

BOARD of SUPERVISORS



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

MEMORANDUM

Date: October 23, 2019

To: Tom Maguire, Interim Executive Director, Municipal Transportation Agency

From: *AES* Angela Calvillo, Clerk of the Board of Supervisors

Subject: Urging the Municipal Transportation Agency to Ensure Further Compliance With Private Scooter Permit Conditions (File No. 191004)

On October 8, 2019, the Board of Supervisors adopted Resolution No. 445-19, sponsored by Supervisor Aaron Peskin (File No. 191004, Urging the Municipal Transportation Agency to Ensure Further Compliance With Private Scooter Permit Conditions); enacted on October 18, 2019.

Please find the attached courtesy copy of the Resolution for your department's information and consideration.

If you have any questions or concerns, please contact the Office of the Clerk of the Board at (415) 554-5184.

c: Members of the Board of Supervisors, Supervisors Aaron Peskin, Norman Yee, Ahsha Safai, Vallie Brown, Sandra Lee Fewer, Catherine Stefani, Gordon Mar Roberta Boomer, Municipal Transportation Agency
Kate Breen, Municipal Transportation Agency
Janet Martinsen, Municipal Transportation Agency
Joel Ramos, Municipal Transportation Agency

1 [Urging the Municipal Transportation Agency to Ensure Further Compliance With Private
2 Scooter Permit Conditions]

3 **Resolution urging the San Francisco Municipal Transportation Agency to phase**
4 **expansion of its Powered Scooter Permit Program, pending the actual and equitable**
5 **installation of bike racks; a reliable plan to prevent illegal use of scooters on**
6 **sidewalks; further demonstration of permittees' ability to comply with labor,**
7 **sustainability, community outreach, equitable access and other requirements, as**
8 **defined herein; and consider a publicly provided alternative.**

9
10 WHEREAS, As part of its Vision Zero and Climate Action strategies, the City and
11 County of San Francisco ("the City") has an imperative to reduce vehicle miles traveled and to
12 encourage mode shift to more sustainable and equitable travel choices, as a means of
13 improving safety, health activity and air quality; and

14 WHEREAS, Highly capitalized private transit providers are offering alternative modes
15 of micro-mobility to fill gaps in the City's existing multi-modal transportation network, which
16 data indicates has shifted residents away from public transit modes and contributed to
17 increased vehicle miles traveled, vehicular congestion, and collisions involving pedestrians,
18 bicyclists, and other non-automobile drivers; and

19 WHEREAS, In April 2018, a number of private transit companies placed thousands of
20 unauthorized e-scooters in the City's public rights-of-way, in disregard of the City's existing
21 public health and safety regulations; and

22 WHEREAS, In May 2018, the San Francisco Board of Supervisors unanimously
23 approved an Ordinance (Board File No. 180214) that had originally been introduced in March
24 2018, prior to the arrival of shared scooters on City streets to authorize the San Francisco
25

1 Municipal Transportation Agency (SFMTA) to establish permit requirements for the
2 deployment of unattended e-scooters in San Francisco's public rights-of-way; and

3 WHEREAS, In April 2018, the San Francisco City Attorney issued cease-and-desist
4 letters to three e-scooter companies for deploying their shared electric scooter programs in
5 San Francisco despite previous warnings of the illegality of doing so, and in spite of the City's
6 ongoing efforts to implement a responsibly regulated permit program; and

7 WHEREAS, The San Francisco Municipal Transportation Agency subsequently
8 developed a permit application and permit conditions for a "pilot" program, and issued two
9 permits to companies Scoot and Skip, at 625 and 800 scooters, respectively; and

10 WHEREAS, Subsequent to the implementation of the permit program, the City
11 observed a sharp decrease in the number of complaints received, indicating confidence in the
12 City's ability to effectively regulate the over-concentration of scooters; and

13 WHEREAS, The SFMTA's Powered Scooter Share Mid-Pilot Evaluation revealed that
14 while permittees had successfully mitigated some negative impacts, they also faced
15 challenges and performed poorly with regard to ensuring equitable access to low-income
16 residents and groups who have historically lacked access to mobility benefits, ensuring
17 adequate worker protections and environmental sustainability, and furthering the City's Vision
18 Zero goals; and

19 WHEREAS, In spite of the fair-to-poor performance of scooter proprietors in the City's
20 pilot program, the SFMTA on September 25, 2019 nevertheless announced plans to issue
21 permits for the deployment of 4,000 and up to 10,000 scooters on the City's streets – an
22 almost tenfold increase in the existing number of scooters on San Francisco streets – to four
23 companies, including one who has sued the City for denying its previous application, two who
24 have received cease-and-desist letters from the City for non-compliance with City regulations,
25

1 and others that have contributed to a spike in vehicular congestion in San Francisco; now,
2 therefore, be it

3 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
4 urges the San Francisco Municipal Transportation to phase-in deployment of its anticipated
5 4,000 scooters following an informational hearing at the SFMTA Board of Directors to discuss
6 the issues raised herein, and only after a reliable and thorough enforcement plan is developed
7 to prevent illegal use of scooters on City sidewalks; and be it

8 FURTHER RESOLVED, That the Board of Supervisors urges SFMTA to work with
9 labor groups around a labor harmony provision for each permit, and include as a condition of
10 all permits that all employees are direct hires of the permittees, the number of employees, the
11 number of independent contractors, if any, and compensation packages for review by the
12 SFMTA; and, be it

13 FURTHER RESOLVED, That the Board of Supervisors urges SFMTA to utilize the
14 City's First Source Hiring Program in order to encourage direct employment of qualified and
15 economically disadvantaged San Franciscans through the City's numerous community
16 workforce partners, help ensure compliance with prevailing wage and other workplace laws,
17 and to discourage the use of temporary workers; and, be it

18 FURTHER RESOLVED, That the Board of Supervisors urges SFMTA to compel
19 disclosure of the number of scooters and scooter parts that end up in the City's waste stream,
20 including the type and number of scooter parts that end up in landfill, the percentage of those
21 parts that are recycled, the average lifespan of each permittee's scooters, and information as
22 to the disposition of their batteries; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors urges SFMTA to develop an
24 outreach model for utilization by permittees and potential permittees to perform community
25 outreach to groups and individuals, including solicitation of community input regarding

1 geofencing scooters from geographic areas and high-injury corridors, and fully recover costs
2 for the development of the model and any staff time contributed to advancing the community
3 outreach process; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors urges SFMTA to develop and
5 analyze potential public alternatives to a privately-financed scooter system, including a
6 "scooter share" model and low- or no-interest and/or revolving loans for purchase of scooters
7 by individual users, and assessment of the financialization of private scooter providers; and be
8 it

9 FURTHER RESOLVED, That the Board of Supervisors urges SFMTA to condition
10 expansion to 4,000 scooters and any further expansion on a detailed enforcement plan to
11 curb the illegal use of scooters on sidewalks, and the actual, equitable and commensurate
12 installation of bike racks, at the expense of permittees; and, be it

13 FURTHER RESOLVED, That the Board of Supervisors urges SFMTA to develop
14 educational standards for e-scooter users and collision reporting requirements for all
15 permittees, and to fully recover the costs of developing those public health and safety
16 standards; and, be it

17 FURTHER RESOLVED, That the Board of Supervisors urges SFMTA to develop a
18 complaint database to facilitate effective and thorough response to community concerns, and
19 to develop a system for enforcing against illegal use of scooters and violation of non-
20 compliance with permit conditions.



City and County of San Francisco
Tails
Resolution

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

File Number: 191004

Date Passed: October 08, 2019

Resolution urging the Municipal Transportation Agency to phase expansion of its Powered Scooter Permit Program, pending the actual and equitable installation of bike racks; a reliable plan to prevent illegal use of scooters on sidewalks; further the demonstration of permittees' ability to comply with labor, sustainability, community outreach, equitable access, and other requirements, as defined herein; and consider a publicly provided alternative.

October 08, 2019 Board of Supervisors - AMENDED; AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 8 - Brown, Mandelman, Mar, Peskin, Ronen, Safai, Stefani and Yee

Excused: 3 - Fewer, Haney and Walton

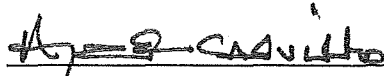
October 08, 2019 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 8 - Brown, Mandelman, Mar, Peskin, Ronen, Safai, Stefani and Yee

Excused: 3 - Fewer, Haney and Walton

File No. 191004

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 10/8/2019 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

10/18/19

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
Angela Calvillo
Clerk of the Board

10/18/2019
Date

File No.
191004