

Legislative Research on Administrative Regulation of Internet Rental Bicycles

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Abstract

Internet leasing bicycle is a representative product of the sharing economy, which is green, low-carbon, convenient, low-cost, easy to park, meets diversified needs, and solves the problem of the "last kilometer" of travel, which is chosen by more and more people, and has become the most used mode of transportation other than public transportation and subway. As a new phenomenon, the rapid development of the Internet-based bicycle leasing industry has also led to several problems, such as Internet leasing bicycle enterprises overstocking bicycles, Internet leasing bicycle users randomly parking bicycles, and others. Therefore, an in-depth study on the legislative improvement of the administrative regulation of internet-leased bicycles has both significant theoretical and practical implications.

Keywords

Internet leasing bicycle; administrative regulation; legislation; countermeasures.

1. Concepts and Characteristics of The Administrative Regulation of Internet Leasing of Bicycles

1.1. The concept of administrative regulation of the Internet leasing of bicycles

Internet leasing bicycle administrative supervision falls under a type of administrative supervision. According to the general concept of administrative supervision, it can be seen that it consists of the following elements: firstly, the object of Internet leasing bicycle administrative supervision is the Internet leasing bicycle enterprises and their users. Secondly, the subject of administrative supervision of Internet leasing bicycles is the administrative organ with an administrative supervision function. Third, the way of administrative supervision is to manage the market access, business process, and withdrawal of Internet leasing bicycle enterprises and the use of users, and to supervise the regulatory behavior of the administrative supervisory body.

Therefore, this paper considers that the administrative supervision of Internet leasing bicycles refers to the management and supervision of the operation and use of Internet leasing bicycle enterprises and users by the administrative organ enjoying the function of administrative supervision of Internet leasing bicycles by the provisions of relevant laws and regulations.

1.2. Characteristics of the administrative supervision of Internet leasing bicycles

Internet rental bicycle is different from household bicycle and staked bicycle; its emergence solves many shortcomings of household bicycle and staked public bicycle, and realizes stop-and-go with the use of Internet technology, which greatly facilitates the public's short-distance travel. In addition, according to the rules for the use of Internet-leased bicycles, users need to pay a certain amount of deposit to use Internet-leased bicycles. With the development of the Internet-leased bicycle industry, more and more Internet-leased bicycle enterprises have begun to provide deposit-free riding services, which means that it is more and more convenient

for users to ride. Internet rental bicycles have gained widespread use because they meet the modern and efficient rhythm of life, which also makes the administrative regulation of Internet rental bicycles different from that of traditional bicycles.

1.2.1. Statutory nature of the subject of administrative supervision of the Internet leasing of bicycles

Legal norms are the source of the legal status and regulatory power of the subject of administrative supervision, and are the guarantee for the subject of administrative supervision to independently exercise its powers and effectively fulfill its regulatory duties according to law. Internet leasing bicycles is the combination of an Internet platform and a traditional bicycle; its uniqueness makes its administrative supervision involve multiple regulatory departments, and requires the law to clarify the regulatory subject.

The power of the subject of administrative supervision of Internet rental bicycles comes from the provisions of laws and normative documents, and its supervisory power is legal and legitimate. Therefore, the subject of administrative supervision of Internet rental bicycles has a legal character.

1.2.2. Specificity of the Object of Administrative Supervision of Internet Leased Bicycles

Corresponding to the legality of the subject of Internet leasing bicycle regulation, the object of Internet leasing bicycle regulation should be specific, i.e., Internet leasing bicycle enterprises and users, so that the subject of regulation can carry out regulation in a targeted manner. The specificity of the Internet leasing bicycle regulatory object focuses on the specific rights and obligations of the Internet leasing bicycle regulatory object.

First of all, as one of the regulatory objects of the Internet leasing bicycle enterprises, both the market operation of the free subject and the Internet leasing bicycle service provider are regulated. The regulatory body of Internet rental bicycles has the duty to supervise Internet rental bicycle enterprises to ensure that they legally provide services to users. Therefore, Internet rental bicycle enterprises must accept the supervision and management of the regulatory body in their access and operation process by law.

Secondly, Internet rental bicycle users, as another regulatory subject, have specific rights and obligations. The specific rights and obligations of the object of administrative supervision of Internet-leased bicycles reflect the specificity of the object of supervision of Internet-leased bicycles, so that the subject of supervision can better supervise and manage the object of supervision.

1.2.3. Interactivity of the administrative supervision method of Internet leasing bicycles

The traditional administrative supervision method is completely or basically one-way: the supervisory subject gives orders to the supervisory object, and the supervisory object's obligations and responsibilities are only obeyed. [1]The biggest difference between the use of Internet leased bicycles compared to traditional bicycles is the use of network platforms, in the current government departments have not yet established a perfect network regulatory system, do not master the network regulatory technology, the traditional unidirectional regulation is not enough to regulate the new industry, the need for Internet leased bicycles administrative supervision department and the regulatory object of the discussion, negotiation, from a single regulatory approach to interactive regulatory approach The way of regulation is changing from a single way to an interactive way.

Firstly, when the administrative department in charge of Internet leased bicycles issues rules of conduct and guidelines to Internet leased bicycle enterprises and users, it needs to consult the enterprises and users beforehand, especially when it involves professional issues such as

quality standards for Internet leased bicycles, it should listen to the professional opinions of industry associations and other social organizations.

Secondly, when the main body of Internet-leased bicycle supervision carries out supervision and inspection of Internet-leased bicycle enterprises, it should listen to the opinions and suggestions of enterprises and users on matters such as the necessity, scope, content, and method of supervision and inspection. And it can cooperate in certain areas, for example, for the problem of users parking with the public, the administrative and supervisory departments can carry out data docking with the platform of Internet-leased bicycle enterprises and utilize the platform to supervise. Finally, when the main body of Internet rental bike regulation imposes administrative penalties on enterprises and users for violations of the law, it must give reasons for the legality and appropriateness of the penalties and listen to the explanations of the targets of regulation. At present, administrative regulators widely adopt administrative interviews when they find that Internet leasing bicycle enterprises are about to violate the law or have committed minor violations, reflecting the importance that regulators place on interactive regulation with enterprises rather than commanding monolithic regulation.

The administrative regulation of Internet leased bicycles should be an interactive regulation, and the regulatory authorities should implement the regulation by discussing and negotiating with Internet leased bicycle enterprises and users in order to find a regulatory program that achieves the maximum legal effect as well as the optimal social and economic effect, and that can be implemented effectively.

2. Current Status of Legislation and Policy Provisions for The Administrative Regulation of Internet Rental Bicycles

2.1. Laws

At present, there is no special laws and regulations to provide for the administrative supervision of Internet leased bicycles, and the Electronic Commerce Law of the People's Republic of China (hereinafter referred to as the "E-Commerce Law") promulgated by the Standing Committee of the National People's Congress (NPCSC) on August 31, 2018, which serves as a general law for the entire field of e-commerce and stipulates that the provisions are all more principled and of general applicability, and which relates to the administrative supervision of Internet leased bicycles, has the following contents :

First, it provides for the refund of the deposit and the protection of personal information. It stipulates that the manner and procedure of deposit return should be expressed, and most importantly, the responsibility for violating the law is clearly stipulated, and the fine for not returning the deposit is large, so that the regulator has a law to follow, and the Internet leasing bicycle is expected to solve the problem of the difficulty of returning the deposit. In addition, the provisions for the protection of users' personal information are. Internet rental bicycle enterprises, for the protection of their collection of user information, shall not arbitrarily disclose it.

Secondly, it stipulates the way of market access. The law specifies that e-commerce operators should register as market entities, and Internet rental bicycle enterprises belong to the scope of e-commerce operators, and their market access must meet certain standards; they need to register before entering the market.

Finally, it stipulates the conditions for Internet rental bicycle enterprises to withdraw from the market, i.e., they need to continuously publicize the relevant information in a prominent position on the homepage thirty days in advance.

The E-Commerce Law is a regulation for all e-commerce operators and involves less content on the administrative regulation of Internet rental bicycles. The promulgation of the E-Commerce

Law reflects the government's determination to regulate the e-commerce sector and opens a new era of regulation of the emerging industry. The next step is to refine the regulation of Internet rental bicycles under the E-commerce Law to make it more applicable.

2.2. Policy Provisions

On August 2, 2017, with the consent of the State Council, the Ministry of Transportation and 10 other departments jointly issued the Guiding Opinions. The Guiding Opinions encourage the development of the Internet rental bicycle industry, while also providing corresponding guidance on the problems that have arisen. From the release of the Guiding Opinions, as of June 2025, Shanghai, Beijing, Handan, Fuzhou, Guangzhou, Hancheng, Hefei, Tianjin, Haikou, Qingdao, Xiamen, Weihai, Wuxi, Xinxiang, Changsha, Zhangjiakou, Guangyuan, Hangzhou, Nanjing, Wuhan, Shijiazhuang, Huangshi, Chengdu, Shenzhen, Yinchuan, Jinan, Lanzhou City, Nanning City, Changshu City, Tai'an City and many other cities have issued local normative documents on Internet leasing bicycles, the contents of which are similar to the Guidance Document, with some innovations made by individual local governments according to local conditions. The Guidance Document and the local regulatory documents on the administrative supervision of Internet-leased bicycles mainly provide for the following aspects:

First, the regulatory principles are defined. In terms of regulatory principles, the central government holds an encouraging and supportive attitude towards Internet-leased bicycles, so it adheres to the principle of inclusive and prudent regulation, and encourages multiple parties to participate in the regulation. Adhere to the principle of territoriality, requiring each local government to explore the mode suitable for local development according to local conditions and city-specific policies. Local regulatory documents basically copied the basic principles of the central government, but also made some innovations in line with local characteristics, and implemented the principle of territoriality.

Secondly, the main body of the regulation is stipulated. The Central Government's Guiding Opinions stipulates more than ten regulatory bodies for Internet-leased bicycles, including transportation departments, public security organs, and housing and urban-rural construction departments, and stipulates the corresponding regulatory matters. Transportation departments are mainly responsible for coordinating the integration of Internet-rented bicycles into urban transportation, and most of the local normative documents stipulate that the transportation department is the main supervisory department for Internet-rented bicycles; public security organs are responsible for investigating and dealing with Internet-rented bicycle-related violations; housing and urban-rural construction departments are responsible for the planning of Internet-rented bicycle parking; and the traffic management department of the public security organs and the urban management departments are jointly responsible for regulating the parking of Internet-rented bicycles; and the departments of net information, telecommunications and public security organs are responsible for safeguarding the security of users' personal information in accordance with their respective duties. The rest of the departments are responsible for the supervision and management of Internet-rented bicycles in accordance with their respective duties. The local regulatory documents are basically consistent with the central government, with only slight differences in the names of specific departments.

Finally, regulatory matters are stipulated. The regulatory matters stipulated in the Guidance Document mainly include regulating the placement of bicycles by Internet leased bicycle enterprises, promoting the setting of bicycle parking spots and the construction of the corresponding infrastructure, strengthening the parking management and supervision of Internet leased bicycle users, strengthening the security supervision of users' deposits and prepaid funds, and strengthening the protection of network and information security. The

regulatory matters stipulated in the local normative documents are basically the same as those in the central Guiding Opinions.

The normative documents of the central government and each locality have constructed a basic framework for the administrative regulation of Internet leased bicycles, so that there is a basic basis for the regulation of Internet leased bicycles, but as they are all normative documents, they do not have the authority to set administrative licenses and administrative penalties, so that their regulation is limited, and they fail to effectively regulate Internet leased bicycles.

3. Problems in The Legal and Policy Provisions for The Administrative Regulation of Internet Rental Bicycles

3.1. Unclear market access conditions for Internet leasing bicycle enterprises

The Guiding Opinions and local normative documents do not stipulate specific conditions for market access of Internet leasing bicycle enterprises, as they do not have the authority to set administrative licenses. Although the E-Commerce Law stipulates that Internet rental bicycle enterprises need to register in order to enter the market, and clarifies the market access methods for enterprises, it does not stipulate the specific conditions for market access, and still fails to play a substantive regulatory role. The unclear market access conditions for Internet leasing bicycle enterprises are mainly manifested in the following aspects:

First, the quality standard of Internet leasing bicycles is not clear. Internet rental bicycles should be better than ordinary bicycles in terms of quality, firstly, because the utilization rate of Internet rental bicycles is much higher than that of bicycles for private use, and the vehicles are prone to wear and tear. Second, the quality of Internet rental bicycles is related to the personal safety of a large number of cycling users, and the quality must be guaranteed. Thirdly, Internet rental bicycles have Internet functions such as national information networking and GPS positioning, and basic technical support is needed to realize these functions. However, at present, the quality of Internet rental bicycles of various brands varies, and there is a lack of clear and uniform quality standards.

Secondly, the specific programs and basic standards for daily maintenance are not clear. After the Internet-leased bicycle is put into the market, the timely maintenance in the later stage is very important, which is related to both the user experience and bicycle usage, as well as the personal safety of users.

Again, there is a lack of Internet leasing bicycle platforms to formulate a guarantee charter for the safety of users' funds. Internet leasing bicycle platform is divided into Internet leasing bicycle enterprise self-built platform and Internet leasing bicycle enterprise using the third-party platform, the user's capital security including prepaid funds and deposit, the user's prepaid funds payment, return must go through the platform, but the current Internet leasing bicycle platform into the market does not have to protect the capital security charter.

Finally, enterprises lack data and information docking with government departments. Internet rental bicycles rely on the Internet, to achieve effective supervision in the later stage, it is necessary for enterprises and government departments to dock data.

The lack of clear market access conditions for Internet rental bike enterprises has led to the following problems:

First, the rights and interests of Internet rental bicycle users are damaged. It is mainly reflected in two aspects: on the one hand, the user's right to life and health is threatened. The quality of the bicycles put in by Internet rental bicycle enterprises varies, and some of them are difficult to guarantee the basic riding safety of users, and are prone to riding accidents, endangering the users' right to life and health, or causing traffic accidents and jeopardizing public safety. In addition, there is a lack of overhaul of Internet leased bicycles during the use of Internet leased

bicycles, and there are potential safety hazards. On the other hand, the property rights of Internet-leased bicycle users are threatened. Users mainly pay prepaid funds and deposits through enterprise platforms or third-party platforms, and platforms lack restrictions on access conditions and set cumbersome procedures to hinder users from returning prepaid funds and deposits, making it difficult to return prepaid funds and deposits a hot issue.

Secondly, it is not conducive to the standardized development of Internet rental bicycle enterprises. The barbaric growth of Internet leasing bicycle enterprises is its prominent feature, and as a new economic form, various brands of Internet leasing bicycles have been Influx into the market, due to the lack of appropriate access conditions, enterprises influx into the market threshold is low, resulting in the subsequent problems exposed fast, the second half of 2016 to 2017 Internet leasing bicycle enterprises a large number of closure, accompanied by the closure of enterprises fast is a large number of new Internet leasing bicycle enterprises to enter the market, resulting in the confusion of the market, not conducive to the long-term survival and development of enterprises.

Third, it is not conducive to the realization of prior supervision. The chaotic entry of Internet leasing bicycle enterprises needs the regulation of prior supervision, the lack of Internet leasing bicycle market access conditions, so that the administrative supervision department lacks a specific basis for prior supervision, and is unable to control the entry of enterprises that do not meet the conditions from the source, which is not conducive to the realization of prior supervision.

3.2. Unspecific exit conditions for Internet-leased bicycle enterprises

As mentioned earlier, the Guidance and other normative documents do not provide for the exit conditions of Internet leasing bicycle enterprises. The E-Commerce Law, on the other hand, only stipulates that if an Internet leasing bicycle enterprise terminates its engagement in e-commerce on its own, it should continuously publicize the relevant information in a prominent position on its homepage for thirty days in advance.

At present, the withdrawal conditions of Internet-leased bicycle enterprises are not specific, mainly reflected in the following: First, there is no provision for Internet-leased bicycle enterprises to "terminate on their own". Secondly, the "prominent position on the home page" requires specific explanation. Internet leasing bicycle has its own APP, in other third-party platforms can also be scanned and used, "home page prominence" refers to the home page of its own APP or the home page of the third-party platform, or its own APP and the third-party platform need to be marked, need to be specific and clear. Internet leasing bicycles is a new economic mode generated under the sharing economy, and Internet leasing bicycle enterprises have special characteristics that distinguish them from traditional enterprises. Therefore, the exit conditions of Internet leasing bicycle enterprises need to be clarified.

The following problems have been caused by the lack of specific exit conditions for Internet-leased bicycle enterprises: first, the rights and interests of Internet-leased bicycle users have been infringed upon. In practice, a large number of Internet-leased bicycle enterprises do not return deposits and prepaid funds when they withdraw from the market due to bankruptcy, etc., which seriously damages the property interests of Internet-leased bicycle users. The lack of specific conditions for the withdrawal of Internet leasing bicycle enterprises has resulted in the lack of effective regulation on the withdrawal of enterprises from the market. Secondly, as the E-Commerce Law is a law regulating all e-commerce operators, the provisions are general rules, which are specifically applicable to the Internet rental bike industry; the exit conditions of Internet rental bike enterprises are vague and lack specific implementability.

Comprehensive analysis of the above shows that the current exit conditions of Internet rental bicycle enterprises are not specific and need to be refined to regulate the exit of Internet rental bicycle enterprises and protect the rights and interests of users.

3.3. Lack of Consultation and Cooperation Mechanism between Government Departments, Enterprises, and Social Organizations

The E-Commerce Law requires the establishment of a collaborative management system in line with the characteristics of Internet leased bicycles, and the Guidance Document stipulates the principle of adhering to the principle of multi-party co-management, and the normative documents of each local government have also made corresponding provisions, but there is a lack of specific provisions on the consultation and cooperation mechanism between government departments and enterprises and social organizations. This is mainly reflected in the following aspects:

First, the scope of consultation and cooperation is not clear. Under the traditional regulatory model, government departments, enterprises, and social organizations have played the role of manager and the managed, emphasizing the formation of orderly market order and social order through the control of administrative organs. The many new problems arising from the development of Internet rental bicycles have made the regulatory power of government departments incompetent and unable to realize effective regulation of all problems. Therefore, it is necessary for government departments to change the way of supervision and negotiate and cooperate with enterprises and social organizations. However, government regulators have essential boundaries with enterprises and social organizations, and not all regulatory matters can be negotiated and cooperated. In order to avoid regulatory chaos caused by unclear scope of negotiation and cooperation, it is necessary to clarify the scope of regulation of Internet leasing bicycles, and to delineate clearly which matters are independently regulated by the government, and which matters need to be negotiated and cooperated.

Secondly, there is a lack of effective consultation and cooperation. Government departments and enterprises, as well as social organizations, have not yet formed an effective consultation and cooperation mechanism. In order to start consultation and cooperation between the government, enterprises, and social organizations in the field of Internet leasing bicycles, it is necessary to clarify the specific consultation and cooperation methods for the characteristics of the Internet leasing bicycle itself. However, at present, there is only consultation and cooperation when it comes to specific matters, and the government departments, enterprises, and social organizations have not yet formed an effective consultation and cooperation mechanism.

Finally, the consultation and cooperation are not open enough. In the process of modern social development, the media and the public play an active role in social supervision. For hot issues such as Internet rental bikes, which are related to people's mode of travel, they should be made public so that the public can understand the results of consultation and cooperation between government departments, enterprises, and social organizations. However, at present, information on tripartite consultation and cooperation is only occasionally reported in the media, and there is no public disclosure of the specific ways of consultation and cooperation, as well as the results of consultation and cooperation.

The lack of a mechanism for consultation and cooperation between government departments, enterprises, and social organizations has led to the following problems:

First, poor administrative supervision. Internet leasing bicycle is a newly emerged economic mode, the traditional command regulation is not enough to regulate the new economic mode, making the operation of Internet leasing bicycle problematic, for example, Internet leasing bicycle riding accidents are frequent, from January 1 to July 31, 2017 in Shenzhen City, the general procedure of road traffic accidents involving bicycles (including Internet leasing bicycle) traffic accidents 117 deaths 32 people, 97 people were injured, 26 general procedure traffic accidents involving internet rental bicycles killed 11 people and injured 16 people accounted for 22.22%, 34.38% and 16.49% of the number of accidents involving bicycles in the city

respectively. [2] The causes of cycling accidents are multifaceted, including the quality of Internet leased bicycles and irregular cycling by users, which are difficult to be solved by administrative and regulatory departments relying on their own strength; the formulation of quality standards for Internet leased bicycles needs to listen to the professional advice of industry associations; the number of users of Internet leased bicycles is huge, and the supervision of irregular cycling by users relies on the administrative and regulatory departments alone. The large number of Internet-leased bicycle users, the regulation of irregular behavior of users, which relies only on the administrative supervision department to regulate the effect, is not good; each city's riding accidents are still a regulatory problem.

Secondly, the cost of administrative supervision is high. There are technical barriers to the administrative supervision of Internet rental bicycles. Internet leasing bicycle relies on the Internet platform for operation, which sets up many technical barriers for the supervision of administrative supervision departments. For example, in order to regulate the user's parking behavior, a number of cities have clearly stipulated that the Internet leased bicycle can be parked in the area of the area can not be parked, but the administrative regulatory departments do not have the information resources and related technology required for the parking regulation, relying on their own strength to break down the technical barriers to regulation requires a very high technical and human costs, resulting in the Internet leased bicycle administrative supervision costs are high.

The government as the "helmsman" can make up for the lack of the market's own ability, administrative supervision is mandatory, efficient, which requires that administrative supervision should be limited to a certain range, after all, the limited regulatory capacity, it is not possible and do not need to carry out detailed supervision. The self-regulation of enterprises and social organizations has specificity and timeliness, which can make up for the shortcomings of administrative supervision. Government departments should consult and cooperate with Internet-leased bicycle enterprises and social organizations to form a more effective regulatory model.

4. Suggestions for Improving the Legislation on Administrative Regulation of Internet Leased Bicycles

By combing through the legislation and normative documents related to Internet rental bicycles, in response to the issues raised, the author believes that, in the face of the development of such emerging industries as Internet rental bicycles, it is necessary to strengthen the administrative supervision of them through the improvement of legislation. Providing combing analysis of the current state of development of Internet rental bicycles and its administrative supervision of the legislative status, the author believes that in the context of the "E-commerce Law" has just been introduced and then formulate the laws and regulations of Internet rental bicycles is not realistic, but you can formulate the "E-commerce Law" implementation rules, the administrative supervision of Internet rental bicycles of the problem of the existence of refined provisions.

4.1. Clarify the market access conditions for Internet rental bicycles

Internet rental bicycle market access conditions are the premise and core of the administrative regulation of Internet rental bicycles; if it is not made clear, on the one hand, the free operation behavior of Internet rental bicycle enterprises is potentially dangerous. The free operation of Internet rental bicycle enterprises is prone to infringement of the public interests of society as well as the rights of individuals, and therefore, it must be restricted or prohibited. However, due to the fact that Internet rental bicycles have a certain public interest, such restrictions or prohibitions can be lifted when certain conditions are met, allowing qualified enterprises to

operate. On the other hand, it is based on the special nature of Internet leasing bicycle enterprises, which is different from ordinary leasing enterprises, mainly reflected in two points: one is the use of Internet platforms, and the other is divided into two types according to whether it involves third-party platforms. The special nature of the Internet leasing bicycle enterprise requires it to have special market access conditions that distinguish it from other enterprises.

In view of the current unclear market access conditions for Internet-leased bicycles, based on the existing legislation and the industry practice of Internet-leased bicycles, the author believes that the market access for Internet-leased bicycles should have the following conditions:

First, the Internet leasing bicycle enterprises that put vehicles should be in line with the performance and safety standards formulated by the state, industry associations, technical standards requirements, and should be equipped with a vehicle-mounted satellite positioning device for each bicycle. In addition, when applying for registration, the vehicle product quality inspection report is required.

Second, for Internet leasing bicycle enterprises, there should be a sound business management system, a service quality assurance system, and safety protection technical measures. To ensure that enterprises have the scheduling, repair, and daily maintenance capacity and specific programs, such as vehicle integrity rate to reach a certain percentage, according to the number of vehicles placed with a certain percentage of maintenance personnel. Thus, the Internet leasing bicycle enterprises have the ability to provide online and offline services to ensure the daily operation and safety of Internet leasing bicycles.

Thirdly, the Internet leased bicycle enterprises, which have built their own network platform to collect deposits and prepaid funds, should set out in their articles of association the ways and procedures for the return of deposits and prepaid funds, and sign agreements with banks with basic qualifications to open special accounts for users' deposits and prepaid funds, so as to safeguard users' financial security.

Fourth, have the appropriate technology to access the relevant data and information of the Internet leasing bicycle platform to the information and data platform of government departments, realize the sharing of data and information with administrative and regulatory departments, and use the Internet platform to jointly regulate the orderly and healthy development of Internet leasing bicycles.

Clarifying the conditions for market access of Internet-leased bicycles can regulate Internet-leased bicycle enterprises from the source and make them meet the market access conditions, which is conducive to the long-term development of enterprises and the maintenance of users' rights and interests.

4.2. Refinement of exit conditions for Internet-leased bicycle enterprises

In view of the problems raised in the previous section, we can start from the following two aspects to refine the exit conditions of Internet leasing bicycle enterprises:

First, refine the situation of "self-termination" of Internet-leased bicycle enterprises. The author believes that the situation of "self-termination" of Internet leasing bicycle enterprises is in addition to the revocation of administrative licenses, and revocation and cancellation of administrative licenses. Enterprises exit the market, including dissolution, reorganization, bankruptcy, etc., which is the market survival of the fittest, normal competition, and optimization results, and belong to the normal withdrawal of enterprises from the market.

The passive withdrawal of enterprises from the market due to violations of laws and regulations includes the following situations: First, the enterprise license should be revoked, and the conditions for revocation of the license are that the licensee obtains the administrative license by cheating, bribery, and other improper means. The second is the Internet leasing

bicycle enterprise according to law after obtaining permission, in the process of operation, serious violation of the law, the enterprise is revoked situation, the revocation of the conditions is the enterprise occurs legal serious violation of the law or does not accept the management by the competent authority to make a kind of administrative punishment. Third, there is the cancellation of administrative licenses.[3] Cancellation of administrative license conditions occurs when the expiration of the validity of the enterprise's administrative license is not renewed, and the license is canceled.

Enterprises because of violations of the law to exit the market, the enterprise does not have the conditions to implement the implementation of thirty days in advance to publicize the information, therefore, the Internet leasing bicycle enterprise "self-termination" of the situation refers to in addition to the enterprise was revoked administrative license, revocation and cancellation of the administrative license of the situation.

Second, the refinement of the "home page prominent position". The author believes that the "home page position" here refers to the home page of the Internet leasing bike's own APP and the home page position of the third-party platform where it is located, both of which need to publicize the information that the enterprise is going to withdraw from the market. [4] All the platforms that can provide Internet leasing bicycle services should publicize the information about the enterprise's withdrawal.

Through the above aspects, the Internet-leased bicycle enterprises ' withdrawal from the need to publicize information in advance of the refinement of the withdrawal conditions is conducive to standardizing the withdrawal mechanism of enterprises, to protect the safety of Internet-leased bicycle user funds.

4.3. Establishment of a consultation and cooperation mechanism among the government, enterprises, and social organizations

Internet leasing bicycle belongs to the Internet sharing economy, the number of users is large, the way of use is flexible, the traditional single-direction regulatory model has been insufficient to regulate the new economic paradigm, in order to do both to maintain the vitality of the development of the Internet leasing bicycle but also to maximize the prevention of its adverse impacts, it is necessary to start from the theory of public-private consultation and cooperation, the administrative and regulatory authorities and the private subject of the negotiation and cooperation in completing the administrative tasks, and more focus on the process of communication and consultation, and take the road of consultation and cooperation. In order to improve administrative efficiency, save administrative resources, and innovate the way of supervision, government departments need to establish consultation and cooperation mechanisms with enterprises and social organizations, which are specifically manifested in:

First, clarify the scope of consultation and cooperation. The content of consultation and cooperation in the field of Internet leased bicycles should be limited to a certain scope, if the administrative regulatory departments and enterprises and social organizations have unlimited consultation and cooperation, the boundaries of the regulation of the administrative regulatory departments will be blurred, and on the contrary, it will extend more problems, which will not be conducive to the realization of the original intention of consultation and cooperation. [5] Therefore, only issues related to the operation and use of Internet-leased bicycles that are related to regulation fall within the scope of consultation and cooperation.

Firstly, it involves the regulation of the operation of Internet-leased bicycles. The formulation of quality standards for Internet-leased bicycles requires government departments to fully listen to the professional advice of Internet-leased bicycle enterprises and industry organizations and determine them through joint consultation.

The second is the regulation of the use of Internet-leased bicycles, which is mainly reflected in the problem of users of Internet-leased bicycles parking indiscriminately. Government

departments should, on the basis of clarifying the areas where Internet-leased bicycles are not suitable to be parked, make use of the information and technical advantages of Internet-leased bicycle enterprises to regulate the parking behavior of users. [6] The user's riding information will be timely transmitted into the database of the Internet leased bicycle enterprise, can be marked by the enterprise in the riding APP prohibited parking area, if there is a violation of the record will be generated, up to a certain number of times reported to the industry associations, the industry associations regularly report the list to the administrative organs, the administrative organs to be punished. On the one hand, enterprises and industry associations bear the social responsibility, and on the other hand, administrative supervisory departments break the technical barriers of supervision.

Second, clear consultation and cooperation methods. First, a joint meeting can be initiated by the Internet-leased bicycle regulatory department, inviting Internet-leased bicycle enterprises and relevant social organizations to participate. Through the regular convening of joint meetings, to strengthen the contact and communication between the Internet leasing bicycle government departments and enterprises, social organizations and between the mutual exchange of Internet leasing bicycle operation problems and management experience, research and explore the Internet leasing bicycle management of new experience, new methods, and continue to promote the healthy development of the Internet leasing bicycle industry.

Secondly, a symposium will be held on a certain issue in the operation of Internet-leased bicycles, with the government department in charge of the issue acting as the moderator, and in the form of a round-table discussion, in-depth discussions on the issue will be held. The purpose of the symposium is to understand the views of enterprises and social organizations on the issue and the reasons behind such views, so as to facilitate the government departments in listening to a wide range of professional opinions and discussing solutions together.

Third, establish a daily communication platform, actively explore "Internet + regulation", make full use of big data, cloud computing and other intelligent regulatory means, integrate the information regulatory platform, and gradually establish an information platform for consultation and cooperation among administrative and regulatory departments, Internet leased bicycle enterprises, and industry organizations. At present, a WeChat consultation and cooperation platform can be established to provide timely feedback and communication on problems and negotiation solutions.

Third, clarify the public time and method of consultation and cooperation. Government departments regularly publicize joint meetings and symposiums through official media. As well as the progress of consultation and cooperation between government departments, enterprises, and social organizations on the problems of Internet rental bicycle operation. [7] The disclosure facilitates monitoring by the public and the media, as well as summarizing and self-monitoring of the stage of work.

Government departments and enterprises and social organizations make the relationship of mutual cooperation and complement each other, and give full play to the role of Internet rental bicycle enterprises and related social organizations, which can reduce the burden of the government, improve administrative efficiency and reduce administrative costs, thus promoting the realization of effective regulation of Internet rental bicycles by government departments.

5. Conclusion

The emergence of Internet-rented bicycles has made short-distance travel more convenient for the public and is also a new development in the sharing economy. However, the numerous problems accompanying Internet-leased bicycles have also demonstrated the lack of

administrative supervision over them, posing new challenges to the improvement of relevant legislation.

Due to the unsound entry and exit mechanism of the current Internet-leased bicycle enterprises, it is difficult to guarantee the safety of the prepaid funds of Internet-leased bicycle users, and there are still many obstacles to the administrative supervision of Internet-leased bicycles. Thus, the author believes that by formulating the implementation rules of the E-Commerce Law, clarifying the market access conditions for Internet leased bicycles, specifying the way to regulate prepaid funds, refining the exit conditions for Internet leased bicycle enterprises, and establishing a consultative and cooperative mechanism among the government, enterprises, and social organizations, so as to improve the relevant legislation and achieve highly efficient and cost-effective administrative supervision of Internet leased bicycles, in order to promote the healthy development of the Internet leased bicycle industry and safeguard the safety of Internet leased bicycles. The bicycle industry should promote the healthy development of the Internet rental bicycle industry and safeguard the legitimate rights and interests of Internet rental bicycle users.

The internet leasing bicycle industry is an emerging industry, and many issues are still in the figuring-out stage. The author has limited information and deficiencies in his own research ability, so he does not have a comprehensive understanding of the Internet leasing bicycle industry and does not have an in-depth study on the theory of administrative supervision. For the case of the promulgation of the E-commerce Law, the study of how to better realize the administrative supervision of Internet rental bicycles is still not thorough. Under the new situation of institutional reform and the establishment of market supervision authorities around the world, how to divide the responsibilities of the main body of Internet rental bicycle regulation clearly, in order to better regulate Internet rental bicycles, needs to be studied in depth in the future. The author hopes that this article can play a role in improving the legislation on administrative regulation of Internet rental bicycles, and also looks forward to more and more in-depth research by scholars.

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