

BOARD of SUPERVISORS



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## MEMORANDUM

TO: Carla Short, Interim Director, Public Works  
Jeffrey Tumlin, Executive Director, San Francisco Municipal Transportation Agency

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: September 13, 2022

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Peskin on September 6, 2022:

**File No. 220957**

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

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: [erica.major@sfgov.org](mailto:erica.major@sfgov.org).

cc: David Steinberg, Public Works  
Ian Schneider, Public Works  
John Thomas, Public Works  
Lena Liu, Public Works  
Kate Breen, San Francisco Municipal Transportation Agency  
Janet Martinsen, San Francisco Municipal Transportation Agency  
Joel Ramos, San Francisco Municipal Transportation Agency

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

2

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.**

9

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 \_\_\_\_\_, 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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# Introduction Form

By a Member of the Board of Supervisors or Mayor

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 [ ] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Topic 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 the Imperative Form.**

Sponsor(s):

Supervisor Peskin

Subject:

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

The text is listed:

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

Signature of Sponsoring Supervisor: [ ]

For Clerk's Use Only