

Public Governance of Shared Bicycles

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Keywords: Shared Bicycle, Public Governance, Government Regulation.

Abstract. With the improvement of economic development and the rapid development of Internet technology, the sharing economy has gradually become a part of people's lives. Under the prevailing development of the Internet and the concept of low-carbon travel and green travel, shared bicycles were popular overnight, with a view to "solving the last mile of travel". The rapid development of the shared bicycle industry followed by a series of supervision and governance issues of shared bicycles. This paper aims at combing the status of sharing bicycle public governance, and according to the existing problems, puts forward some suggestions to improve sharing bicycle public governance.

Introduction

As a new business model in the Internet era, the sharing economy has injected new vitality into the current economic development of China, conforming to the contemporary people's life philosophy, facilitating people's life, but also conducive to stimulating the vitality of social innovation, realizing the optimal allocation of resources. In 2016, Premier Li Keqiang stressed the need to firmly establish and implement the concept of shared development in the 13th Five-Year Plan. In 2017, the report of the 19th National Congress of the Communist Party of China clearly listed the shared economy as one of the six new growth points, and asked it to "form new momentum" [1]. In the report on the work of the government in 2018, the sharing economy was mentioned again, and the upgrade version of "mass entrepreneurship and mass innovation" was advocated. It can be seen that the shared economy is gradually becoming part of economic growth and daily life. Originally, sharing bicycles only existed on the campus of Peking University. Today, the shared bicycles can be seen everywhere. Because of its economic, environmental and convenient characteristics, sharing bicycles has become an inevitable choice for residents in major cities. This has also led to the blowout development of sharing bicycles. There have been dozens of shared bicycles management enterprises headed by Mobai and OFO. Relevant data show that, by the end of 2017, the number of sharing bicycles users has reached 50 million; sharing bicycles once became a "phenomenal" new product. In the course of development, problems such as disorderly parking, serious road occupation, malicious destruction, private concealment, poor supervision of deposits on shared bicycles, and illegal disposal of scrapped bicycles have gradually arisen. It is necessary to put forward solutions to the existing problems, on the basis of rational analysis of the current situation of public management of shared bicycles,

Current Public Governance Situation of Shared Bicycles

At present, the shared bicycle has gone out of the campus into the community, from the market scale, its market share is increasing; from the user scale, the majority of users are working people and students, users mostly from subway stations, bus stations and other public places. At present, there are also related systems and measures for sharing bicycles in China.

The Current System Related to the Sharing Of Bicycles Governance

Relevant management departments are full of expectations for the development of shared bicycles. Some developed areas in China have already issued corresponding systems and policies to carry out

pilot projects to solve the problems of shared bicycles in the development process. As shown in Table 1.

Table 1, The current system related to the sharing of bicycles governance

Institutional regulations	content
Some Opinions on Encouraging Standardization of Internet Bicycle Services (Draft for Consultation) (Shenzhen, 2016)	Clearly define the responsibilities and obligations of the government, enterprises and citizens.
Guidance on Encouraging and Regulating the Development of Internet Bicycle Rental (Draft for Consultation) (Ministry of Transport, 22 May 2017)	Adhere to the principles of service oriented, standardized and orderly, reform and innovation, territorial management and multi party governance.
Guidelines for Beijing to Encourage Standardized Development of Shared Bicycles (Trial) (Draft for Consultation) (Beijing Communications Commission, 2017)	Defined the responsibilities of enterprises, governments and users, and quantitative control requirements are put forward.
Shanghai Guidelines for Encouraging and Regulating the Development of Internet Bicycle Rental (Trial) (Shanghai, 2017)	Rational allocation of urban public resources, standardization of enterprise market operations, maintenance of urban order, convergence of various forces to guide the orderly development of Internet rental bicycles

At present, Beijing, Shanghai, Shenzhen and other first-tier cities have taken the lead in introducing and implementing relevant regulations on sharing bicycles, and launched corresponding pilot projects. [2] However, for areas with relatively slow development, the corresponding regulations have not been promulgated or are not perfect, and need to be strengthened urgently. Moreover, on the whole, no standardized management has been carried out systematically from the perspectives of enterprise competition, public destruction and public resource occupation, which exist in the sharing of bicycles. The policy lacks pertinence and comprehensiveness.

Current Management Measures for Shared Bicycles

Shared bicycle has developed rapidly in recent years, and now there are more than 100 shared bicycle enterprises to develop and operate. Take Mobai and OFO's corresponding management measures of shared bicycle for example. Mobai takes the lead in the industry to achieve fine management, intelligent scheduling, national maintenance, and take the lead in research and deployment of "intelligent recommended parking spots", through scientific and technological means to guide the orderly parking of vehicles. [3] OFO establishes a "singularity" large data system for offline management, through the analysis and utilization of travel data, constantly optimize vehicle scheduling, improve operational efficiency. And build "Online + offline" integration operation and maintenance team, explore diversified management mode. In terms of insurance, Mobai provides users with "personal accident insurance" and "product liability insurance". [4] The insured shall be compensated according to the conditions of claim. The OFO has already purchased personal accident insurance for users of bicycles, and affixed "no riding under 12 years old" awareness to the body of yellow cars.

The Current Shared Bicycle Governance Effect

During the shared bicycles' development process, there are "difficult to save", "disorderly parking", "service maintenance is not timely", "deposit withdrawal is difficult" and other issues, need to be jointly managed and maintained. Officials in charge of OFO and Mobai cycling also said they had dealt with random parking and vehicle accumulation through grid management, but with little effect and some distance from people's expectations. According to data released by the general administration of industry and commerce. "In 2017, a total of 32 thousand and 900 complaints of rental services were received, 8.9 times the same period last year. Among them, 64.6% of complaints refer to bicycle rental services. The gradual increase of complaints shows that there is a serious problem in sharing bicycles." [5] It can be seen that even though China has introduced the

corresponding system and policy measures for sharing bicycles, the problems of sharing bicycles are still not well solved.

Impediment Factors of Shared Bicycle Public Governance

Government Regulators are not in Place

Shared bicycle market failure exists in the situation, sharing bicycle to the community problems cannot be self-reconciled, government regulation is very necessary. However, due to the characteristics of the "new generation" of sharing bicycles, the government departments are still in the observation stage, and have not formulated a perfect regulatory model to adapt to the development of sharing bicycles, which cannot make up for the defects of the market. The phenomena of users using lanes illegally, malicious damage to bicycles and fraud by sharing bicycles' two-dimensional codes cannot be regulated by the market. [6] At present, the relevant public administration departments have not formulated specific management regulations and penalties for the bad using of sharing bicycles, which seriously restricts the healthy development of sharing bicycles. In Beijing, there are about 400 shared bicycles waiting for repair at repair sites every day, but the staff can only maintain them slowly at the speed of 20 each day. Over the years, more than 4,000 shared bicycles have been piled up or scrapped or damaged, so it is urgent to strengthen supervision and regulation. Meng Wei, a spokesman for the Development and Reform Commission, pointed out: "In the future, we will attach equal importance to both development and norms in promoting shared economic development. In accordance with the principle of encouraging innovation, inclusiveness and prudence, we should speed up the construction of a mechanism of Co-governance of the shared economy involving the government, platform enterprises, trade associations and other parties. Guide sharing economy to develop healthily and orderly. [7] As a sharing of economic resources, the sharing of bicycle industry has great potential for development. If we want to continue to maintain a strong momentum of development, we cannot do without the escort of rules and the supervision of relevant government departments.

The Construction of China's Credit System is not Perfect

Shared economic activity based on the premise of trust is the igniter to activate the real economy, and the security of shared economic activity depends on the establishment of trust or the perfection of training mechanism". [8] The continuous development and scale of shared economy depend on the credit system, which makes the supply side, demand side and platform of resources exist trust. Due to historical reasons, the overall credit environment of our country is at a low level, and the credit culture of the whole society still needs to be continuously cultivated and improved. Moreover, compared with developed countries, China's credit system construction is relatively backward. Taking the United States as an example, the social system of the United States is based on the personal credit system. It has a perfect personal credit file registration system, a standardized personal credit evaluation system, a strict personal credit risk early warning system and its management methods, as well as a healthy credit legal system. Although there are some principled provisions in the Constitution and the General Principles of Civil Law in China, they are not substantive. [9] As far as the market is concerned, there is still a lack of unified norms and effective management, a lack of disciplinary system for breach of faith, prone to unfair competition, and even lead to monopoly. For example, shared bikes were maliciously damaged, and some companies even felt that the emergence of shared bikes affected their car rental business and destroyed the bikes. The imperfection of this credit system greatly increases the operating cost of the shared bicycle and limits its development scale. [10] The development of sharing bicycles needs integrity to support, but in real life, many people violate the rules and regulations, affecting public transport; the prevailing trend of self-interest, the bicycle for their own use; and even more, intentional damage to public goods. The imperfection of the national system and the lack of citizens' own quality will seriously restrict the healthy development of sharing bicycles.

Public Participation and National Quality are Relatively Low

The public participation in our country is low, and the national quality is still at a low level of development, which seriously affects the development of shared bicycles. On the streets, shared bicycles can be seen everywhere, occupying public access and urban space seriously. Many people put them on the roadside or at the subway entrance after using them, and they turn a blind eye to them, not caring whether they affect the appearance of the city. Disorderly parking is followed by other users to find a car difficult, open the sharing of bicycle APP, found on the map shows a number of red dots, but along the road to find, but no shadow of the car, which shows that the setting of parking points is unreasonable, inaccurate positioning, coupled with the public parking at random in non-designated locations, resulting in the need for people can't be find a bike to use. In the process of sharing bicycle rental, some citizens with lower quality take bicycle as their own and refit spray paint for private use. College students once found many shared bicycles in dormitory buildings, but they did not get anything by searching for them according to the instructions of APP. [11] This is why many students neglected the interests of others for their own convenience and turned public ownership into private ownership, which has a serious impact on the use of shared bicycles.

The Existing Laws and Regulations are not Perfect

Innovation is always ahead of the development of laws and regulations. During the two sessions, "the relevant policies and regulations lagged behind, and the system guarantee could not keep pace with the rapid development of the shared economy". [12] Became the most representative problem of the members. This is mainly because our current laws and regulations are mostly adapted to the planned economy, and the time is early. Laws and regulations are no longer suitable for their development. Shared bicycles as a form of shared economy are also facing this problem. In 2016, the Min hang District People's Court sentenced Han, a Shanghai resident, to three months' detention, three months' probation and a fine of RMB 1,000 yuan for bringing his shared bicycle home and committing theft. At the end of the sentence, the public voice is divided, some thinks that the punishment is too heavy unfair, some think that the punishment is too light to play a warning role, but still can't find a reasonable solution. According to Article 49 of the Law on Administrative Penalties for Public Security of China, "Whoever steals, defrauds, robs, robs, extorts or intentionally damages public or private finances shall be sentenced to detention of more than five days or less, and may also be fined not more than 500 yuan; if the circumstances are serious, he shall be sentenced to detention of not less than 10 days but not more than 15 days, and may also be sentenced to detention of not less than 1,000 yuan fines. " [13] Therefore, once the perpetrator has destroyed the bicycle two-dimensional code, bar code, locks and other acts and caused others to be unable to use, it has constituted the infringement of public property rights or supplier property rights, and has the purpose of illegal occupation, in line with the requirements of theft. However, because the amount involved is too small to meet the standard of filing a criminal case of theft, the public security organs can only punish the crime at their discretion, then they will face such a problem; what is the standard of discretion, if the punishment is too light, then it can't fundamentally solve the problem, if the punishment is too heavy, it will easily lead to people's discontent, accumulated into many, will cause serious social impact, so make up for the lack of law is the current top priority.

Not only in the use of bicycles, but also in other areas. For example, there is no entry threshold for sharing bicycles, so that the barriers to entry and exit are low, and the platform lacks the qualification examination for the entrants. Illegal elements will enter the platform at will, making the transaction vulnerable to security vulnerabilities and harming the interests of users. Nowadays, the sharing of bicycles is becoming more and more popular, which makes traffic accidents become a common problem. It is difficult to define clearly whether the quality of shared bicycles is not up to standard, or the maintenance of bicycles is not in place, or the user's own operation is improper, resulting in a series of disputes, which is very common and difficult. For these problems, the existing laws are blank; the legislature should quickly study and formulate a legal system to adapt to the development of the shared economy, so as to make it in line with the shared economy.

The Perfect Path of Public Governance Bicycle Sharing

Strengthening the Supervision and Regulation of the Government

It is necessary to establish a modern government supervision model and build a cooperative and open government governance system, and make full use of the Internet and large data technology to realize real-time supervision of the platform. In the process of governance, the government should pay attention to the diversification of governance subjects, mobilize stakeholders, and work together to find high-quality and efficient solutions. The standard of access to shared bicycle industry should be worked out to ensure fair competition in shared bicycle industry. First of all, we should strengthen industry supervision, establish self-discipline associations, and strictly control the principle of market access. On this basis, the government should also strictly control its access standards to ensure that enterprises entering the shared bicycle industry can clearly define their obligations and assume corresponding social responsibilities. We should refine the supervision mechanism of shared bicycles and establish a reasonable accountability mechanism. It is convenient for the public to supervise the sharing of bicycles and safeguard their legitimate rights and interests by setting up complaint public telephone, complaint mailbox, and complaint public number and so on. Besides, it is necessary to arrange special personnel to inspect and solve such problems, establish a reasonable accountability mechanism, enforce the law strictly and investigate the violation of the law.

We should constantly strengthen network security management at the national level and strengthen information security management of shared platforms. Supervise all kinds of confidential information, establish a long-term prevention and control system, so that information has a safe "storage" environment. [14] Strictly control of the quality of information for enterprises and individuals entering the shared economy to review to ensure the authenticity of their information in order to achieve targeted and timely resolution of problems. In the aspect of network supervision, we should formulate and improve the Internet industry standards, severely punish the misconduct of netizens, and establish an effective information security evaluation system to provide a basis for network supervision, so as to truly achieve reasonable and effective supervision.

The development of shared bicycles is also testing the ability of urban management and the level of planning and layout, and this responsibility falls on the transportation planning department. Shared bicycles are still encouraged by current trends, so urban management should not be left behind. Because sharing bicycles is light, and most cities have not yet planned sharing bicycle parking points, even if there are parking points, because there is no relevant penalties, so sharing of bicycles disorderly parking problem is still prevalent. The problem of random parking is just a problem that needs to be solved. The relevant traffic management departments may formulate relevant standards for sharing bicycle parking, and plan sharing bicycle lanes and set up special sharing bicycle parking points in urban management. To establish a blacklist system for sharing bike users who do not obey management, they must be forbidden to ride after parking in violation of regulations for a certain number of times. Serious fines and penalties can also be imposed. Not only that, traffic management departments should also strengthen cooperation with sharing bicycle enterprises, strengthen mutual governance, establish a list of responsibilities and related agreements between the traffic management departments and sharing bicycle enterprises, aiming at the problem of random parking can be responsible for people and disorderly parking can be effectively addressed.

Establish and Perfect Our Personal Credit System

As a socialized credit system, personal credit system plays a vital role. Since the reform and opening up, China's personal credit system has developed rapidly, but compared with developed countries, there is still much room for improvement. The imperfection of this personal credit system seriously restricts the development of sharing bicycles. Therefore, it is urgent to establish and improve our personal credit system. The establishment of the credit system needs multi-party cooperation, and the government should take the lead in calling for the sharing of bicycle platforms and the full cooperation of the community to establish and improve the credit system, which can not

only ensure the long-term development of the sharing of bicycles, but also have a positive impact on shaping a good faith society.

Establish a perfect system of punishment for personal dishonesty. Shared bicycle is essentially a service that separates the right of use from ownership. It is common for users to destroy the bicycle after obtaining the right of use and intend to obtain the right of long-term use. At present, there is a serious lack of disciplinary system for dishonesty in our country. The punishment method for dishonesty is single, and the cost of dishonesty is too small. Therefore, people often take risks for the sake of interests and endanger the order of social development. Therefore, we must strengthen the punishment and increase the cost of breaking faith. Only by constantly improving the credit system can we establish a harmonious market environment and prevent illegal enterprises and individuals from entering the shared market.

We should speed up the cultivation of professional third-party credit intermediaries, establish and improve the credit evaluation system, and involve the official media in the construction of the credit system. The government should create a number of powerful credit evaluation agencies to provide them with good conditions for development, the sharing of bicycle users rating. [15] By counting the user's evaluation data on the platform, evaluating the credit rating of the platform and individuals, publishing the results on the shared platform, and publishing the list of trustworthiness and dishonesty through the official media, this will not only help the public to understand the shared platform, but also make the shared bicycle enterprises pay more attention to their credit. At the same time, it can play a certain restrictive role in breaking faith.

We should speed up the guidance and cultivation of market demand for credit products, raise public awareness and cultivate relevant talents. In China, credit products are seldom used. The government can absorb the advantages of some developed countries. For example, credit endorsement can create a good social credit environment and make credit an indispensable part of public life. In addition, we should also vigorously train relevant credit personnel, encourage them to engage in credit work, and improve their professional knowledge and quality in order to provide better services.

Break the traditional path and take the mode of combining online and offline. Sharing bicycles should break the traditional path, take advantage of the Internet, fully integrate online shopping malls, platforms, offline governments, enterprises, organizations, etc. to establish an online and offline double protection of the credit security system.

Strengthening Quality Education and Honesty Education for the Public

"When people share the development dividends brought about by the new economy, everyone is a sharer, beneficiary, not an outsider, but should become a promoter, defender." [16] In view of the phenomenon that the users of shared bicycles parked in violation of regulations and accepted as private property, we should give full play to the leading role of socialist core values and strengthen the quality education and honesty education of the public. From small to large, first of all, make full use of the community and other organizations close contact with the masses of the characteristics of the community, the community can be in the bulletin board for related publicity and education, but also in public transport stations, subway stations and other public areas on the exhibition board to remind the public that these can be seen everywhere more easily in-depth publicity, so that it can be put into practice. Secondly, sharing bicycle operators can formulate supervision and incentive mechanism to improve the deposit of bicycle to limit users' bad behavior. Finally, the cultivation of citizens' quality and honesty education need the government to give full play to its cultural functions, through the official media to expand publicity, guide the public to use cars civilly, and build a harmonious environment for using cars.

Improve Relevant Laws and Regulations

As a new kind of sharing service, the development of sharing bicycle will surely inject new vitality into the market and create more real value in the future. However, due to its complex and pluralistic characteristics, the law will inevitably lag behind the innovation. Therefore, in order to ensure the

long-term development of sharing bicycles, it is necessary to constantly improve the legislation, make up for the relevant legal gaps, clarify the rights and obligations of the participants through legal norms, and promote the current system to integrate with the sharing of bicycles, so as to effectively avoid the phenomenon of unclear rights and responsibilities.

The government should correctly and fully make legislative power. Broadly speaking, the government refers to the sum of the state's legislature, administrative organs, judicial organs and other public organs, representing the public power of society, enjoying the formulation of the law, the implementation and implementation of the law, as well as the interpretation and application of the law of public rights, is the expression of state authority. In view of the existence of shared bicycles, legal norms and constraints are very necessary. [17] The government should aim at the new problems and contradictions of sharing bicycles, strengthen the legislative work of sharing bicycles, regularly review and revise the laws and regulations which are not suitable for the new model, and complete the supervision of the sharing bicycle market in written form so as to make the authority of the government legitimate. In order to create a harmonious environment for the use of bicycles, strict punishment should be imposed on those who destroy the shared bicycle, break the lock and occupy the bicycle as their own, and park in violation of the regulations. In the process of perfecting relevant legislation, we must break the traditional legislative thinking and build a new legal system. In order to keep pace with the times, the legislation of sharing bicycles can be carried out in some areas. According to the feedback from the experimental areas, the effectiveness of the legislation can be determined, and the legislation can be improved and perfected continuously. Then it can be extended to the whole country to make it an effective law.

Summary

In 2016, the share bike market reached 1 billion 230 million yuan, reaching 10 billion 280 million yuan in 2017, an increase of 735.8%. By 2018, the market share of bicycle sharing in China will exceed 17 billion yuan. In terms of user size, the number of users sharing bicycles reached 210 million in 2017, with a growth rate of 646%. By 2018, the number of users sharing bicycles is expected to reach 298 million. It can be seen that the prospect of sharing bicycles in China is still very broad. "This is the best and the worst of times." China has entered a new stage of social development; the major social contradictions have changed. While witnessing the enormous development potential brought by sharing bicycles, we should also realize that the development of sharing bicycles is not as optimistic as we expected, and there are also some problems in the process. Only by facing the existing problems of bicycle sharing, strengthening the governance and supervision of relevant government departments, and giving full play to the cooperation of the government, enterprises and individuals, can we achieve efficient and reasonable supply of public services, maximize public interests, and create a harmonious and stable social development environment.

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