

## **Summary for Google Transit and other “trip planning” third party technologies**

Many riders now use Web-based map tools and devices like iPhones and Blackberries to look up directions. With the cooperation of transit agencies, these existing applications can provide transit directions. People also are downloading special iPhone applications for transit information. Google Maps is the leading map product and offers this trip planning option. So far, Metro has not participated.

### **Why is this useful?**

If you visit Boston and look up your hotel on Google Maps, you can then click a button to get transit directions from the airport to your hotel. If you are meeting a friend at a nearby restaurant and look it up on the Web or on your smart phone, you can click a button to see which buses or trains take you there. This is a big opportunity to help riders that will cost Metro nothing.

### **Didn't Metro release transit data last year?**

Metro put the “GTFS” files, which are computer-readable versions of the schedules, online last year. However, those currently have restrictive licensing terms, such as indemnification requirements, which prevent many from using the data. Further, Google will not participate without a signed agreement.

### **Why hasn't Metro worked out a deal with Google?**

Metro staff say they want to determine if they can get revenue as part of a deal. They plan a \$500,000 contract to find out if there's any revenue. Further, they say that Metro already has a good trip planner.

### **The budget is tight. Can Metro get money in exchange for this data?**

We believe the answer is fairly clearly no. New York's MTA, a much larger agency, is not receiving any payment for the data. Chicago's CTA, of similar size to WMATA, is not receiving any payment. Nor is any other agency we have found. Quite simply, this is not something Metro can expect to make money from.

### **Is the existing trip planner good enough?**

While it could be improved somewhat, the existing trip planner is a good tool. However, it's not an either/or. Printed maps appear in stations and also in books sold to tourists. Riders use different tools and devices, and Metro should make it easy for existing information sources to point riders toward transit options. Adding more ways to get information doesn't detract from the trip planner.

### **What's this \$500,000 contract?**

Metro has budgeted \$500,000 to hire a consultant to evaluate the potential value of its intellectual property. It's sensible to find out how much Metro can receive from selling t-shirts and tote bags, but we are concerned the consultant will feel pressure to report a high yet unrealistic value on the transit data to justify their fee. That could just paint Metro into a corner.

### **Is indemnification an issue?**

Metro's current terms for the data require the application developer to indemnify Metro against any lawsuits if, for example, someone gets incorrect data. Meanwhile, Google's standard agreement asks a transit agency to indemnify Google. We suggest that there be no indemnification in either direction, which is the approach in the New York MTA contract and various others.

### What should the Board do?

- Ask what the sticking point is in this area. Are negotiations stalled because staff want this to be a revenue source, or because of indemnification or other issues?
- Reassure staff that given the low likelihood of receiving any payments for this data, it's acceptable for them to negotiate this contract without trying to use it to generate revenue.
- Clarify that the IP valuation contract should move ahead to value saleable logo items and other IP, but shouldn't cover transit data, which isn't valuable as a revenue source, or block progress.
- Suggest that the data be offered to other developers under similar license terms as Boston, Chicago, Portland, and San Francisco, without burdensome indemnification requirements.

We are happy to discuss this further with any of you or staff.

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### For more information

We have published an extensive series of articles on this issue and our research. Here are links to the most important ones:

- Analysis of Metro's current terms for releasing data: <http://ggwash.org/post.cgi?id=3012>
- Two perspectives on Metro signing Google's agreement: <http://ggwash.org/post.cgi?id=3048>
- Metro staff's arguments against participation : <http://ggwash.org/post.cgi?id=3145>
- Google does not pay New York MTA: <http://ggwash.org/post.cgi?id=3279>
- Analysis of Chicago terms (including suspicion that MTA did pay, which Google later denied on the record): <http://ggwash.org/post.cgi?id=3195>

Here are some pages about other transit agencies that have led the way on this issue:

- Boston MBTA: [http://www.mbtta.com/about\\_the\\_mbtta/news\\_events/?id=17997](http://www.mbtta.com/about_the_mbtta/news_events/?id=17997)
- San Francisco BART: <http://www.bart.gov/schedules/developers/open.aspx>
- Article about San Francisco: <http://www.theatlantic.com/doc/200901/technology-government>
- Chicago CTA: <http://chicagopressrelease.com/press-releases/chicago-transit-authority-to-introduce-developer-tools-web-site-bus-tracker-api-now-available>
- Applications using Portland TriMet data: <http://trimet.org/apps/index.htm>
- Comparison of various agencies' approaches to the issue:  
<http://www.eff.org/deeplinks/2009/09/who-controls-data-about-public-transportation>