



QUALIFIED VEHICLE SHARE
ORGANIZATION
TERMS AND CONDITIONS

City of Berkeley
One-Way Vehicle Share Program
2020

Contents

Definitions.....	1
Authority	1
Intent	1
Criteria of a Qualified Vehicle Share Organization.....	2
Qualification Process.....	2
Renewal Process	3
Revocation	3

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DEFINITIONS

"Vehicle sharing" is defined as membership-based service, available to all licensed drivers, who meet the vehicle sharing organization's eligibility requirements, which offers members access to a network of vehicles, 24 hours per day, 7 days a week, at self-service locations and allows members to reserve and use a one-way vehicle share vehicle without a separate written agreement, at rates that are proportional to usage. (Berkeley Municipal Code 14.62.020)

"One-way vehicle sharing" means a vehicle sharing operations model that allows members to pick up a one-way vehicle share vehicle from one location and drop it off at the end of the period for which it is shared in a different location within a defined geographic area, as specified by the qualified vehicle share organization that operates that vehicle. (Berkeley Municipal Code 14.62.020)

"One-way vehicle share vehicle" means a vehicle requiring a driver's license to operate it, (including, but not limited to, passenger cars, motorized sit scooters, and motorcycles) owned and operated by a qualified vehicle share organization that is clearly and distinctly branded, is constantly tracked through Global Positioning System ("GPS"), and is technologically-enabled to allow members to pick up a vehicle from one location and drop it off at a different location within a defined geographic area, as specified by the vehicle share organization. (Berkeley Municipal Code 14.62.020)

"Qualified vehicle share organization" is a vehicle share organization that has a fleet of at least twenty one-way vehicle share vehicles for member use. (Berkeley Municipal Code 14.62.020)

"Free-floating parking permit" is a parking permit that entitles qualified vehicle share organization members to park one-way vehicle share vehicles in metered and unmetered spaces in which parking is allowed for up to two hours or longer, for up to 72 hours within the designated free-floating zone. (Berkeley Municipal Code 14.62.050)

"Master residential parking permit" is a parking permit that entitles qualified vehicle share organization members to park one-way vehicle share vehicles in a residential parking permit area as if the member had a residential parking permit for that zone as designated by chapter 14.72.050, even if the member is not a resident or employee within that zone. (Berkeley Municipal Code 14.62.060)

"One-way vehicle share parking zone" is the area agreed upon by the qualified vehicle share organization permit holder and the City of Berkeley Public Works Department, which bounds the geographic area where one-way vehicle share members may legally park one-way vehicle share vehicles within Berkeley. (Berkeley Municipal Code 14.62.070)

AUTHORITY

In ordinance 7,508 N.S. and a companion resolution, 67,696 – N.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 vehicle sharing organization.

INTENT

The intent of the qualified vehicle share organization certification is to designate a pool of eligible buyers for the Master Residential Parking Permits and Free-Floating Parking Permits for

organizations that operate a one-way vehicle share system. Both permits entail parking privileges that may entice entities other than vehicle 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 vehicle sharing service that embodies the Vehicle Share Principles (67,696 – N.S.) for the benefit of the City of Berkeley.

CRITERIA OF A QUALIFIED VEHICLE SHARE ORGANIZATION

To become a qualified vehicle share organization (VSO) in Berkeley, the prospective VSO must demonstrate that it:

1. Provides a member-based vehicle sharing service, available to all qualified drivers;
2. Provides insurance, which meets the standards of the State of California, for each shared vehicle and for each member operating the vehicle during the period of use;
3. Intends to operate a one-way vehicle share system with a fleet of vehicles for which it will purchase parking permits;
4. Has clearly and distinctly branded rental vehicles that are constantly tracked through Global Positioning System (GPS);
5. Provides members with access to a minimum of 20 shared-use vehicles at geographically distributed locations or well-defined zones throughout Berkeley or in locations that demonstratively serve Berkeley residents;
6. Has an online or similarly accessed real-time system used for processing and paying for vehicle share vehicle rentals;
7. Facilitates vehicle rentals per minute, hour, and/or day with or without per mile surcharges and without separate written contracts for each rental period;
8. Makes vehicles available to members at unstaffed self-service locations and available for pick-up by members on a twenty-four (24) hour per day, seven (7) days per week basis; and
9. Makes vehicles available for access where the vehicle share vehicle is parked without requiring a member to go first to a different physical location to be provided with the means of accessing the vehicle.

QUALIFICATION PROCESS

Upon submitting evidence to demonstrate that the applicant is a qualified VSO in the City of Berkeley, 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 provide written notification to the applicant stating that it is a qualified VSO in the City of Berkeley.
2. **Conditionally Qualified:** The City will provide written notification to the applicant acknowledging that the VSO would be deemed “qualified,” if the vehicle sharing vehicles were already available in the City. Because the qualified status is required to receive various permits specific to vehicle sharing, which are required to initiate the vehicle sharing service, the City recognizes that a “conditionally qualified” status is required to facilitate the launch of some vehicle sharing services. An applicant with a conditionally qualified status will be considered a qualified vehicle share

organization for four (4) months from the date of the letter. The applicant can reserve parking permits for the anticipated fleet of vehicle share vehicles by providing a purchase order for the vehicle share vehicles specifying delivery to the San Francisco Bay Area region. By the end of that four-month period, the VSO will need to submit its parking permit application, fees, and designated service area map showing that it provides access to at least 20 vehicles in the City of Berkeley in order to receive written notification of being qualified. Failure to submit its fleet's permit application within that four-month period will revoke the VSO's conditionally qualified status.

3. **More Information Required:** The City will provide written notification requesting more information to make a determination about how the applicant meets the City's criteria as a qualified VSO. 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 provide written notification stating that the applicant's request has been denied and explaining the justification for denial. The applicant is allowed to appeal the determination to the supervisor of the staff member responsible for the determination.

RENEWAL PROCESS

The application approval determination will be dated and valid for at least the following year, with the validity automatically extended until the expiration date of any vehicle sharing parking permits issued subsequently to the VSO qualification approval. When a qualified VSO initiates the renewal process for any vehicle sharing parking permits, it will be up to the qualified VSO to file with the appropriate staff member within the City a) a statement of no substantive changes in its vehicle sharing service, or b) a statement describing any changes that could affect its qualified status. Provided that there have been no changes to disqualify the qualified VSO, the City will reissue approval within ten (10) business days of receipt of the appropriate statement from the qualified VSO.

REVOCAATION

The City reserves the right to revoke a VSO's qualification approval at any time if the City has evidence of a violation of the above criteria. The City will send written notice of the revocation to the VSO. From the date of the revocation, the VSO will have 30 days to reapply for qualified status. After 45 days from the date of revocation, if the VSO has not obtained a renewed qualified status, any car sharing parking permits granted to the VSO will expire as of the date of revocation plus 45 days.