

File No. 170160

Committee Item No. 2

Board Item No. 4

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date March 13, 2017

Board of Supervisors Meeting

Date March 21, 2017

#### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
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OTHER (Use back side if additional space is needed)

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Completed by: Alisa Somera Date March 9, 2017

Completed by: Alisa Somera Date March 13, 2017

BOARD of SUPERVISORS



City Hall  
Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
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## MEMORANDUM

### LAND USE AND TRANSPORTATION COMMITTEE

### SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Mark Farrell, Chair  
Land Use and Transportation Committee

FROM: *Alisa Somera*, Legislative Deputy Director

DATE: March 13, 2017

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**  
Tuesday, March 14, 2017

The following file should be presented as a **COMMITTEE REPORT** at the Board meeting, Tuesday, March 14, 2017. This item was acted upon at the Committee Meeting on Monday, March 13, 2017, at 1:30 p.m., by the votes indicated.

**Item No. 25**                      **File No. 170160**

Ordinance amending Division I of the Transportation Code to establish a violation for bicycles that are a part of a Stationless Bicycle Share Program, to be parked, left standing, or left unattended on any sidewalk, street, or public right-of-way under the jurisdiction of the San Francisco Municipal Transportation Agency (SFMTA) or Public Works (PW) without a permit issued by the SFMTA authorizing the bicycle to be parked, left standing, or left unattended at that location; amending the Public Works Code to authorize PW to take any necessary enforcement action to abate or remove unauthorized bicycles that are part of an unpermitted Stationless Bicycle Share Program, that are parked, left standing, or left unattended on any sidewalk, street, or public right-of-way under the jurisdiction of PW or the SFMTA in violation of the Transportation Code; and affirming the Planning Department's determination under the California Environmental Quality Act.

#### **RECOMMENDED AS A COMMITTEE REPORT**

Vote: Supervisor Mark Farrell - Aye  
Supervisor Aaron Peskin - Aye  
Supervisor Katy Tang - Aye

c: Board of Supervisors  
Angela Calvillo, Clerk of the Board  
Jon Givner, Deputy City Attorney

1 [Transportation, Public Works Codes - Unauthorized Bicycle Violations, Stationless Bicycle  
2 Share Program]

3 **Ordinance amending Division I of the Transportation Code to establish a violation for**  
4 **bicycles that are a part of a Stationless Bicycle Share Program, to be parked, left**  
5 **standing, or left unattended on any sidewalk, street, or public right-of-way under the**  
6 **jurisdiction of the San Francisco Municipal Transportation Agency (SFMTA) or Public**  
7 **Works (PW) without a permit issued by the SFMTA authorizing the bicycle to be parked,**  
8 **left standing, or left unattended at that location; amending the Public Works Code to**  
9 **authorize PW to take any necessary enforcement action to abate or remove**  
10 **unauthorized bicycles that are part of an unpermitted Stationless Bicycle Share**  
11 **Program, that are parked, left standing, or left unattended on any sidewalk, street, or**  
12 **public right-of-way under the jurisdiction of PW or the SFMTA in violation of the**  
13 **Transportation Code; and affirming the Planning Department's determination under the**  
14 **California Environmental Quality Act.**

15       NOTE:    **Unchanged Code text and uncodified text** are in plain Arial font.  
16               **Additions to Codes** are in *single-underline italics Times New Roman font*.  
17               **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
18               **Board amendment additions** are in double-underlined Arial font.  
19               **Board amendment deletions** are in ~~strikethrough Arial font~~.  
20               **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
21               subsections or parts of tables.

20       Be it ordained by the People of the City and County of San Francisco:

21       Section 1. Findings.

22       (a) The Planning Department has determined that the actions contemplated in this  
23 ordinance comply with the California Environmental Quality Act (California Public Resources  
24 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
25

1 Supervisors in File No. 170160 and is incorporated herein by reference. The Board affirms  
2 this determination.

3 (b) The San Francisco General Plan's Transit-First Policy recognizes that decisions  
4 regarding the use of limited public street and sidewalk space shall encourage the use of public  
5 right-of-ways by pedestrians, bicyclists, and public transit, and shall strive to reduce traffic and  
6 improve public health and safety. As interest in alternative modes of transportation have  
7 grown, Bay Area residents have developed greater interest in Bicycle Share Programs, some  
8 of which include bicycles that can be secured without being locked to a bicycle rack. The  
9 proliferation of Stationless Bicycle Share Programs has the potential to cause obstructions of  
10 public right-of-ways or the displacement of existing bicycle users from parking their bicycles at  
11 existing public bicycle racks. The Administrative Code defines a "public nuisance" as any  
12 "thing or condition, including but not limited to violations of the Municipal Code or State law,  
13 that threatens injury or damage to the health, safety, welfare, or property of members of the  
14 public, that obstructs the free use of property of others or of the public right-of-way or  
15 commons, or otherwise interferes with the comfortable enjoyment of life or property." Admin.  
16 Code § 80.4(d)(1). The City seeks to regulate Stationless Bicycle Share Programs to ensure  
17 that public right-of-ways and Public Property remain free of public nuisances, safe and  
18 accessible for all users, and clear of obstructions that pose threats to public health, safety,  
19 and welfare.

20 Section 2. The Transportation Code is hereby amended by adding, under the heading  
21 "Bicycle Violations," Section 7.2.110, to Division I, Article 7, to read as follows:

22 **BICYCLE VIOLATIONS**

23 **SEC. 7.2.110. STATIONLESS BICYCLE SHARE PARKING RESTRICTIONS.**

24 **(a) To park, leave standing, or leave unattended a bicycle, that is part of a Stationless Bicycle**  
25 **Share Program, as defined in Section 909, on any sidewalk, Street, or public right-of-way under the**

1 jurisdiction of the Municipal Transportation Agency or the Department of Public Works without a  
2 permit issued by the Municipal Transportation Agency authorizing the bicycle to be parked, left  
3 standing, or left unattended at that location. Bicycles parked, left standing, or left unattended in  
4 violation of this Section 7.2.110 constitute a public nuisance subject to abatement and removal  
5 pursuant to Article 26 of the Public Works Code, Section 1600 et seq.

6 (b) In addition to any penalty established by the Municipal Transportation Agency in  
7 Transportation Code Section 302, the Municipal Transportation Agency may impose administrative  
8 penalties pursuant to Transportation Code Section 909.

9 Section 3. The Public Works Code is hereby amended by revising Sections 1603,  
10 1604, and 1605 to read as follows:

11 **SEC. 1603. PROHIBITED DUMPING ACTIVITY.**

12 (a) It shall be prohibited for any Person to deposit, leave, place, keep, maintain, or  
13 abandon, Debris and Waste Construction Materials, industrial materials, or more than 100  
14 pounds total of any other waste, refuse, or debris, or bicycles that are part of a Stationless Bicycle  
15 Share Program, on any Public Property without the lawful and express written permission of the  
16 City and County of San Francisco.

17 (b) Any activity or action that violates this Article 26 shall be, and is hereby declared,  
18 a public nuisance.

19 (c) Nothing in this Article 26 shall be construed to authorize or allow any Person to  
20 deposit, leave, place, keep, maintain, or abandon, any other property or materials, in any  
21 amount, on any Public Property without the lawful and express written permission of the City  
22 and County of San Francisco, other than to deposit trash in an appropriate designated  
23 receptacle.

1           **SEC. 1604. ABATEMENT.**

2           (a)     The Director may require or take any necessary abatement or enforcement  
3     action to clean up, remove, or contain any material or prohibited items dumped on Public  
4     Property, including ordering the Responsible Party to remove and appropriately dispose of the  
5     material or prohibited items. The Director may ask any other City department or necessary  
6     state agency for assistance in abating any nuisance pursuant to this Article 26.

7           (b)     Any costs or monies expended by the Department of Public Works or any other  
8     department of the City and County of San Francisco to abate a nuisance under this Article 26  
9     may be recovered in a civil action as described in Section 1605.

10           **SEC. 1605. ENFORCEMENT – INJUNCTIVE RELIEF, CIVIL PENALTIES, COSTS,**  
11 **AND ATTORNEYS' FEES.**

12           \* \* \* \*

13           (c)     In any civil court action brought by the City Attorney to enforce this Article in  
14     which the City succeeds in obtaining any order from the Court, the City shall be entitled to  
15     recover from any and all Responsible Parties all of its costs of investigation, enforcement,  
16     abatement, and litigation.

17           (1)     The City shall be entitled to recover civil penalties from each and every  
18     Responsible Party in an amount that is not less than twice the amount it cost the City to abate  
19     the nuisance. Costs to the City to abate the nuisance shall include any personnel, equipment,  
20     and other charges incurred by the City related to the investigation, abatement, clean-up,  
21     removal, and/or containment of Debris and Waste Construction Materials, industrial materials,  
22     or more than 100 pounds of any other waste, refuse, or debris, or bicycles that are part of a  
23     Stationless Bicycle Share Program, dumped on Public Property. This civil penalties provision is  
24     designed to compensate the City for any costs it incurred to investigate and abate the  
25     unlawful acts of any Responsible Party and for the ancillary health hazards and



**LEGISLATIVE DIGEST**

[Transportation, Public Works Codes - Unauthorized Bicycle Violations, Stationless Bicycle Share Program]

**Ordinance amending Division I of the Transportation Code to establish a violation for bicycles that are a part of a Stationless Bicycle Share Program, to be parked, left standing, or left unattended on any sidewalk, street, or public right-of-way under the jurisdiction of the San Francisco Municipal Transportation Agency (SFMTA) or Public Works (PW) without a permit issued by the SFMTA authorizing the bicycle to be parked, left standing, or left unattended at that location, and amending the Public Works Code to authorize PW to take any necessary enforcement action to abate or remove unauthorized bicycles that are part of an unpermitted Stationless Bicycle Share Program, that are parked, left standing, or left unattended on any sidewalk, street, or public right-of-way under the jurisdiction of PW or the SFMTA in violation of the Transportation Code; and affirming the Planning Department's determination under the California Environmental Quality Act.**

Existing Law

Currently, there is no permit required to park, leave standing, or leave unattended a bicycle that is part of a Stationless Bicycle Share Program on any sidewalk, Street, or public right-of-way under the jurisdiction of the Municipal Transportation Agency or Public Works without a permit issued by the Municipal Transportation Agency.

Amendments to Current Law

This legislation would require a permit issued by the Municipal Transportation Agency to park, leave standing, or leave unattended a bicycle that is part of a Stationless Bicycle Share Program on any sidewalk, Street, or public right-of-way under the jurisdiction of the Municipal Transportation Agency or Public Works. In addition to any penalty established by the Municipal Transportation Agency, the agency may impose administrative penalties for violations. Finally, the legislation authorizes the Department of Public Works to take any necessary enforcement action to abate or remove unauthorized bicycles.

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BOARD of SUPERVISORS



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TDD/TTY No. 554-5227

February 13, 2017

File No. 170160

Lisa Gibson  
Acting Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Gibson:

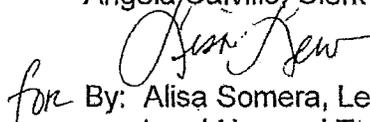
On February 7, 2017, Supervisor Peskin introduced the following proposed legislation:

**File No. 170160**

**Ordinance amending Division I of the Transportation Code to establish a violation for bicycles that are a part of a Stationless Bicycle Share Program, to be parked, left standing, or left unattended on any sidewalk, street, or public right-of-way under the jurisdiction of the San Francisco Municipal Transportation Agency (SFMTA) or Public Works (PW) without a permit issued by the SFMTA authorizing the bicycle to be parked, left standing, or left unattended at that location; amending the Public Works Code to authorize PW to take any necessary enforcement action to abate or remove unauthorized bicycles that are part of an unpermitted Stationless Bicycle Share Program, that are parked, left standing, or left unattended on any sidewalk, street, or public right-of-way under the jurisdiction of PW or the SFMTA in violation of the Transportation Code; and affirming the Planning Department's determination under the California Environmental Quality Act.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

*for* By:  Alisa Somera, Legislative Deputy Director  
Land Use and Transportation Committee

Not defined as a project under CEQA Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

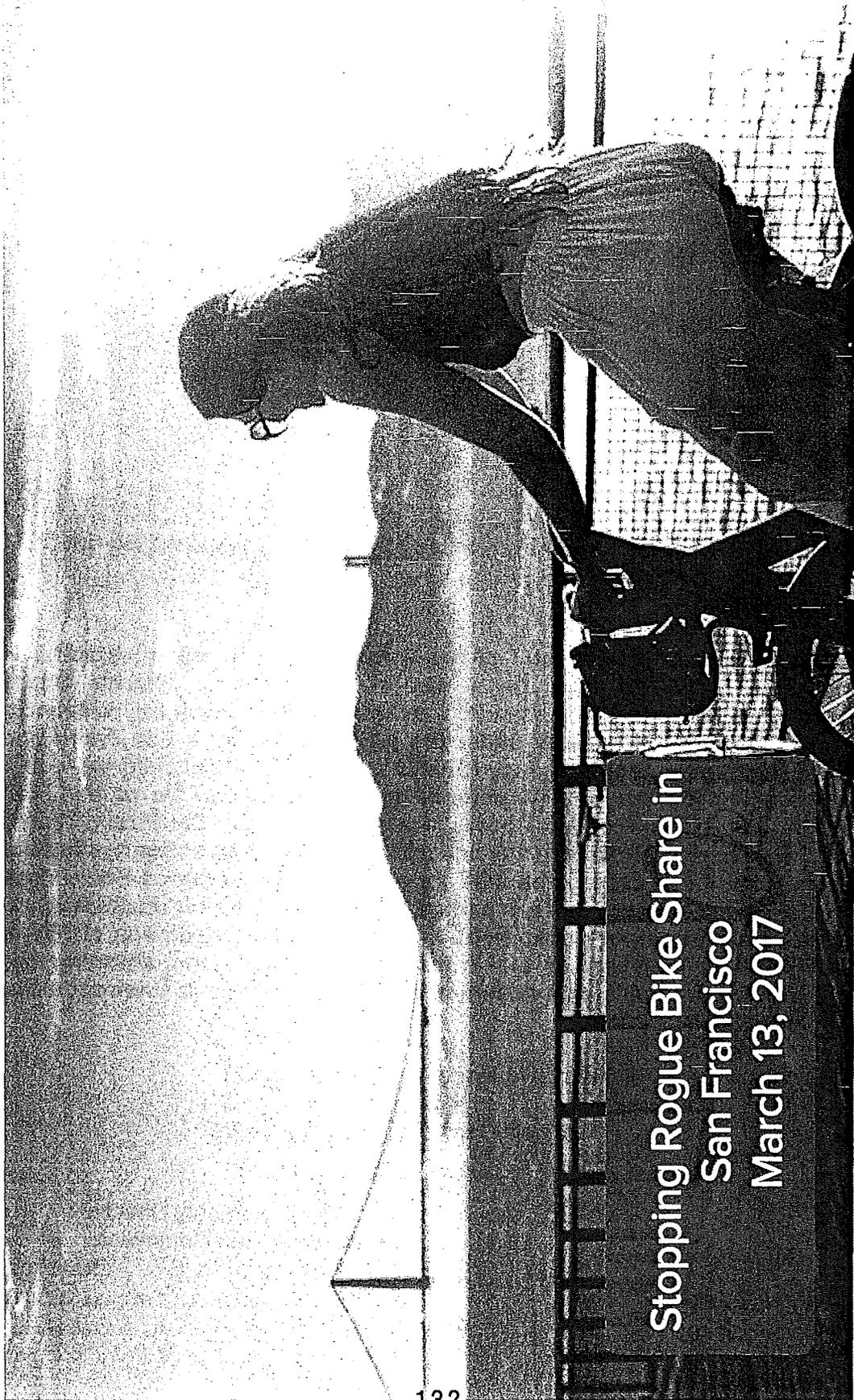
Attachment

Joy

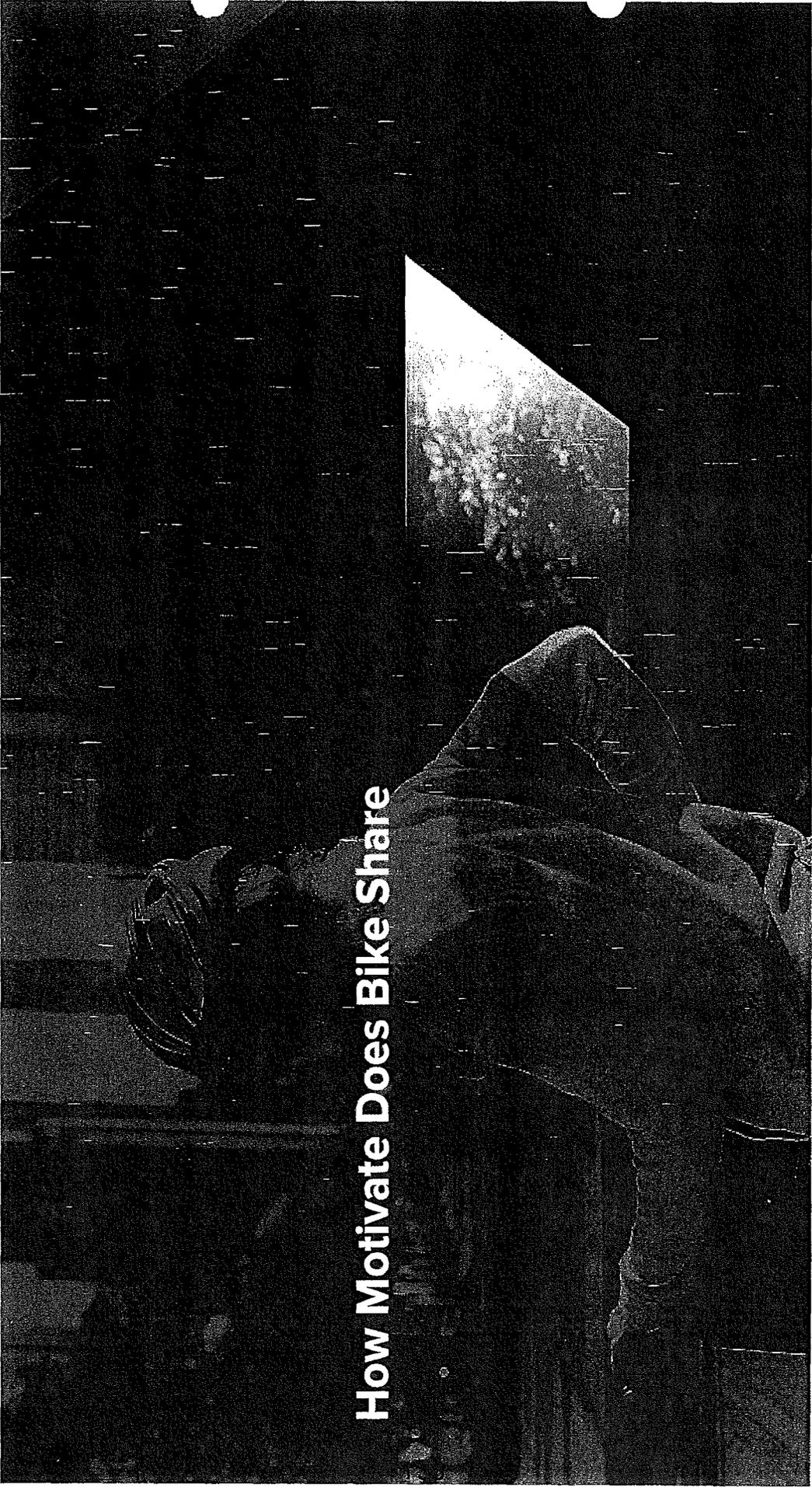
131 Navarrete

Digitally signed by Joy Navarrete  
DN: cn=Joy Navarrete, o=Planning,  
ou=San Francisco Planning,  
email=joy.navarrete@sfplanning.com,  
c=US, 1.2.840.113539.1.101

170160  
SUBMITTED  
3/13/2017



Stopping Rogue Bike Share in  
San Francisco  
March 13, 2017

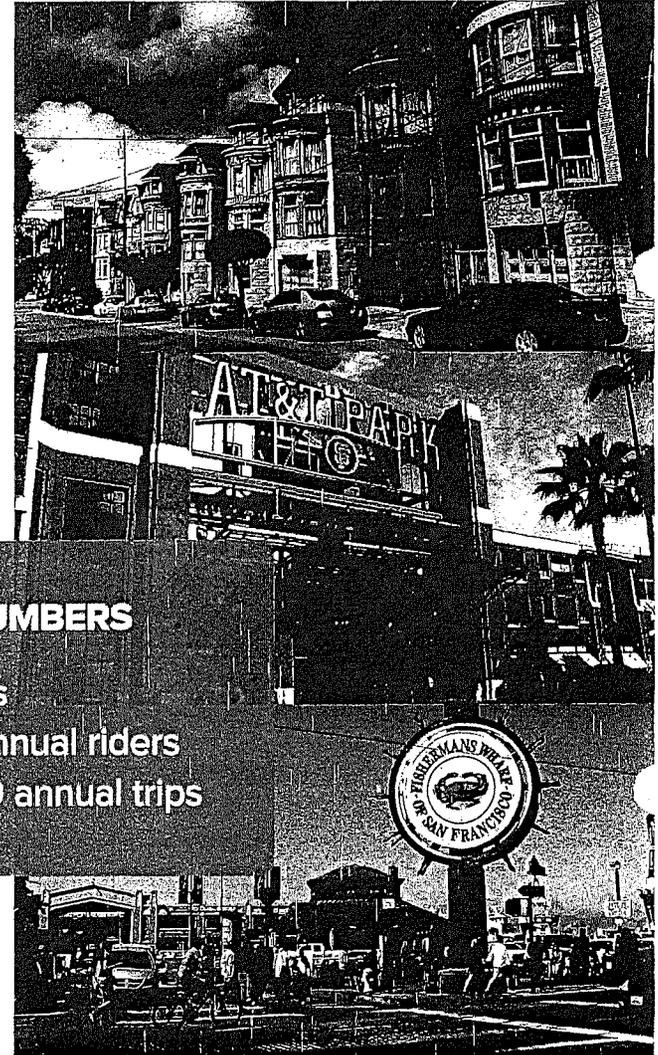
A high-contrast, grainy black and white photograph. In the foreground, a person wearing a dark hoodie is seen from the side, looking out of a window. The window is the source of light, revealing a bright, snowy outdoor scene with trees. The rest of the room is in deep shadow, with some faint outlines of what might be a desk or chair. The overall mood is contemplative and quiet.

**How Motivate Does Bike Share**

# Working with SF, Motivate is bringing a dramatic transformation to bike share

GoBike will completely transform the current bike share system in the Bay Area, growing it tenfold and expanding into brand new neighborhoods across San Francisco, San Jose, and – for the first time – Oakland, Berkeley and Emeryville.

Over the next 2 years, GoBike will become the most highly used bike share system in North America.



## BY THE NUMBERS

7,000 bikes

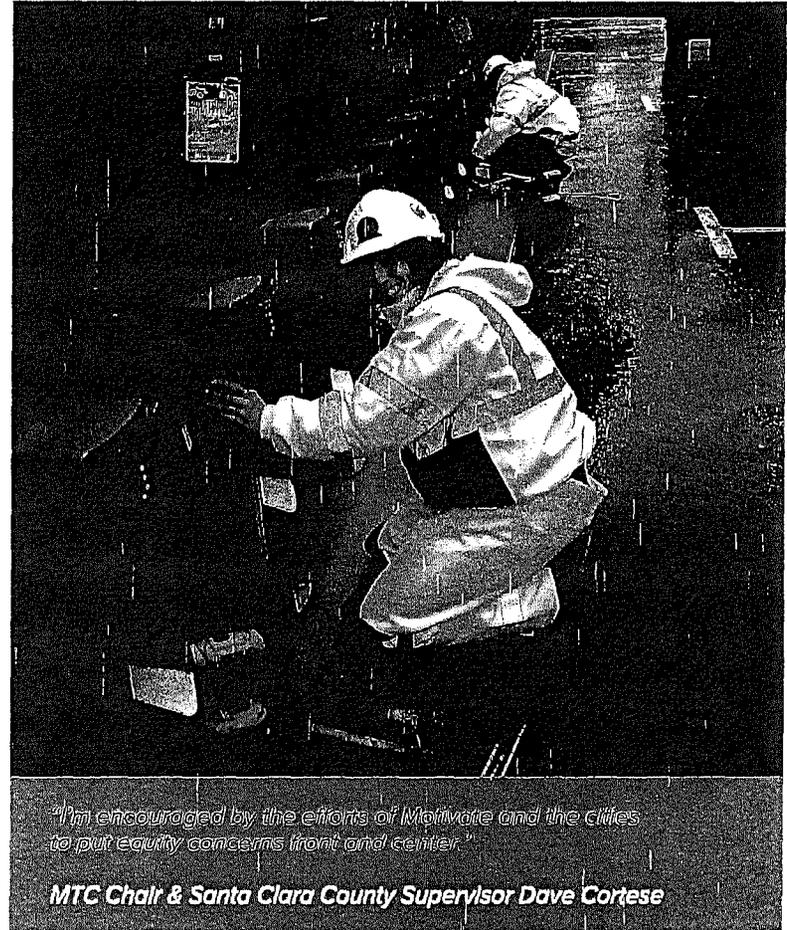
500,000 annual riders

10,000,000 annual trips

\*Riders and trips estimated based on our experience of a similarly sized system in NYC

# The most equitable and accessible bike share system in the nation

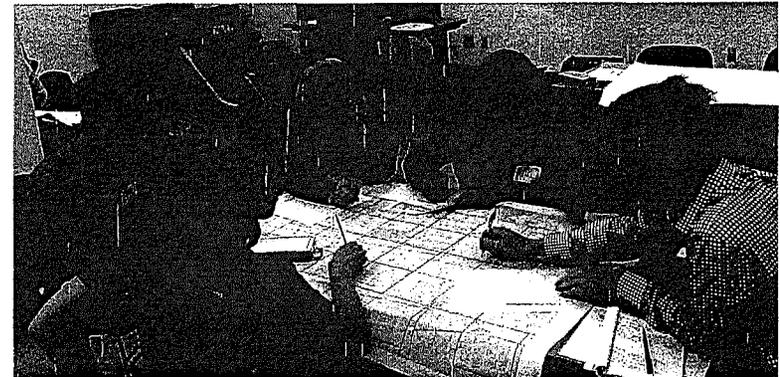
- **Equitable station siting:** 20% of stations in MTC-designated “Communities of Concern” with higher prevalence of low income households, minority households and low English proficiency households
- **GoBike for All:** \$5 introductory annual memberships, payable in cash, and available to residents qualified for MUNI Lifeline and PG&E CARE programs.
- **100+ living-wage, “green collar” jobs** sourced from local job training programs like Year Up and JobTrain
- **Clipper Card Integration** from day one will expand the system to anyone with a Clipper Card



# Planned for communities by communities

How Motivate works with local communities:

- Over 200 stakeholder meetings and 27 public workshops held over the past 18 months to identify locations for bike share stations
- Large-scale outreach/education campaign in partnership with Bike East Bay, San Francisco Bicycle Coalition, Silicon Valley Bicycle Coalition and TransForm
- Teams of ambassadors conducting door-to-door outreach, community rides, education and local events
- \$260,000 grant funding to community groups to assist with program outreach during launch



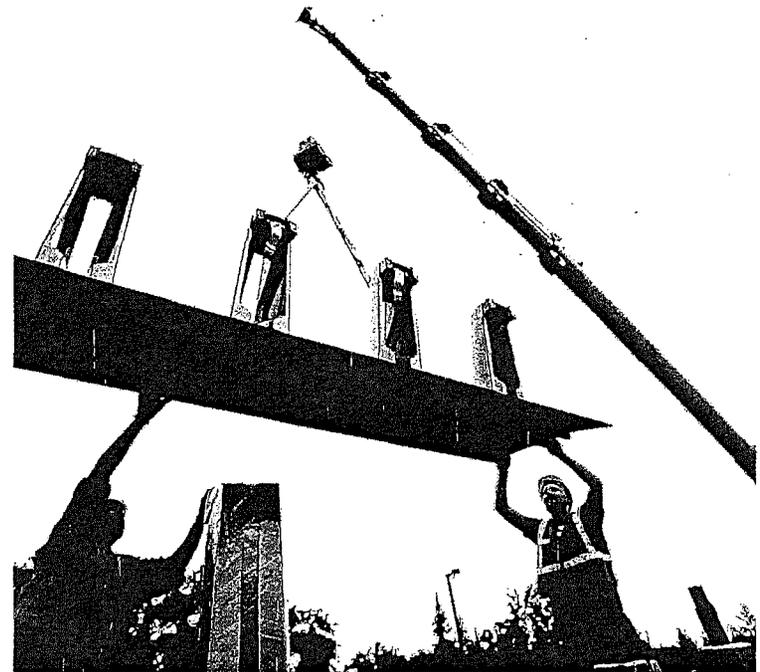
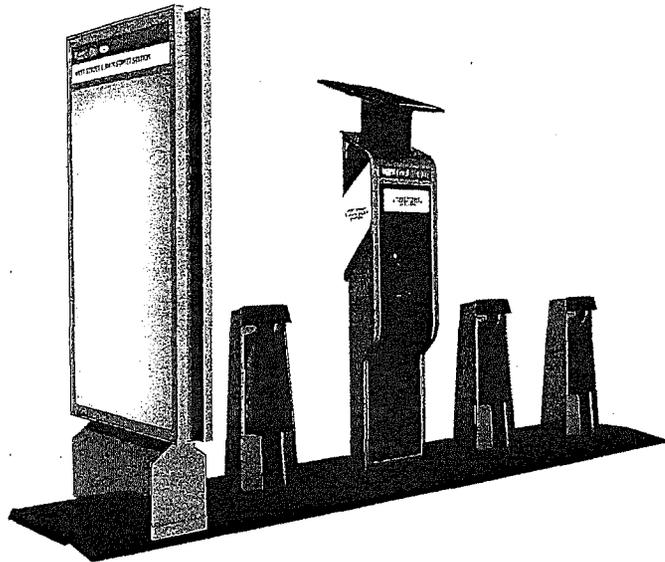
# Our contract protects the public's interest

- **Safe for riders:** Bikes are required to meet safety standards and receive regular maintenance
- **Safe for pedestrians:** Stations are designed and sited with the SFMTA and in consultation with communities to ensure they don't interfere with safe pedestrian flow
- **Equitable:** Same level of service in every neighborhood and agreement to serve a diverse and growing set of communities
- **Affordable:** Pricing regulated by the MTC and cities
- **Insured and indemnification of public sector**
- **Revenue shared with the city**



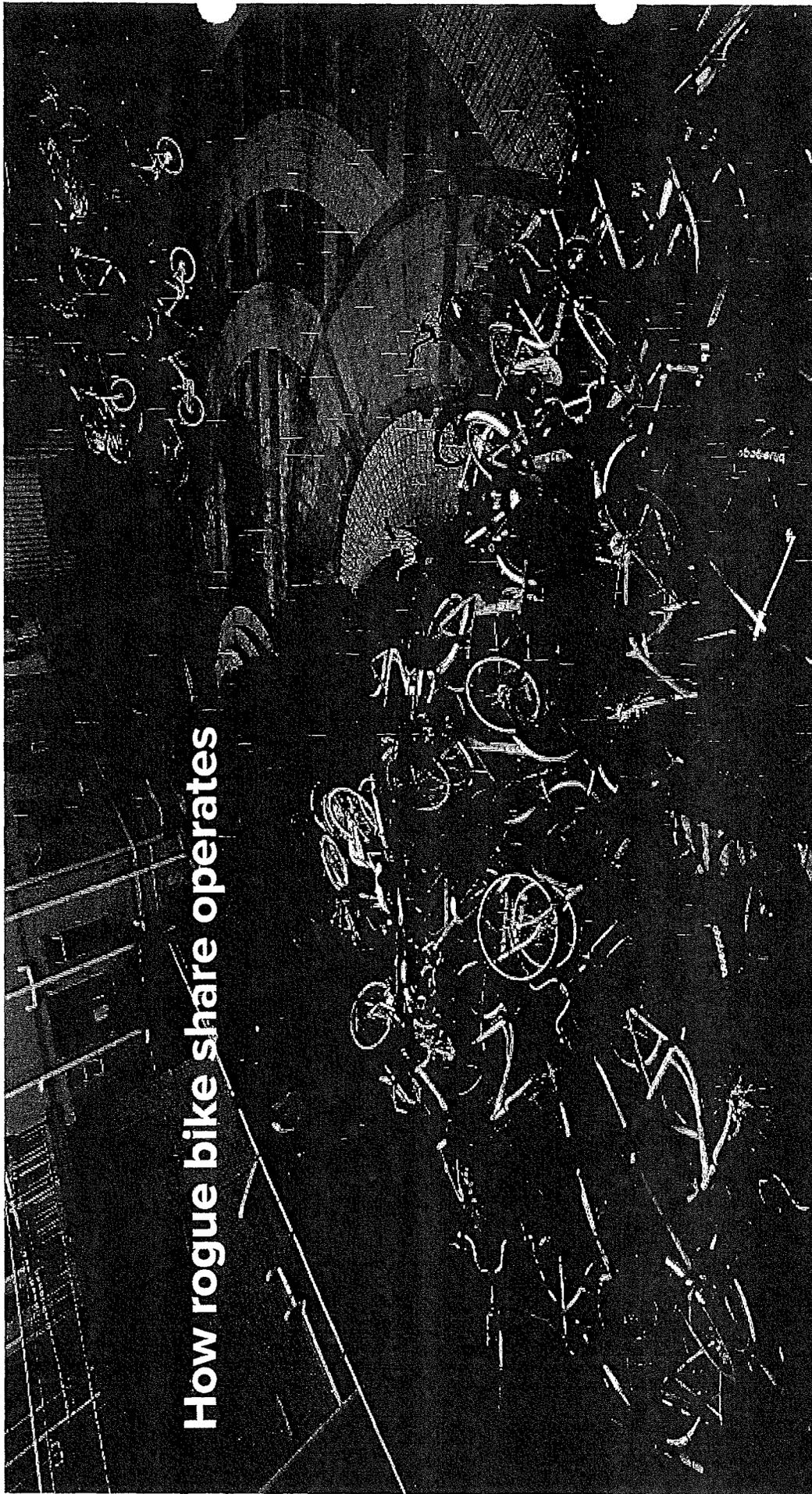
# Expanding in late spring 2017

- Launch of the new system beginning in early June
- We will deploy 3,700 bikes and 332 stations by end of 2017, including 1,800 bikes in San Francisco



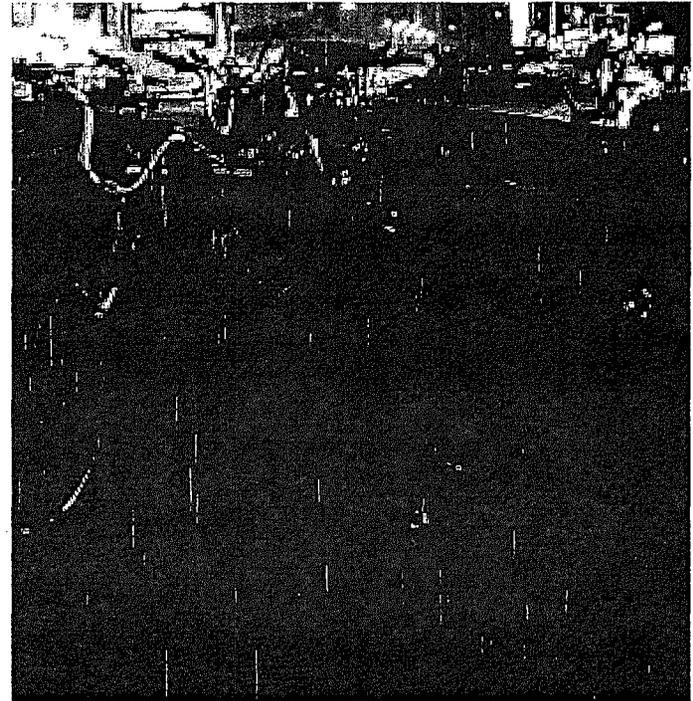
*Stations build off of best tech for world's largest bike share systems including London, Montreal, NYC*

# How rogue bike share operates



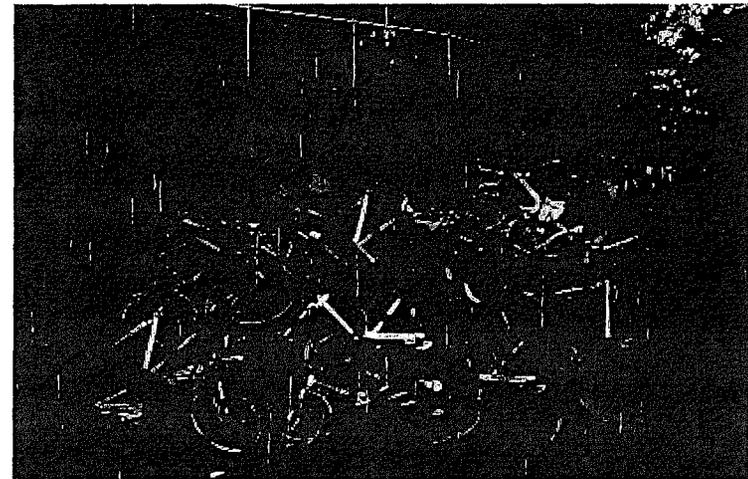
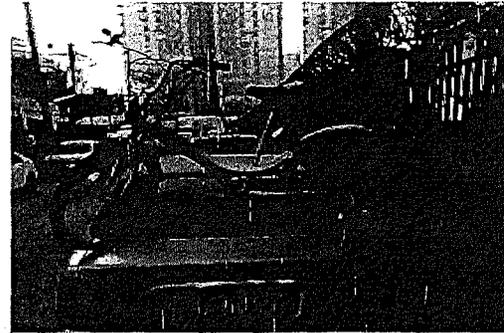
# Overview

- San Francisco is about to be hit by an avalanche of bikes that will wreak havoc on city streets, sidewalks and public safety.
- Several rogue startup bike share companies - backed by hundreds of millions of dollars from China - have begun moving to drop thousands of bikes in the Bay Area.
- These companies have shown no regard for local ordinances, preferring instead to adapt Uber's strategy of begging for forgiveness instead of asking for permission.



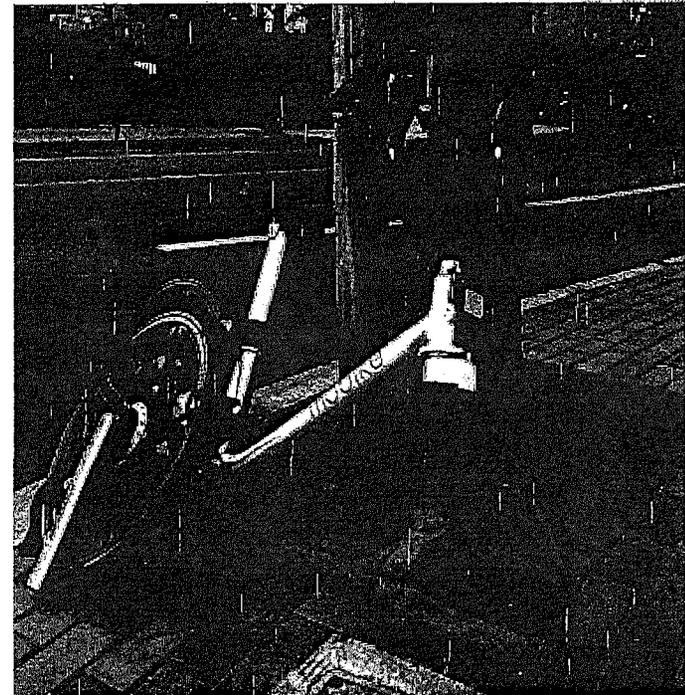
# These systems will quickly become a public nuisance

- Across China, multiple bike share operators have flooded city streets with low cost, app-enabled bikes.
- These cities provide a case study for what to expect in San Francisco.
- If past behavior is a reliable indicator of future conduct, we can reasonably assume the following:
  - They will not adequately self-regulate.
  - These bikes will invariably obstruct city sidewalks, public bike racks and entry ways.
  - The precedent of allowing so-called disruptive startups free reign will further erode the character and beauty of our cities



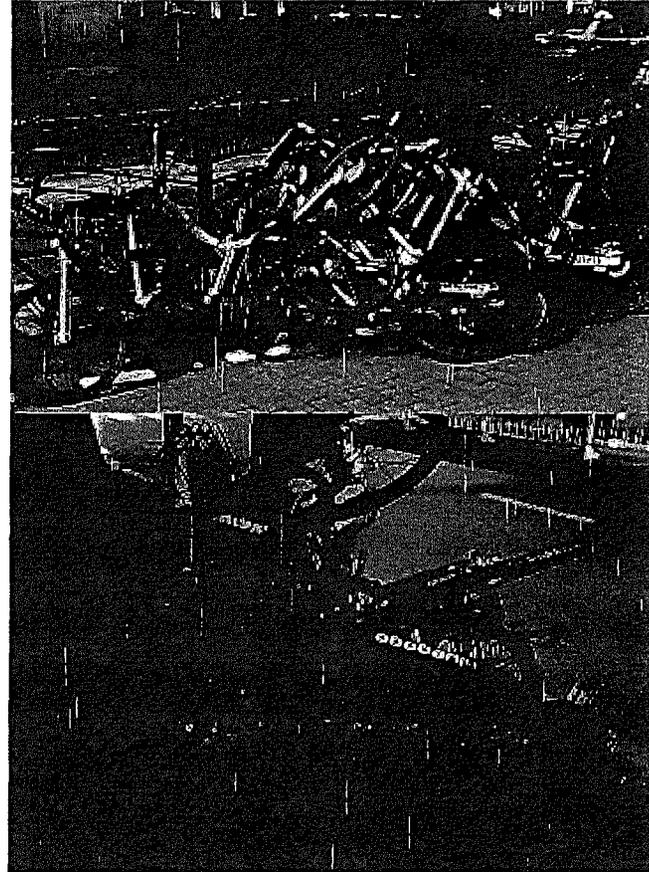
# Rogue bike share is dangerous for riders...

- The business model relies on “disposable bikes”, made inexpensively and expected to be stolen, vandalized or broken.
- This poses a series of safety concerns:
  - Not held to U.S. safety standards
  - Not built for the punishment of SF streets
  - No budget or facilities for repairs and maintenance
- Bike share has a remarkable safety record to date in the U.S. because of strong safety provisions in contracts with cities.
- These companies have no legal obligation for safety measures, which will result in dire consequences.



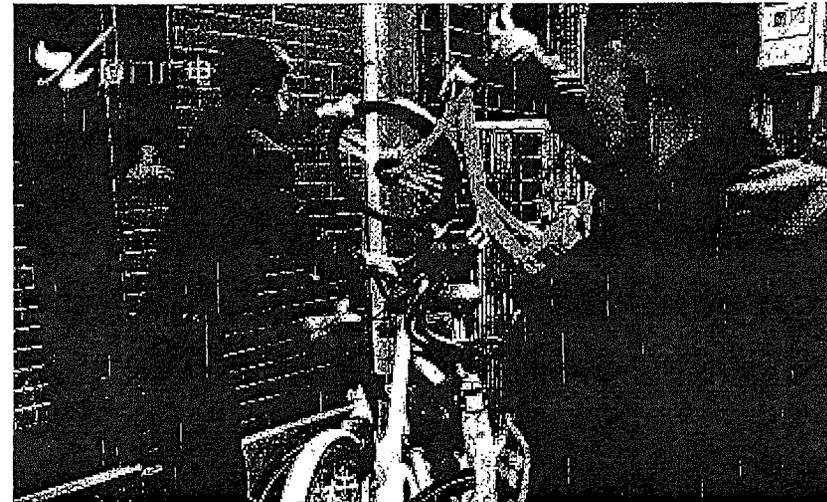
## ...and pedestrians

- Bikes are designed to be left on sidewalks, parks and other public spaces.
- In a city with no public space to spare, this will be an immediate safety issue:
  - Tripping hazards
  - People forced to walk in street
  - Obstacles for citizens with disabilities



# Rogue bike share will also hurt small businesses...

- When people can't safely or enjoyably use the sidewalks, businesses suffer
- In China, opposition to rogue bikes appears to be most prominent among small shop owners who are tired of having to clear them from their stalls and storefronts.
- San Francisco's retail businesses and business improvement districts don't need this added burden



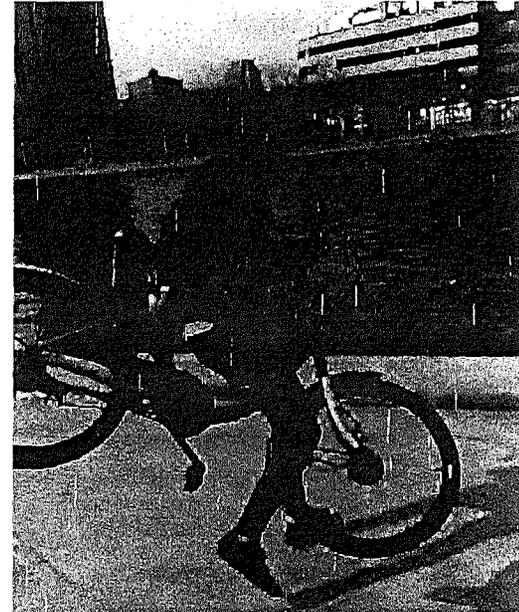
*City worker disposes of bikes blocking a business in Xiamen, Fujian Province*

# But will be a boon to thieves and vandals

- The introduction of rogue bikes will be a boon for bike chop shops and other vandals.
- These bikes are intentionally disposable, not indestructible.
- At an alarming rate, they will be destroyed and deposited as waste for city officials to clean up.



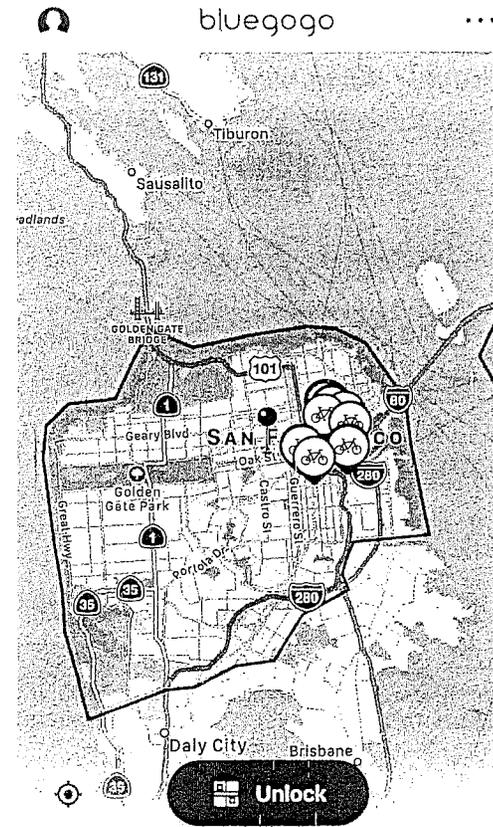
*Bikes set on fire in Chengdu*



*Vandal throws bike in the Hai River in Tianjin*

# Rogue bike share is not equitable

- These rogue companies' business model depends on overwhelming the densest parts of the city with bikes.
- They have no interest or incentive to have bikes in underserved communities.
- The complete lack of rebalancing capacity means that no matter where bikes are originally placed, they will stay in the busiest parts of the city.
- Their pricing is completely unregulated with no guarantee of affordability, accessibility or discounts.
- They have no commitment to local hiring or paying fair wages and benefits.



# The City will be left holding the bag

- We know that all of the risks outlined here are real because we see them happening in real time in China.
- Because there are so many of these companies, and because they aim to disrupt without cooperating with cities, obtaining permits, or signing contracts, the risks could be even worse without action.
- The public has no recourse against these Chinese companies or assurance that they carry adequate insurance coverage.
- This is contrasted with how we work with the City in all aspects of planning, siting and operating the bike share system



*Shanghai authorities impounded thousands of rogue bike share bikes that were illegally parked in early March*

**Rogue Bike Share Companies' Plans  
for San Francisco**

# Massive amounts of capital raised in the past month for US expansion

- Over \$600m raised by top three Chinese companies over the past three weeks
- All companies state that international expansion, including the US and San Francisco in particular, are behind the capital raise
- Huge amounts of capital allows companies to take big risks and ignore need for sustainable business models

## Temasek jumps into China's bike-rental startup war with investment in Mobike

Posted Feb 20, 2017 by Jon Russell (@jonrussell)



TECHNOLOGY NEWS | Wed Mar 1, 2017 | 1:06am EST

## Ofo, Chinese bike-sharing firm, raises \$450 million in latest funding round

## China: Bluegogo closes \$58m Series A investment from Black Hole Capital



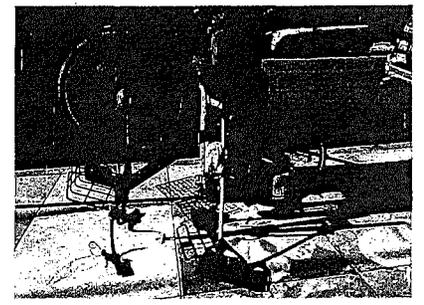
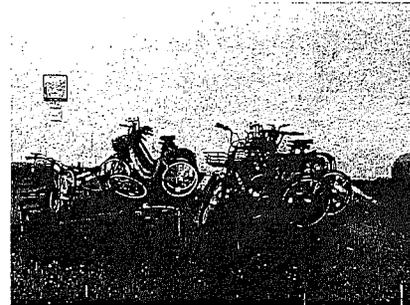
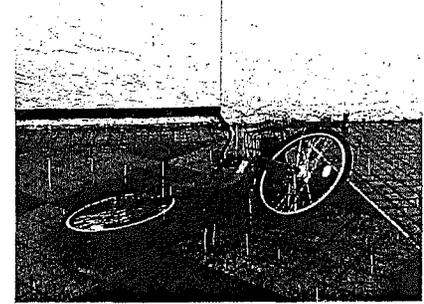
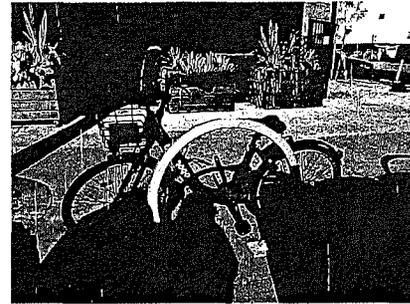
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# Bluegogo launched in San Francisco and is in violation of local laws

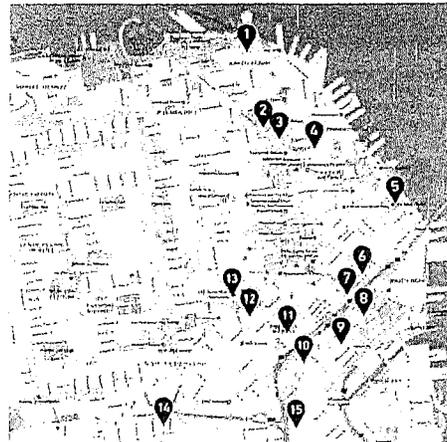
- Bluegogo received a letter from the SFMTA questioning the legality of their operation, but Bluegogo decided to launch anyway
- They “pivoted” to operating out of parking lots and garages and created a points system to encourage people not to abandon bikes
- However, their approach is still resulting in abandoned bikes and use of public space in violation of local law
- They have deployed a standalone system around Parkmerced and SF State with no approvals



# In addition, Bluegogo is operating in violation of the formula retail ordinance

- Bluegogo qualifies as formula retail with over 10 locations in San Francisco,
- They have not gone through the permitting process with the Planning Department and have ignored requests to do so
- In addition, they are operating in districts that ban formula retailers outright such as the North Beach NDC
- Lastly, they are operating a retail use in parking lots in violation of the permitted uses for those parking lots

## PARKING STATIONS



- |   |   |
|---|---|
| 1 Liberty Park Management, Inc.<br>2300 Stockton St | 9 Tower Valet Parking, Inc.<br>588 Brannan St       |
| 2 Bridge Parking<br>835 Green St                    | 10 United SF Parking, Inc.<br>653 Bryant St         |
| 3 Tower Valet Parking, Inc.<br>820 Broadway St      | 11 Liberty Park Management, Inc.<br>301 4th St      |
| 4 California Parking Co.<br>758 Sansome St          | 12 Liberty Park Management, Inc.<br>1064 Mission St |
| 5 Ace Parking Management, Inc.<br>201 Spear St      | 13 Tower Valet Parking, Inc.<br>99 Golden Gate Ave  |
| 6 Towne Park<br>350 2nd St                          | 14 Zenanil Parking, Inc.<br>344 14th St             |
| 7 Liberty Park Management, Inc.<br>400 3rd St       | 15 California Parking Co.<br>100 Henry Adams St     |
| 8 Tower Valet Parking, Inc.<br>424 Brannan St       |   |

- We will keep updating the available stations. Please refer to User Manual > Returning the bike > check the stations

# Three other rogue bike share companies planning San Francisco launch

- Ofo already launched illegally on Stanford's campus and is building a local team for an SF launch this year
- Spin has announced a plan to deploy 100,000 bikes by the end of this year, including SF
  - CEO is former Lyft executive
- Mobike is recruiting for a San Francisco launch manager and expressed that it does not intend to cooperate with local officials

## US Startup (Spin) Aims To Bring Kiosk-Free Bike Sharing To San Francisco

February 7th, 2017 by James Davis



Kiosk-free bikesharing services have been a thing outside of the US (in China, in particular) for a while now, but they have yet to make any headway here for some reason. A new startup known as Spin is apparently aiming to address this, with the launch of a new bikesharing concept along the lines of the Chinese ones in San Francisco.



# How San Francisco Should Respond

# Motivate supports creating a level playing field through legislation

Board of Supervisors and SFMTA board should pass the proposed legislation, which:

- Requires all operators to need permits just like Motivate
- Controls how many of these companies and bikes can operate at any time to avoid chaos
- Ensures that all operators meet high standards for safety and risk management
- Shares revenue with the City as compensation for the use of public space
- Mandates that these systems serve low-income areas and provide affordable memberships to all San Franciscans
- Imposes stiff fines against companies who don't follow the rules
- Allows the city to pick up abandoned bikes quickly and dispose of them

BOARD of SUPERVISORS



City Hall  
Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

February 13, 2017

File No. 170160

Lisa Gibson  
Acting Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Gibson:

On February 7, 2017, Supervisor Peskin introduced the following proposed legislation:

**File No. 170160**

**Ordinance amending Division I of the Transportation Code to establish a violation for bicycles that are a part of a Stationless Bicycle Share Program, to be parked, left standing, or left unattended on any sidewalk, street, or public right-of-way under the jurisdiction of the San Francisco Municipal Transportation Agency (SFMTA) or Public Works (PW) without a permit issued by the SFMTA authorizing the bicycle to be parked, left standing, or left unattended at that location; amending the Public Works Code to authorize PW to take any necessary enforcement action to abate or remove unauthorized bicycles that are part of an unpermitted Stationless Bicycle Share Program, that are parked, left standing, or left unattended on any sidewalk, street, or public right-of-way under the jurisdiction of PW or the SFMTA in violation of the Transportation Code; and affirming the Planning Department's determination under the California Environmental Quality Act.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

*for* By: *Alisa Somera*, Legislative Deputy Director  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Jeanie Poling, Environmental Planning

BOARD of SUPERVISORS



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## MEMORANDUM

TO: Ed Reiskin, Executive Director, Municipal Transportation Agency  
Mohammed Nuru, Director, Public Works

FROM:  Alisa Somera, Legislative Deputy Director  
Land Use and Transportation Committee

DATE: February 13, 2017

SUBJECT: LEGISLATION INTRODUCED

---

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Peskin on February 7, 2017:

**File No. 170160**

**Ordinance amending Division I of the Transportation Code to establish a violation for bicycles that are a part of a Stationless Bicycle Share Program, to be parked, left standing, or left unattended on any sidewalk, street, or public right-of-way under the jurisdiction of the San Francisco Municipal Transportation Agency (SFMTA) or Public Works (PW) without a permit issued by the SFMTA authorizing the bicycle to be parked, left standing, or left unattended at that location; amending the Public Works Code to authorize PW to take any necessary enforcement action to abate or remove unauthorized bicycles that are part of an unpermitted Stationless Bicycle Share Program, that are parked, left standing, or left unattended on any sidewalk, street, or public right-of-way under the jurisdiction of PW or the SFMTA in violation of the Transportation Code; and affirming the Planning Department's determination under the California Environmental Quality Act.**

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org).

c: Janet Martinsen, Municipal Transportation Agency  
Kate Breen, Municipal Transportation Agency

Dillon Auyoung, Municipal Transportation Agency  
Viktoriya Wise, Municipal Transportation Agency  
Frank Lee, Public Works  
John Thomas, Public Works  
Lena Liu, Public Works

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

2017 FEB 14 4:50  
Time stamp or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.**

**Sponsor(s):**

Supervisor Peskin

**Subject:**

[Transportation, Public Works Codes - Unauthorized Bicycle Violations]

**The text is listed below or attached:**

Ordinance amending Division I of the Transportation Code to establish a violation for bicycles that are a part of a Stationless Bicycle Share Program, to be parked, left standing, or left unattended on any sidewalk, street, or public right-of-way under the jurisdiction of the Municipal Transportation Agency (MTA) or Department of Public Works (DPW) without a permit issued by the MTA authorizing the bicycle to be parked, left standing, or left unattended at that location, and amending the Public Works Code to authorize DPW to take any necessary enforcement action to abate or remove unauthorized bicycles that are part of an unpermitted Stationless Bicycle Share Program, that are parked, left standing, or left unattended on any sidewalk, street, or public right-of-way under the jurisdiction of DPW in violation of the Transportation Code; and affirming the Planning Department's determination under the California Environmental Quality Act.

Signature of Sponsoring Supervisor:

*Alan [unclear]*

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For Clerk's Use Only: