

1 [Transportation Code - Mobility Device Permit Requirement]

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3 **Ordinance amending the Transportation Code to establish a violation for operating a**
4 **Shared Mobility Device Service without a permit or other authorization from the**
5 **Municipal Transportation Agency, and to repeal certain parking restrictions related to**
6 **stationless bicycle share programs and powered scooter share programs; and**
7 **affirming the Planning Department's determination under the California Environmental**
8 **Quality Act.**

9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.
11 **Deletions to Codes** are in ~~*Times New Roman font*~~.
12 **Board amendment additions** are in Arial font.
13 **Board amendment deletions** are in ~~Arial font~~.
14 **Asterisks (* * * *)** indicate the omission of unchanged Code
15 subsections or parts of tables.

16 Be it ordained by the People of the City and County of San Francisco:

17 Section 1. The Planning Department has determined that the actions contemplated in
18 this ordinance comply with the California Environmental Quality Act (California Public
19 Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the
20 Board of Supervisors in File No. 191013 and is incorporated herein by reference. The Board
21 affirms this determination.

22 Section 2. Article 7 of Division I of the Transportation Code is hereby amended by
23 revising Section 7.2.110 and deleting Section 7.2.111, to read as follows. Section 7.2 is
24 reprinted to provide context.

25 **SEC. 7.2. INFRACTIONS.**

1 In addition to public offenses created by the Vehicle Code, the actions listed in this
2 Section 7.2 are prohibited, and each and every violation of a prohibition listed below shall be
3 an infraction, except as otherwise provided in: (a) this Code; or (b) the Vehicle Code; or (c) as
4 necessary to comply with the direction of a Police Officer or Parking Control Officer; or (d) with
5 respect to a Municipal Parking Facility, upon the direction of an authorized parking attendant;
6 or (e) with respect to any other Public Property, except with the permission of, and subject to
7 such conditions and regulations as are imposed by the agency that owns the property that are
8 available for public inspection at the agency's offices.

9 **SEC. 7.2.110. ~~STATIONLESS BICYCLE SHARE PARKING RESTRICTIONS~~ SHARED**
10 **MOBILITY DEVICE SERVICE PERMIT REQUIREMENTS.**

11 (a) To operate a Shared Mobility Device Service, as defined in Section 1202 under Division
12 II, without a permit, agreement, or other authorization from the Municipal Transportation Agency or
13 appropriate City department or agency authorizing such operations, except as otherwise provided in
14 Division II of this Code.

15 (ab) To park, leave standing, or leave unattended a ~~bicycle~~, Mobility Device, as defined
16 in Section 1202 under Division II, that is part of a ~~Stationless Bicycle Share Program~~ Shared Mobility
17 Device Service, as defined in Section 909, on any sidewalk, Street, or public right-of-way under
18 the jurisdiction of the Municipal Transportation Agency or ~~the Department of Public Works~~ other
19 City department or agency without a permit, agreement, or other authorization issued by the
20 appropriate City department or agency ~~Municipal Transportation Agency~~ authorizing the
21 ~~bicycle~~ Mobility Device to be parked, left standing, or left unattended at that location except as
22 otherwise provided in Division II of this Code. ~~Bicycles~~ Mobility Devices parked, left standing, or left
23 unattended in violation of this Section 7.2.110 constitute a public nuisance subject to
24 abatement and removal pursuant to Article 26 of the Public Works Code, Sections 1600 et
25 seq.

1 (b~~c~~) In addition to any penalty established by the Municipal Transportation Agency in
2 Transportation Code Section 302, the Municipal Transportation Agency may impose
3 administrative penalties ~~pursuant to Transportation Code Section 909~~ for violation of Shared
4 Mobility Device Service permit requirements.

5 **~~SEC. 7.2.111. POWERED SCOOTER SHARE PARKING RESTRICTIONS.~~**

6 (a) ~~— To park, leave standing, or leave unattended a Powered Scooter that is part of a~~
7 ~~Powered Scooter Share Program, on any sidewalk, Street, or public right-of-way under the jurisdiction~~
8 ~~of the Municipal Transportation Agency or the Department of Public Works without a permit issued by~~
9 ~~the Municipal Transportation Agency authorizing the Powered Scooter to be parked, left standing, or~~
10 ~~left unattended at that location. Powered Scooters parked, left standing, or left unattended in violation~~
11 ~~of this Section 7.2.111 constitute a public nuisance subject to abatement and removal pursuant to~~
12 ~~Article 26 of the Public Works Code, Sections 1600et seq. For purposes of this Section 7.2.11,1~~
13 ~~“Powered Scooter” shall mean a “motorized scooter” as defined in Section 407.5 of the California~~
14 ~~Vehicle Code as it read on April 1, 2018, and any vehicle defined as a “Powered Scooter” under~~
15 ~~Division II of the Transportation Code.~~

16 (b) ~~— In addition to any penalty established by the Municipal Transportation Agency in~~
17 ~~Transportation Code Section 302, the Municipal Transportation Agency may impose administrative~~
18 ~~penalties for violation of Powered Scooter Share Program permit requirements.~~


19 Section 3. Effective Date. This ordinance shall become effective 30 days after
20 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
21 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
22 of Supervisors overrides the Mayor’s veto of the ordinance.

23 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
24 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
25 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal

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Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: 
STEPHANIE STUART
Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

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

File Number: 191013

Date Passed: December 17, 2019

Ordinance amending the Transportation Code to establish a violation for operating a Shared Mobility Device Service without a permit or other authorization from the Municipal Transportation Agency, and to repeal certain parking restrictions related to stationless bicycle share programs and powered scooter share programs; and affirming the Planning Department's determination under the California Environmental Quality Act.

November 20, 2019 Budget and Finance Committee - RECOMMENDED

December 10, 2019 Board of Supervisors - PASSED ON FIRST READING

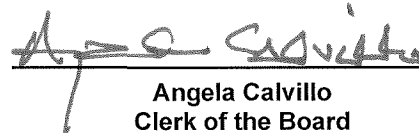
Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee


December 17, 2019 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

File No. 191013

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
12/17/2019 by the Board of Supervisors of
the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


London N. Breed
Mayor

12-19-19
Date Approved