

1 [Urging SFMTA to Enforce Powered Scooter Safety Violations and Modify Permits
Accordingly]

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3 **Resolution urging the San Francisco Municipal Transportation Agency (SFMTA) to**
4 **empower Parking Control Officers to issue administrative citations for powered scooter**
5 **safety violations, including but not limited to double-riding, riding on sidewalks, and all**
6 **parking violations; and immediately modify all permits to Powered Scooter Share**
7 **companies to mandate an immediate cease of operations for all devices not equipped**
8 **with City-approved anti-sidewalk geofencing technology.**

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10 WHEREAS, Starting in March 2018, several private motorized scooter companies
11 began operations in San Francisco, including Bird and Lime, without permits to protect against
12 misuse of the public pedestrian realm and violations of public street safety; and

13 WHEREAS, On April 16, 2018, the San Francisco City Attorney issued a cease-and-
14 desist letter to Bird, Lime, and Spin motorized scooter companies, stating that the companies
15 were operating in the public right-of-way without permits, creating a public nuisance and
16 endangering public health and safety; and

17 WHEREAS, On, April 17, 2018, the Board of Supervisors unanimously adopted an
18 ordinance amending Division I of the Transportation Code to establish a violation for Powered
19 Scooters that are a part of a Powered Scooter Share Program, to be parked, left standing, or
20 left unattended on a sidewalk, street, or public right-of-way under the jurisdiction of the San
21 Francisco Municipal Transportation Agency (SFMTA) or Department of Public Works (DPW)
22 without an MTA-issued permit authorizing the scooter to be parked, left standing, or left
23 unattended at that location; and amending the Public Works Code to take enforcement action
24 to abate or remove unauthorized Powered Scooters that are likewise not a part of a permitted
25 Powered Scooter Share Program and operating in the public right-of-way, on file with the

1 Clerk of the Board of Supervisors in File No.180214, which is hereby declared to be a part of
2 this resolution as if set forth fully herein; and

3 WHEREAS, On May 1, 2018, the SFMTA Board of Directors unanimously adopted
4 Resolution No. 180501-073, amending Division II of the Transportation Code to establish a
5 pilot Powered Scooter Share Program requiring a permit issued by the Director of
6 Transportation, establishing a fee for the issuance of the permit, administrative penalties for
7 failure to obtain the permit or violation of permit requirements, and a procedure for the
8 assessment and collection of administrative penalties for permit violations or for parking or
9 leaving standing on a sidewalk, street, or other public right-of-way an unpermitted Powered
10 Scooter subject to the Program, on file with the Clerk of the Board of Supervisors in File No.
11 220957, which is hereby declared to be a part of this resolution as if set forth fully herein; and

12 WHEREAS, SFMTA's Powered Scooter Share Program currently permits three
13 motorized scooter companies that have collectively deployed more than 4,000 scooters
14 citywide; and

15 WHEREAS, The SFMTA claims that motorized scooter devices are a first/last mile
16 transportation solution that will reduce reliance on automobiles but SFMTA's own data shows
17 that scooter companies predominantly deploy scooter devices in high tourist areas such as
18 the Embarcadero promenade and Fisherman's Wharf, where users ride illegally on public
19 sidewalks at great inconvenience and danger to pedestrians; and

20 WHEREAS, Numerous scooter devices have been thrown into the San Francisco Bay,
21 causing significant environmental harm, with some being retrieved by the Port of San
22 Francisco at significant financial cost to the Port; and

23 WHEREAS, From July 1, 2021, through September 6, 2022, SFMTA has issued a total
24 of 12,078 citations for improperly parked motorized scooter devices, including 3,356 citations
25 issued to Bird, 5,261 citations issued to Lime and 3,461 citations issued to Spin and during

1 which same period, Bird paid \$387,200, Lime paid \$577,800 and Spin paid \$390,850 for those
2 citations; and

3 WHEREAS, The SFMTA has required permitted motorized scooter companies to
4 develop, test and implement anti-sidewalk riding geofencing technology that would prevent
5 motorized scooter devices from riding on sidewalks, but has rarely enforced the law; and

6 WHEREAS, The City of San Diego ceased all motorized scooter device use until all
7 their permitted scooter companies deployed anti-sidewalk riding geofencing technology; and

8 WHEREAS, San Francisco's permitted Powered Scooter Share companies have been
9 very slow in implementing anti-sidewalk riding geofencing technology and only a small
10 percentage of their devices are equipped with this technology; and

11 WHEREAS, Motorized scooters can reach speeds of 15 mph or more, which can result
12 in serious injuries to pedestrians in the event of a collision, including in the case of the
13 Director of the Mayor's Office of Disability, Nicole Bohn, who suffered serious injuries and was
14 hospitalized for several months after a motorized scooter recklessly struck her wheelchair;
15 and

16 WHEREAS, The number of motorized scooter collisions, including those owned by
17 individuals, rose from 97 in 2020 to 153 in 2021, a 58% increase, with the city's TransBASE
18 data documenting that 2021's collisions resulted in 21 severe injuries and one fatality, not to
19 mention an increase of minor to moderate injuries; now, therefore, be it

20 RESOLVED, That the SFMTA is strongly urged to immediately modify all permits to
21 Powered Scooter Share companies to mandate an immediate cease of operations for all
22 devices not equipped with city-approved anti-sidewalk geofencing technology; and, be it

23 FURTHER RESOLVED, That the SFMTA is urged to empower Parking Control Officers
24 to issue administrative citations for powered scooter violations including but not limited to
25 double riding, sidewalk riding, and all parking violations; and, be it

1 FURTHER RESOLVED, That in order to change consumer behavior, the SFMTA is
2 urged to require that at least 50% of the penalty fee associated with all administrative citations
3 issued be passed on to the Powered Scooter Share Program user who was responsible for
4 the ticketed offense.

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