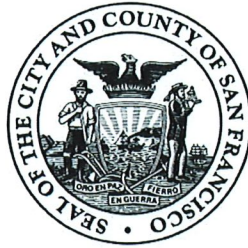



BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

Date: January 11, 2022
To: Jeffrey Tumlin, Executive Director, Municipal Transportation Agency
From:  Angela Calvillo, Clerk of the Board, Board of Supervisors
Subject: Urging Bicycle Share and Powered Scooter Share Programs to Enhance User Compliance and Protect Pedestrians, Seniors and People with Disabilities (File No. 211208)

On December 14, 2021, the Board of Supervisors adopted Resolution No. 570-21, sponsored by Supervisors Peskin, Chan, and Mandelman, and enacted on December 24, 2021.

A copy of the Resolution is being forwarded to you, pursuant to Resolution No. 570-21.

If you have any questions or concerns, please contact Erica Major, Assistant Clerk, at (415) 554-4441 or by email at: Erica.Major@sfgov.org.

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

1 [Urging Bicycle Share and Powered Scooter Share Programs to Enhance User Compliance
2 and Protect Pedestrians, Seniors and People with Disabilities]

3 **Resolution urging permittees of San Francisco's Bicycle Share and Powered Scooter**
4 **Share Programs to implement measures to advance rider compliance with existing**
5 **terms and conditions of San Francisco's Bicycle Share and Powered Scooter Share**
6 **Program requirements, and urging the San Francisco Municipal Transportation Agency**
7 **and its Board of Directors to establish new permit terms and conditions *for future***
8 ***permits* that further serve the goal of ensuring the public health and safety of**
9 **pedestrians, seniors, and people with disabilities.**

10
11 WHEREAS, In March 2017, the Board of Supervisors unanimously adopted, and the
12 Mayor approved, an ordinance amending Division I of the Transportation Code to establish a
13 violation for bicycles that are part of a Stationless Bicycle Share Program to be parked, left
14 standing, or left unattended on any public right of way under the jurisdiction of SFMTA or
15 Public Works without a permit issued by the SFMTA; and

16 WHEREAS, In April 2018 the Board of Supervisors unanimously adopted, and the
17 Mayor approved, an ordinance expanding that permit requirement to Powered Scooters that
18 are a part of a Powered Scooter Share Program; and

19 WHEREAS, While the Board of Supervisors has jurisdiction to establish the permit
20 requirement in Division I of the Transportation Code, general permit requirements and criteria
21 for Stationless Bicycle Share Program Permits and Powered Scooter Share Program Permits
22 are established by the SFMTA Board of Directors and set forth in Division II of the
23 Transportation Code; and

24 WHEREAS, The General Permit Requirements for the Stationless Bicycle Share
25 Program and Powered Scooter Program, respectively, include requirements to address a wide

1 range of workforce, environmental, pedestrian safety, and other public health and safety
2 issues; and

3 WHEREAS, In January 2018, SFMTA issued its first permit to operate a stationless
4 bicycle share service to JUMP Bikes, a stationless electric-assist bikeshare service, and has
5 subsequently contracted with Lyft to continue operation of a stationless bicycle share service
6 in San Francisco; and

7 WHEREAS, In June 2021, SFMTA re-issued two 12-month permits to operate a
8 powered scooter share service to Lime and Spin, and deferred action on Scoot's renewal in
9 order to further investigate their compliance with the 2019 permit terms and conditions after
10 learning that Scoot had been operating with unauthorized and inadequately insured
11 contractors; and in August 2021, following that investigation and a re-evaluation of Scoot's
12 application, issued a renewed permit to Scoot; and

13 WHEREAS, SFMTA regularly updates permit terms and conditions to ensure the safety
14 and integrity of bicycle share and scooter share programs; and

15 WHEREAS, Regulation of scooter and bicycles share programs has, in the past,
16 resulted in technological innovation around shared public safety goals, including when SFMTA
17 established a lock-to requirement for scooters and bicycles in public rights of way, and
18 permittees created locking mechanisms that have become standard across the industry; and

19 WHEREAS, Despite SFMTA's best efforts to monitor for compliance with permit terms
20 and conditions, compliance remains a challenge, enforcement policies are inconsistent across
21 permittees, and data regarding the number and type of violations is incomplete; and

22 WHEREAS, Compliance and enforcement has been a particular challenge for parking
23 requirements and the prohibition on riding scooters and bikes on sidewalks, which violations
24 have proven particularly dangerous for pedestrians, people with disabilities, and riders
25

1 themselves, eliciting concern and calls for reform from pedestrian safety, senior and disability
2 advocates; and

3 WHEREAS, In October 2021, Director Nicole Bohn of the Mayor's Office on Disability
4 was struck and injured by a rider while illegally riding a scooter permitted under San
5 Francisco's Powered Scooter Share Program; and

6 WHEREAS, Powered Scooter Share Program permittees have variously expressed
7 that they are developing new technologies to prevent their customers from riding powered
8 scooters on the sidewalk, including geo-fencing, sidewalk recognition, and asphalt detection
9 hardware and software; now, therefore, be it

10 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
11 hereby urges the SFTMA and its Board of Directors to implement measures to significantly
12 expand compliance with existing public health and safety conditions pertaining to safe and
13 accessible parking methods and prohibition on the riding of bicycles and scooters on
14 sidewalks; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
16 Francisco urges SFMTA and its Board of Directors to establish new permit terms and
17 conditions for future permits to:

- 18 1) Prohibit permittees from including in agreements with riders any provision by which
19 the rider waives, releases, or in any way limits their legal rights, remedies, or forum
20 under the agreement; and
- 21 2) Standardize categories of improper rider behavior and corresponding penalties to
22 hold riders and permittees accountable for repeated improper, unsafe and/or illegal
23 parking or riding behavior; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors urges permittees to promptly
2 install and otherwise implement sidewalk detection technology designed to prevent illegal
3 riding on sidewalks; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors urges SFMTA to condition the
5 issuance of future permits permittees' installation and implementation of sidewalk detection
6 technology designed to prevent illegal riding on sidewalks.

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City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 211208

Date Passed: December 14, 2021

Resolution urging permittees of San Francisco's Bicycle Share and Powered Scooter Share Programs to implement measures to advance rider compliance with existing terms and conditions of San Francisco's Bicycle Share and Powered Scooter Share Program requirements, and urging the San Francisco Municipal Transportation Agency and its Board of Directors to establish new permit terms and conditions for future permits that further serve the goal of ensuring the public health and safety of pedestrians, seniors, and people with disabilities.

December 06, 2021 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

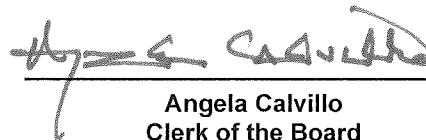
December 06, 2021 Land Use and Transportation Committee - RECOMMENDED AS AMENDED

December 14, 2021 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 211208

I hereby certify that the foregoing Resolution was ADOPTED on 12/14/2021 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Unsigned

London N. Breed
Mayor

12/24/2021

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.



Angela Calvillo
Clerk of the Board

12/24/2021

Date

File No.
211208