suburban areas that are geographically contained and where the use area does not adjoin another municipality with a share scheme, LGAs may be best served by appointing just one operator with clearly defined performance targets and customer experience protocols to ensure the market is well served.

2.2.4. Agreement length

The agreement length should balance an operator's need for certainty and continuity with the council's control of the program to ensure that the best operator is appointed at any given time.

Longer term agreements provide riders with certainty about their ability to rely on micromobility as a mode of transport over time, and provide operators with an incentive to invest in their operations, staff, fleet management, other infrastructure needs (for example warehousing capability and improvements) and active parking management.

Agreements running for two years or more may be best for permanent ongoing share scheme programs, as longer agreement durations tend to improve certainty and investment in services and may provide the public with more confidence to depend on micromobility as a transport option longer term.

Shorter agreement terms (for example up to one year) may be better suited for service trials.

2.2.5. Fees

Councils may charge a fee to operators who run a share scheme within their municipality. The structure of the fee is a matter for councils to decide and could account for the costs of program administration, including the agreement's performance management, dealing with and resolving complaints and other reasonable costs such as for the use of public space and any shared scheme parking infrastructure.

Fees are best set prior to vendor selection and applied consistently to minimise risks such as operators overpromising on financial or operational commitments, altering their proposed service offering or initiating legal challenges. Sudden or inconsistent fee changes can also create confusion or bad faith among other operators or those operating in other jurisdictions.

Likewise, if councils intend to increase fees, this should be communicated clearly in writing, well in advance, and should be proportionate, transparent and justifiable.

A common way for councils to charge operators is to adopt a per-device per-day fee; for example, if 500 devices were available for hire each day over a 12-month period, a \$1 fee per day per device fee would be $500 \times \$1 \times 365 = \$182,500$. The daily fee could be scaled up or down based on council's foreseeable projected or actual costs.

Alternatively, councils may wish to charge a one-off fee through a permit or permit-like arrangement.

Another alternative is to have a per-ride fee (with a minimum base level). This will ensure revenue grows with the success of the program and can scale up if significant ridership ensures. When choosing between models it is worth considering what model best aligns with council and community costs. Are costs and negative externalities driven more by the number of devices, or the number of trips? A fee model that has a component for both the number of devices and number of trips is also possible.

2.2.6. Data collecting and sharing

Agreements should stipulate that councils are able to access specified data from operators upon request. Data is essential to monitor and evaluate the effectiveness of a shared scheme. Data is also used to measure the wider

⁴ Additional risks of having more than two operators include: navigation and regulation of different policies (e.g. parking regulation and user data management) between operators; greater coordination required for the management of geofencing consistency; risks in consistency of data collection and reporting between operators (measures such as unique riders may be skewed); increased challenges in implementing consistent safety measures and campaigns, with councils likely to be required to play a greater role in the developing of communications material and messaging; difficulty in monitoring and enforcement of rider behaviour policies with the risk of banned / suspended riders moving to another operator's platform. (Source: AECOM 2023)



impacts on the transport network, as well as provide contextual data to evaluate the safety impacts of the scheme.

All data must be provided in accordance with privacy protocols (i.e., in aggregate, non-identifiable).

Device data

Modern shared hire scheme devices have technology that automatically collects device data, and this can be made available to councils through a variety of means. Device data largely relates to attributes based on GPS capability (rides, routes, time of use, speed etc.).

While the format of the data need not be prescriptive, it is worthwhile for agreements to specify requirements for operators to provide device data to councils in a format that is agreed upon, consistent, timely and can be verified upon request.

Standard elements that are commonly provided from device data include:

- No. of devices deployed by time
- No. of trips (by hour, day, month, total)
- No. of km travelled
- Average trip length
- Average trip duration
- Trips per scooter
- Route heat maps
- Average travel speed

Other data that may be useful to arrange access for so that it is available upon request include:

- Proportion of trips that ended with parking that was not confirmed as compliant using automated parking assessments
- Proportion of trips where footpath detection was activated
- Rate of topples detected
- Rate of moving/tampering detected of unhired devices

Operator-reported / user data

In addition to device data, operators can provide data that is reported to them, recorded by them or data that they calculate based on a combination of data sources. This data can be useful to evaluate the safety or amenity impacts of a scheme. For example, data that may be held by operators and provided to council includes:

- No. of user sign ups
- No. of reported incidents with location / causes noted, including:
 - whether hospitalisation was required
 - whether third parties (including pedestrians) were injured, and
 - the rate of hospitalisations/incidents per 100,000 kms travelled and/or per 100,000 trips
- No. of insurance claims
- Number or rate of vandalism of devices
- Aggregated Origin/Destination trip data
- Number of reports made to the operator from the public of concerns / complaints by category
- Official warnings issued to riders doing the wrong thing, with the breach category noted, for example:
 - Riding without a helmet
 - Footpath riding
 - Bad parking
 - Tandem riding
 - Underaged riding
 - Riding in prohibited zone
 - Unsafe riding
- Account suspensions or bans, with the breach category noted

- Environmental vandalism (e.g. devices dumped in waterways).

2.2.7. Data privacy and other requirements

The privacy frameworks that govern micromobility data sharing arrangements mandate that data cannot be individualised for the purposes of reporting. All data provided to councils must be aggregated and non-identifiable, in accordance with the Victorian *Privacy and Data Protection Act 2014 (PDP Act)* and any other relevant privacy legislation.

Councils should consider whether to add a requirement for operators to be bound by the requirements and principles of the PDP Act. In cases where the operator is providing a contracted service on behalf of the council the requirements of the PDP Act apply regardless of whether it is included as a requirement in the contract.⁵

Operators are bound by the requirements of the Commonwealth *Privacy Act 1988* and need to handle data in compliance with them.

2.2.8. Customer survey data

Commercial shared scheme operators conduct customer (or user) surveys from time to time for their own market research purposes to learn about the customer experience and inform potential improvements.

Customer surveys can also provide valuable information to councils and help inform program evaluation by providing a more nuanced understanding of the impacts of the shared scheme from the user's perspective. Survey responses often provide subjective responses to things that cannot be ascertained through observation alone, and can support or inform conclusions drawn from other data.

Councils may wish to make it a requirement for operators to undertake customer—or even broader community—surveys as an explicit part of the agreement. If councils wish to do so, they could make it an explicit requirement in their agreement that the operator must conduct customer surveys and also share the results with council, and that council have input into the survey design. Councils could then work with operators to include specific survey questions to inform council evaluation objectives.

2.2.9. Selection process

Selection processes should be designed to identify the operators best suited to provide quality service over the long term, tailored to an LGA's needs.

Councils should only choose e-scooter shared hire operators that are approved by DTP – see Section 1.3 Approval requirement for e-scooter shared hire scheme operators.

A competitive public procurement may be the most appropriate method to select a vendor to serve an LGA's needs, and councils should follow their own procurement policies.

In addition to the formal approval requirement by DTP, reliability, safety, sustainability, fleet management and amenity management capability should be among the core criteria for selecting operators.

Where relevant, councils should require evidence of delivery in comparable cities to support claims made by operators in competitive public procurement or application documents.

2.2.10. Complaint management

Operators must establish a system for tracking complaints from customers and the public and report this periodically to the council.

All complainants must be provided a case number when registering a complaint.

2.2.11. Termination clause

Councils can include a termination clause whereby councils can withdraw agreement anytime during the term of the agreement to remove all share scheme devices from council-managed land within a specified number of days due to unsatisfactory practices or an overwhelming negative community response.

⁵ https://ovic.vic.gov.au/book/overview-2/#Which_organisations_are_covered_by_the_PDP_Act?

2.3. Operational Elements

2.3.1. Device requirements

All share scheme devices, both bicycles and/or e-scooters, should:

- Comply with an Australian or recognised international device standard and (where a battery is used) a relevant battery safety standard.
- Be equipped with a helmet that meets Australian Standards.
- Be readily identifiable as belonging to the operator and not be confused with other schemes or private devices.
- Display contact information for the operator including a phone number.
- Display a unique identification number that is clearly visible from at least 5 metres away from and be fixed to the device.
- Comply with all relevant Victorian legislation and regulations.
- Display basic information on road rules applying to device riders.
- Be speed limited to the maximum travel speed under the *Road Safety Road Rules 2017* (20 km/h).

The state approval scheme for e-scooter shared hire scheme operators has further device requirements specifically for e-scooters which must be met. See the vic.gov.au website for more information.

2.3.2. Riding rules and device specifications

Agreements between councils and operators should clearly specify that devices for hire must be consistent with device specifications in the State regulations. In addition, the agreements should specify that operators must take all reasonable steps to ensure that riders comply with the law and relevant regulations – for example, by speed limiting devices, measures to support helmet use and discourage footpath riding, riding under the influence of drugs or alcohol and other breaches of the road rules applying to devices.

As a minimum measure, agreements should require that operators make all riders aware of their obligations to comply with the roads rules before hiring a device—for example by signage on the devices indicating key road rules, providing information on road rules on operator apps and requiring riders to agree to comply with laws as a condition of hiring the device.

2.3.3. Footpath detection (for e-scooters)

As per the requirements of the state approval scheme for e-scooter operators (see Section 1.3), all shared scheme e-scooters in Metropolitan councils must be capable of detecting when the device is being ridden on a footpath, and be able to play an audio alert, slow and be able to stop the device when the footpath detection technology detects that the device is being ridden on a footpath. Councils in regional areas may also require this technology for local fleets, subject to consultation with an operator.

In Metropolitan areas, councils should require operators—through their agreements—to adopt an ‘always on’ policy with regards to footpath detection. This means that devices should always play an audio alert and then slow the device to a slow speed (e.g. walking speed, and no more than 9km/h) when the device detects footpath use in the service area.

However, care should be taken before requiring a device to stop when a footpath is detected. Footpath detection is still in the early phase of its release and may not always be accurate. In the absence of accurate footpath detection, it is possible the device might be stopped in unsafe circumstances, such as crossing a road. Under their agreements, councils should require e-scooter operators to stop the device in certain circumstances where it is determined safe to do so (through the use of zones known to be footpath-riding hotspots for example), and move to a blanket requirement to stop devices once reliability of the technology is demonstrated.

2.3.4. Riding while intoxicated (for e-scooters)

Cognitive reaction testing



Under the state approval scheme (see Section 1.3), shared scheme e-scooter operators must provide a cognitive reaction test for any person who is attempting to hire a device. While the state requirements currently only apply to e-scooters, councils may wish to include this requirement for shared scheme e-bikes, too.

The cognitive reaction test must be in operation between—

- 8 p.m. and 5 a.m. on weekdays; and
- 3 p.m. and 5 a.m. on Saturdays and Sundays.

A potential rider must not be able to hire the device unless they pass the cognitive reaction test during these times. If the person fails the test on their first attempt, they should not be permitted to attempt the test until at least 60 seconds have passed. During this time, the applicant must be informed that they should not ride while under the influence of alcohol or any other drug, and that a second failed attempt will result in them being locked out of the application. If the applicant fails the test a second time, the application must lock them out for a period of at least four hours.

Drug and alcohol messaging

Users must be informed that it is illegal to ride under the influence of alcohol or drugs and if caught will result in—

- cancellation of the person's driver licence;
- liability to a significant fine;
- the requirement to complete a behaviour change program;
- imposition of an alcohol interlock condition on the person's driver licence; and
- the requirement to have zero concentration of alcohol present in the person's blood or breath, while driving or being in charge of a motor vehicle, during a period of at least 3 years.

The message prompt must also prevent the user from hiring the device until the user has confirmed they have read and understood the information and are fit to ride.

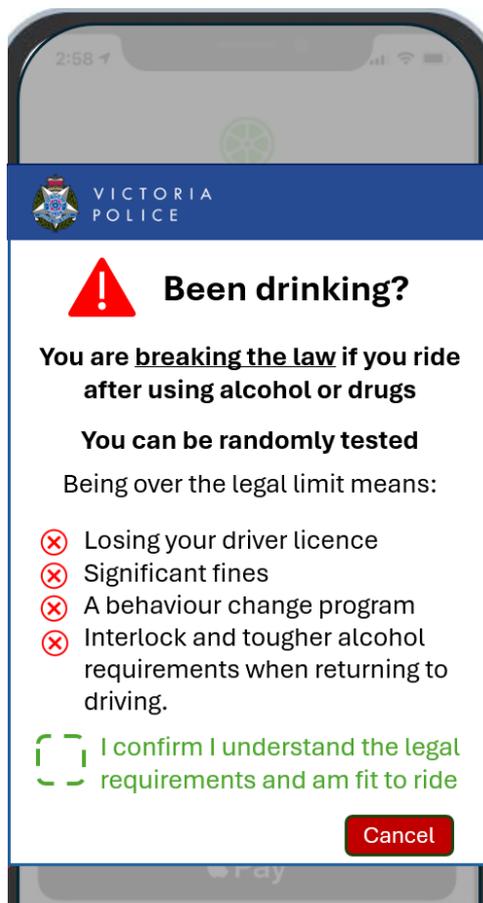
Messaging must be displayed in the following instances:

- Between 8 p.m. and 5 a.m. on weekdays; and
- Between 3 p.m. and 5 a.m. on Saturdays and Sundays.
- On a new user's first and second trip
- If the user has not had the message displayed for more than 13 days.

The messaging prompt should use Victoria Police branding—which Victoria Police have approved DTP to distribute for these purposes (contact DTP at sharedhire@transport.vic.gov.au for approved digital Victoria Police logos)—and inform users that they can be breathalysed or randomly tested while riding an e-scooter.

A DTP example of what is expected to be presented as a minimum standard to convey the messaging is provided below:

Figure 1 – Message prompt example



DTP-commissioned research has shown that targeted messaging prompts, as designed here and when applied consistently, can be a very effective tool in changing rider behaviour.

2.3.5. Helmets

The wearing of a helmet while riding an e-scooter or bicycle is mandatory under Victorian regulations. Operators must provide a helmet that meets Australian Standards with every e-scooter or bicycle or else the device should not be made available for hire.

Under the state approval scheme (see Section 1.3) e-scooters also have specific helmet detection requirements (disallowing a device from hire if it does not have a helmet) and helmet use verification. While the state requirements currently only apply to e-scooters, councils are encouraged to include this requirement for shared scheme e-bikes, too.

2.3.6. Operating areas

As noted in Section 1.2, operators must have an explicit agreement with the local council to deploy share scheme devices in that LGA. However, councils may wish to determine specific 'use areas' within their own municipal boundary rather than permit shared hire devices from being used throughout the entire LGA. Councils should work with the operator(s) to determine the precise use area for shared devices, and this should be made explicit to users through a map within the operator's digital application software (i.e. app), and through other available means of communication (e.g. council website). As an example, in the initial e-scooter trial, the City of Ballarat permitted shared hire e-scooters in the metropolitan Ballarat area only, rather than the entire City of Ballarat municipal area. The council (in conjunction with the operator) determined that for a range of reasons, this was the most pertinent area for share scheme devices to operate.

Operators must prevent shared scheme devices being hired in areas that fall outside of the authorising council's municipal boundary (unless they have an explicit agreement with the bordering council). Under DTP's approval



requirements e-scooters must be prevented from entering or being hired from areas outside the authorising council's municipal boundary.

Where two bordering LGAs have different operators, measures should be taken to reduce amenity impacts and so-called 'edge effects', where council borders meet (e.g. having designated parking zones, so riders must end their trip in the dedicated zone within the relevant LGA – see Section 2.3.8 **Parking management**).

2.3.7. Hours of operation

Councils should work with operators to determine operating hours that are appropriate to the area and needs of the community. Councils should retain the power within their agreements with operators, within certain parameters, to determine and amend hours of operation, including the ability to explore or trial restricted hours of operation if evidence emerges of problems within certain timeframes.

Councils may have to give operators a certain amount of notice (e.g. 14 days) should they intend to amend the hours of operation. Councils should also provide a rationale for their intention to amend operating hours and outline an evaluation plan to assess the changes.

Advantages of making share scheme devices available 24/7 is that they can support residents and visitors working non-standard hours or overnight, when public transport services are limited. Additionally, some councils have noted in their Gender Impact Assessments that share schemes provide an alternative to walking, public transport and traditional taxi/rideshare services which women and gender diverse people may feel safer using, especially 'after hours'.

Councils are best placed to decide on the operating hours for share scheme devices based on local conditions. Should councils decide to implement (or flexibly trial) restricted operating hours, some options to consider include:

- Having a blanket restriction across all areas during certain hours.
- Implementing exclusion zones in known trouble spots (e.g. nightclub precincts) during certain hours and/or days of the week, meaning trips cannot begin or end in that zone during certain hours.
- Automatically lowering the speed of devices in certain zones, during certain hours.

2.3.8. Parking management

Parking of shared scheme devices is one of the most sensitive areas for councils to manage. Poorly parked devices can be a source of community discontent and, if not managed in a systematic way, can potentially put a council in breach of their obligations under the *Disability Discrimination Act 1992* (DDA) to provide residents with access and freedom of movement. In particular, section 23 of the DDA requires non-discriminatory access to premises that the public is entitled to use, which includes public footpaths and walkways.

It is therefore imperative that councils work with operators to implement strategies to mitigate the impacts of poor parking to maintain clear access for footpath users and these should be agreed through a parking management plan before operations begin.

To meet DDA requirements, parking requirements should specify a minimum standard that shared scheme devices:

- Be parked at least 1.5 metres from the building line.
- Not be parked on footpaths that are less than 1.5 metres in width.
- Not be placed where they could obstruct peak pedestrian flows or otherwise pose a safety hazard.
- Not interfere with pedestrian access or amenity.
- Not be parked on infrastructure that provides warnings or assistance to people with vision impairment (tactiles, guides, steps, rails etc.), or in any other way that endangers others.
- Keep the edge of the road clear to allow access to and from the road, including space to open car doors.
- Not be parked on landscaped areas or adjacent to disabled car parking bays, or by leaning against structures (including on trees, buildings, poles, street furniture or any structure).

- Not be parked in no-parking zones in sensitive or highly pedestrianised areas.

Councils should work with operators to determine the optimal parking plan for shared hire scheme devices and appropriate preferred parking zones, exclusion zones, and no parking zones.

In addition, the state approval scheme has specific parking capability requirements for e-scooter shared hire scheme operators.

Technology requirements for e-scooter operators

To meet the state approval scheme requirements, operators of shared e-scooter schemes in Metropolitan Melbourne must have two forms of parking technology in place. First, GPS technology that can identify the location of the device and prevent the user from ending the hire unless the device is determined to be within a council-approved parking area. Second, Bluetooth capability that enables the device to interact with ground-based beacons, supporting more accurate location determination where councils choose to deploy this infrastructure. Outside Metropolitan Melbourne, operators must at minimum have GPS-based positional technology in place to determine where a device has been parked and prevent hire from ending outside a permitted area.

In addition to locational technology, Metropolitan Melbourne operators must have the capability to capture on-the-ground contextual information to verify that a device has been parked correctly — for example, that it is not too close to a building or blocking a footpath. This is typically achieved through imaging captured via the rider's mobile phone. Where possible, this should occur in real time so the application can determine whether parking is compliant before allowing the hire to end. Post-trip analysis of parking imagery is also acceptable, provided the operator has mechanisms in place to apply appropriate penalties or incentives based on the outcome.

Parking locations, distribution and models

Parking locations that are convenient and close to where riders start and end their trips will increase program use, reliability, and tidiness. However, a balance must be considered to ensure parking does not inconvenience or disrupt other street users. Agreements should specify that operators must be proactive in the redistribution of devices according to demand to avoid excessive build-up in an area.

There are many different parking options or models for councils to choose from, the two most common being dockless/free-floating parking, and designated parking. Generally, having designated parking will result in a neater streetscape and have less visual, amenity and pedestrian impacts than dockless/free-floating parking models. Density, existing infrastructure and pedestrian patterns will inform what will be most effective in a given LGA or area within an LGA, though councils should always consider requiring designated parking as standard, and allowing free-floating parking by exception. Hybrid parking approaches can also be used, with designated parking in denser areas and free-floating parking in less dense areas.

Parking requirements for a given area must be made clear to riders before they take a trip and at the conclusion of their trip, and operators should apply penalties to riders who don't park in accordance with the agreed requirements. Similarly, incentives may be used to encourage appropriate parking.

Designated parking (preferred)

Mandatory parking in designated parking zones is well suited to denser urban areas like central business areas, retail precincts and other high pedestrian areas; though they can also be implemented across larger areas such as a regional town and surrounding areas.

Designated parking can be a mix of physical parking corrals, painted lines and digitised zones that are only visible within the operator's app. Physical parking demarcations are preferred and should be implemented in the highest pedestrian traffic areas to give good visibility to shared scheme parking requirements and signal preferred parking locations. Physically designated parking can be both on or off-road, for example in road areas used for typical vehicle parking bays.

Longer term schemes should especially consider investing in permanent physical parking demarcations and may consider fees on share scheme operators to assist with funding such infrastructure, or alternatively requiring operators to jointly and/or partly fund physical street parking zones.

Physical parking space gives visibility to share scheme programs and is preferable to digital designated parking as this can have limitations; for example, GPS technology is not precise enough in many locations (especially in



cities with larger buildings around) to determine if a device is placed into a designated zone. Technology is rapidly improving and there are potential solutions—such as installing Bluetooth beacons in parking bays—which can be highly accurate at determining if a device is within the parking zone. A range of options should be explored and tested between the council and operators to determine the most suitable approach in any given area, and councils should work with operators to refine the approaches based on hierarchies of need and/or budget.

Councils should work with their traffic engineers and operators to determine the most appropriate places for designated parking areas or to install physical infrastructure (including painted lines).

Designated parking locations should be at intervals that strike a balance between utility and amenity impacts.

Dockless/free-floating parking

Dockless parking—or a free-floating parking model—may be well suited to lower density areas or where parking infrastructure (incl. racks and painted bays) is not sufficiently available. This can include suburban areas or areas away from retail or pedestrian traffic precincts.

This model can be the default in areas that are not designated parking areas. The general parking rules pertaining to meeting DDA requirements must apply under this model.

Parking penalties (customers)

In addition to having incentives for riders to park in preferred locations, such as future ride discounts or loyalty points, operators should also have a penalty system in place to apply to rider accounts when parking infringements occur and can be verified. Penalties can include financial penalties, account suspensions and account banning.

Parking penalties (operators)

Councils should provide operators with clear guidelines about council expectations with regards to parking management, including operators' responsibilities to collect or move inappropriately or dangerously parked devices within certain timeframes.

If any of the agreed timeframes for operators to collect or move devices are exceeded, the devices should be subject to being impounded by the relevant council and subject to that council's vehicle impound recovery processes, including cost recovery mechanisms.

In addition, councils may wish to explore additional or alternative incentives for operators to manage their fleet appropriately and within the agreed parking management plan. This can include financial penalties being applicable to the operator, for example for breach of agreement performance requirements. Such penalties must be made clear in the agreements and be permissible within ordinary contract law policies, for example the Doctrine of Penalties.

2.3.9. Go-slow or low-speed zones

Councils should work with operators to implement geofenced go-slow or low-speed zones in high-traffic areas (both pedestrian and vehicular traffic). For example, go-slow or low-speed zones could be implemented along popular sections of shared paths where there is a high level of mixing between pedestrians and micromobility users (including e-scooters and bicycles). In such areas, it may be more appropriate for e-scooters or e-bikes to travel at 10 km/h or 15 km/h and be automatically programmed to not exceed that speed when the device enters the designated zone.

2.3.10. No-go or no-riding zones

Councils should also work with operators to implement geofenced no-go or no-riding zones in particular areas that the council wishes (e.g. school grounds, shopping centres, certain parklands or reserve areas, within 50m of a waterway, entrances to freeways etc.).