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

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 devices not equipped with city-approved anti-sidewalk riding technology available citywide.

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

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

WHEREAS, On April 17, 2018, the Board of Supervisors unanimously adopted an ordinance amending Division I of the Transportation Code to establish a violation for Powered Scooters that are a part of a Powered Scooter Share Program, to be parked, left standing, or left unattended on a sidewalk, street, or public right-of-way under the jurisdiction of the San Francisco Municipal Transportation Agency (SFMTA) or Department of Public Works (DPW) without an MTA-issued permit authorizing the scooter to be parked, left standing, or left unattended at that location; and amending the Public Works Code to take enforcement action to abate or remove unauthorized Powered Scooters that are likewise not a part of a permitted Powered Scooter Share Program and operating in the public right-of-way, on file with the
Clerk of the Board of Supervisors in File No.180214, which is hereby declared to be a part of
this resolution as if set forth fully herein; and

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

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

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

WHEREAS, The SFMTA has the authority to modify certain permit conditions, including
the numerical limits on powered scooter devices by geographic area; and

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

Supervisors Peskin; Walton, Chan, Ronen, Stefani, Preston, Melgar, Mandelman, Mar, Dorsey, Safai
BOARD OF SUPERVISORS
WHEREAS, Permittee companies have been slow to respond to relocation requests, as demonstrated by the following average response times from July 1, 2021 through September 6, 2022, when Bird’s average response time was 7.22 hours, Lime’s average response time was 7.25 hours, and Spin’s average response time was 3.34 hours; and

WHEREAS, From July 1, 2021 through September 6, 2022, SFMTA has issued a total of 12,078 citations for improperly parked motorized scooter devices, including 3,356 citations issued to Bird, 5,261 citations issued to Lime and 3,461 citations issued to Spin and during which same period, Bird paid $387,200, Lime paid $577,800 and Spin paid $390,850 for those citations; and

WHEREAS, The SFMTA recently increased the penalty for citations to $200 but has the ability to issue fines up to $500; and

WHEREAS, The SFMTA has required permitted motorized scooter companies to develop, test and implement anti-sidewalk riding technology that would prevent motorized scooter devices from riding on sidewalks, but has rarely enforced the law, until March 2022, after which the Agency issued a total of 401 citations for improper and unsafe riding from March 1, 2022 through September 6, 2022, including 123 violations to Bird, 186 violations to Lime, and 92 violations to Spin; and

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

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

WHEREAS, Motorized scooters can reach speeds of 15 mph or more, and most often operate silently without warning, which can result in serious injuries to pedestrians in the event of a collision, including in the case of the Director of the Mayor’s Office of Disability,
Nicole Bohn, who suffered serious injuries and was hospitalized for several months after a motorized scooter recklessly struck her wheelchair; and

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

RESOLVED, That the SFMTA is strongly urged to 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 riding technology citywide; and, be it

FURTHER RESOLVED, That the SFMTA is urged to modify all permits under its authority now to carve the Embarcadero out of the Downtown Zone specifically and apply the maximum limit on powered scooter devices to this high-use area; and, be it

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

FURTHER RESOLVED, That the SFMTA is urged to immediately increase the penalty for permittee citations to the maximum $500.00; and, be it

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

FURTHER RESOLVED, That if the SFMTA does not take action on these programmatic policy directives by July 1, 2023, it is the intent of the Board of Supervisors to rescind the authority granted to the Agency by the Board to impose administrative citations.
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 devices not equipped with city-approved anti-sidewalk riding technology available citywide.

October 03, 2022 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

October 03, 2022 Land Use and Transportation Committee - RECOMMENDED AS AMENDED

October 18, 2022 Board of Supervisors - ADOPTED
Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

I hereby certify that the foregoing Resolution was ADOPTED on 10/18/2022 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

Date Approved
10/28/2022
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.

[Signature]
Angela Calvillo
Clerk of the Board

10/28/2022
Date

File No. 220957