

1 [Urging Bicycle Share and Powered Scooter Share to Enhance User Compliance with Terms
2 and Conditions Designed to 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 that further**
8 **serve the goal of ensuring the public health and safety of pedestrians, seniors and**
9 **people with disabilities.**

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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 San Francisco
15 Municipal Transportation Agency (SFMTA) or Public Works without a permit issued by the
16 SFMTA; and

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

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

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1 WHEREAS, The General Permit Requirements for the Stationless Bicycle Share
2 Program and Powered Scooter Program, respectively, include requirements to address a wide
3 range of workforce, environmental, pedestrian safety, and other public health and safety
4 issues; and

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

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

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

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

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

24 WHEREAS, Compliance and enforcement has been a particular challenge for parking
25 requirements and the prohibition on riding scooters and bikes on sidewalks, which violations

1 have proven particularly dangerous for pedestrians, people with disabilities, and riders
2 themselves, eliciting concern and calls for reform from pedestrian safety, senior and disability
3 advocates; and

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

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

11 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
12 hereby urges the SFTMA and its Board of Directors to refrain from re-issuing or expanding
13 any permits or agreements pursuant to San Francisco’s Bicycle Share or Powered Scooter
14 Share Programs until adequate measures have been implemented to significantly expand
15 compliance with existing public health and safety conditions pertaining to safe and accessible
16 parking methods and prohibition on the riding of bicycles and scooters on sidewalks; and, be it

17 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San
18 Francisco urges SFMTA and its Board of Directors to establish new permit terms and
19 conditions to:

- 20 1) Prohibit permittees from including in agreements with riders any provision by which
21 the rider waives, releases, or in any way limits their legal rights, remedies, or forum
22 under the agreement; and
- 23 2) Require the use of sidewalk detection technology that automatically disables the
24 powered scooter or bicycle from being used on a sidewalk; and

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1 3) Standardize categories of improper rider behavior and corresponding penalties to
2 hold riders and permittees accountable for repeated improper, unsafe and/or illegal
3 parking or riding behavior.

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