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

Resolution urging the San Francisco 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 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.

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

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

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

WHEREAS, In May 2018, the San Francisco Board of Supervisors unanimously approved an Ordinance (Board File No. 180214) that had originally been introduced in March 2018, prior to the arrival of shared scooters on City streets to authorize the San Francisco
Municipal Transportation Agency (SFMTA) to establish permit requirements for the
deployment of unattended e-scooters in San Francisco’s public rights-of-way; and

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

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

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

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

WHEREAS, In spite of the fair-to-poor performance of scooter proprietors in the City’s
pilot program, the SFMTA on September 25, 2019 nevertheless announced plans to issue
permits for the deployment of 4,000 and up to 10,000 scooters on the City’s streets – an
almost tenfold increase in the existing number of scooters on San Francisco streets – to four
companies, including one who has sued the City for denying its previous application, two who
have received cease-and-desist letters from the City for non-compliance with City regulations,
and others that have contributed to a spike in vehicular congestion in San Francisco; now, therefore, be it

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

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

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

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

FURTHER RESOLVED, That the Board of Supervisors urges SFMTA to develop an outreach model for utilization by permittees and potential permittees to perform community outreach to groups and individuals, including solicitation of community input regarding
geofencing scooters from geographic areas and high-injury corridors, and fully recover costs for the development of the model and any staff time contributed to advancing the community outreach process; and, be it

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

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

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

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

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

____________________
London N. Breed
Mayor
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  
Clerk of the Board

10/18/2019  
Date

File No.  
191004