Resolution urging permittees of San Francisco’s Bicycle Share and Powered Scooter Share Programs to implement measures to advance rider compliance with existing terms and conditions of San Francisco’s Bicycle Share and Powered Scooter Share Program requirements, and urging the San Francisco Municipal Transportation Agency and its Board of Directors to establish new permit terms and conditions for future permits that further serve the goal of ensuring the public health and safety of pedestrians, seniors, and people with disabilities.

WHEREAS, In March 2017, the Board of Supervisors unanimously adopted, and the Mayor approved, an ordinance amending Division I of the Transportation Code to establish a violation for bicycles that are part of a Stationless Bicycle Share Program to be parked, left standing, or left unattended on any public right of way under the jurisdiction of SFMTA or Public Works without a permit issued by the SFMTA; and

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

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

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

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

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

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

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

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

WHEREAS, Compliance and enforcement has been a particular challenge for parking
requirements and the prohibition on riding scooters and bikes on sidewalks, which violations
have proven particularly dangerous for pedestrians, people with disabilities, and riders
themselves, eliciting concern and calls for reform from pedestrian safety, senior and disability advocates; and

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

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

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby urges the SFTMA and its Board of Directors to implement measures to significantly expand compliance with existing public health and safety conditions pertaining to safe and accessible parking methods and prohibition on the riding of bicycles and scooters on sidewalks; and, be it

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

1) Prohibit permittees from including in agreements with riders any provision by which the rider waives, releases, or in any way limits their legal rights, remedies, or forum under the agreement; and

2) Standardize categories of improper rider behavior and corresponding penalties to hold riders and permittees accountable for repeated improper, unsafe and/or illegal parking or riding behavior; and, be it
FURTHER RESOLVED, That the Board of Supervisors urges permittees to promptly install and otherwise implement sidewalk detection technology designed to prevent illegal riding on sidewalks; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges SFMTA to condition the issuance of future permits permittees' installation and implementation of sidewalk detection technology designed to prevent illegal riding on sidewalks.
Resolution urging permittees of San Francisco's Bicycle Share and Powered Scooter Share Programs to implement measures to advance rider compliance with existing terms and conditions of San Francisco's Bicycle Share and Powered Scooter Share Program requirements, and urging the San Francisco Municipal Transportation Agency and its Board of Directors to establish new permit terms and conditions for future permits that further serve the goal of ensuring the public health and safety of pedestrians, seniors, and people with disabilities.

December 06, 2021 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

December 06, 2021 Land Use and Transportation Committee - RECOMMENDED AS AMENDED

December 14, 2021 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 211208

I hereby certify that the foregoing Resolution was ADOPTED on 12/14/2021 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
London N. Breed
Mayor

12/24/2021
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.

[Signature]
Angela Calvillo  
Clerk of the Board

12/24/2021
Date

File No.  
211208