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## POWERED SCOOTER SHARE PROGRAM PERMIT SECOND FLEET EXPANSION

January 14, 2021

Derrick Ko  
Spin (Skinny Labs Inc.)  
450 Mission Street, Suite 400  
San Francisco, CA 94105

Dear Mr. Ko,

The SFMTA has evaluated Skinny Labs, Inc.'s (Spin's) request for a fleet expansion of 500 scooters. This letter and its attachments constitute the Second Amended Powered Scooter Share Program Permit, permit number 04, authorizing Spin to expand its fleet by 500 scooters to a maximum of 2,000 scooters total.

On September 27, 2019, the Agency issued a 2019-2020 Powered Scooter Share Permit Program memorandum, allowing a maximum of 1,000 scooters for each permit with the potential to increase the number to a maximum of 2,500 scooters during the permit term. On July 30, 2020, the Agency issued a policy directive providing updated guidance regarding expansion criteria for Powered Scooter Share fleets to allow for growth based on success meeting key service, compliance and equity goals, and highlighting the importance of micromobility in the recovery plan of San Francisco's transportation system during the COVID-19 pandemic. On August 18, 2020, the SFMTA Board suspended the requirement that 2019-2020 Powered Scooter Share Program permits not exceed a term of one year, authorizing the SFMTA to extend the current permits by six months to respond to changes resulting from the COVID-19 emergency. The SFMTA amended Spin's permit, extending the term from October 15, 2020 through April 15, 2021.

Consistent with the July 30 policy directive, the SFMTA issued the Distribution Guidelines and Requirements - Updated July 30, 2020, which outlined that a permittee must demonstrate consistent deployment of the existing permitted fleet and that the SFMTA will consider the objective equity-based metrics and standards described below prior to the Agency authorizing an increase in the permitted fleet size. The Distribution Guidelines were updated again on October 15, 2020 as part of the permit extension.

- **Fleet Deployment:** Permittees shall demonstrate consistent, reliable service. Permittees must deploy at least 70% of their total permitted fleet size, ensuring that they do not exceed the Downtown Core device cap, for 15 out of any 30 consecutive-day period, in



order to be considered for fleet size expansion. Methods to avoid overcrowding of scooters in high demand areas can include, but are not limited to, variable pricing, and scooter valet service.

- **Equitable Distribution:** Permittees must consistently meet all equitable distribution targets (i.e. Minimum Thresholds) in order to be considered for fleet size expansion. This will include compliance with Minimum Threshold targets in Key Neighborhoods.
- **Low-Income Plan Participation:** Permittees should maintain a certain target for low-income plan participation as determined by the SFMTA. The initial target is one low-income plan subscription per every two permitted scooters.
- **Labor Harmony:** The SFMTA will monitor commitments made in each permittee's submitted Labor Harmony plan. Permittees are required to report on compliance with commitments made in these plans and must provide an update of any changes to their plans. The SFMTA will review and confirm this information prior to granting a fleet size increase.
- **Complaints Database:** Each permittee must maintain a database containing all public complaints and comments related to poor use behavior (e.g. sidewalk riding) and track case status through complaint resolution. This database shall be shared with the SFMTA in a format as determined by the Agency, and must provide documentation of enforcement for unsafe and/or illegal rider behavior, including evidence that the permittee is investigating and taking all complaints seriously, and following the penalty structure as defined in their permit application. Permittees must maintain and update this database, to the Agency's satisfaction, prior to the SFMTA granting a fleet size increase.
- **Compliance Reports:** Each permittee must provide compliance reports to the SFMTA three-month intervals during the permit term. The reports must document compliance with the permit Terms and Conditions, to the Agency's satisfaction, with a particular emphasis on rider accountability requirements, prior to the SFMTA granting a fleet size increase. Rider accountability requirements are included in, but not limited to, permit Terms and Conditions #46-#50.
- **Life-Cycle Analysis:** Permittees must submit a completed lifecycle analysis, as specified in the Sustainability Guidelines and Requirements, prior to the SFMTA granting a fleet size increase.
- **Adaptive Scooter Pilot:** In order to increase fleet size, Permittees should demonstrate that they have achieved one of the following regarding their Adaptive Scooter Pilot Plan: increased number of users or increased number of trips.

Based on the documentation Spin provided, the SFMTA finds that Spin has satisfied the criteria for a fleet expansion of 500 scooters. While Spin has not been able to increase the number of adaptive scooter trips or customers, which is an expansion metric, staff does not feel that it's reasonable to deny the increase based on this one requirement, due to the Stay at Home order



and recent surge in COVID cases. Staff continues to emphasize the importance of the adaptive program, and Spin has shown its commitment to the program by recently requesting SFMTA review of a new adaptive device that they are interested in deploying. The SFMTA authorizes an increase of Spin’s permitted fleet size from 1,500 to 2,000 for the duration of the permit, provided that Spin maintains 50% or greater deployment of their total permitted fleet size for 25 out of any 30 consecutive rolling days, and demonstrates continued compliance with the requirements set forth in Attachment A (Permit Terms and Conditions and Appendices, dated January 15, 2021) as determined by the SFMTA.

Note also that the minimum threshold requirements scale up as the fleet size increases, as referenced in the updated Distribution Guidelines.

**Minimum Threshold Table (Fleet of 2,000 Scooters)**

<b>Core Service Area Thresholds</b>		
Downtown Core	Min. Number of Scooters (sq. mi)	Area
Downtown Core	**No more than 600 scooters	3.9
<b>Key Neighborhoods</b>		
Mission	37	1.8
SE Neighborhoods Bayview - Hunters Point - Vis. Valley	102	5.0
SW Neighborhoods SFSU - Ingleside - Excelsior	94	4.6
Western Addition	10	0.5
Richmond District	75	3.7
Sunset District	120	5.9

- I. Permit Conditions  
Permittee agrees to comply with the amended Program Permit Terms and Conditions and Appendices, dated January 15, 2021, attached as Attachment A.
- II. SFMTA Contact  
Permittee agrees to contact Sarah Hellman (Sarah.Hellman2@sfmta.com, 415.646.2336) with any changes to Permittee’s designated points of contact information.
- III. Permit Term  
This permit is valid in the City and County of San Francisco from January 15, 2021 through 11:59 pm April 15, 2021 unless otherwise terminated or revoked.

**SECOND AMENDED POWERED SCOOTER SHARE PROGRAM PERMIT NO. 04, reissued January 15, 2021.**

Agreed to and Accepted on January 14, 2021  
by a duly authorized representative.



*Derrick Ko*

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Derrick Ko  
Spin (Skinny Labs, Inc.)

*Kate Toran*

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Kate Toran  
Director of Taxis and Accessible Services  
San Francisco Municipal Transportation Agency

Attachment A (Permit Terms and Conditions and Appendices, dated January 15, 2021)



## Powered Scooter Share Program Permit

### Terms and Conditions and Appendices

January 15, 2021

Permittee agrees to abide by and comply with the Permit, Permit Terms and Conditions and Appendices set forth herein, Permit Application, and the Permittee's Application submitted on August 21, 2019, in the operation and administration of Permittee's Powered Scooter Share Program. The Appendices, which may be updated, the Permit Application and Permittee's Application, particularly the plans and proposals submitted in Sections C-H, are incorporated by reference as though fully set forth herein. Should there be a conflict of terms or conditions, the Permit, Permit Terms and Conditions and Appendices, shall control over the Application and the Permittee's Application. In addition, any changes to the plans submitted in Permittee's Application must be submitted in writing to SFMTA for approval.

Appendix 1 – Mobility Device Parking Requirements and General Guidelines – Updated October 15, 2020

Appendix 2 – Additional Powered Scooter Share Parking and Riding Requirements

Appendix 3 – Community Engagement Guidelines and Requirements

Appendix 4 – Data Reporting Guidelines and Requirements

Appendix 5 – Distribution Guidelines and Requirements – Updated October 15, 2020

Appendix 6 – Sustainability Guidelines and Requirements

#### General Requirements

1. Possessory Interest. Applicant acknowledges that any Permit issued may create a "possessory interest" for property tax purposes. Generally, a possessory interest is created if the Permit entitles the Permittee to possession, occupancy, or use of City property for private gain or benefit.
2. Permittee shall comply with all applicable federal, state, and local laws, including but not limited to, the San Francisco Transportation Code, the California Vehicle Code, and local wage requirements.
3. Permittee shall indemnify and save harmless City and its officers, agents and employees from, and, if requested, shall defend them against any and all loss, cost, damage, injury, liability, and claims thereof for injury to or death of a person, including employees of Permittee, or loss of or damage to property, arising directly or indirectly from the activity authorized by the Permit, including, but not limited to, Permittee's use of facilities or equipment provided by City or others, and claims brought by customers of Permittee, regardless of the negligence of, and regardless of whether liability without fault is imposed or sought to be imposed on City, except to the extent that such indemnity is void or otherwise unenforceable under applicable law in effect on or validly retroactive to the date of this Permit, and except where such loss, damage, injury, liability or claim is the result of the gross negligence or willful misconduct of City and is not contributed to by any act of, or by any omission to perform some duty imposed by law or agreement on Permittee, its sub-permittees or either's agent or employee. The foregoing indemnity shall include, without limitation, reasonable fees of attorneys, consultants and experts and related costs and City's costs of investigating any claims against the City. In addition to

Permittee's obligation to indemnify City, Permittee specifically acknowledges and agrees that it has an immediate and independent obligation to defend City from any claim which actually or potentially falls within this indemnification provision, even if the allegations are or may be groundless, false or fraudulent, which obligation arises at the time such claim is tendered to Permittee by City and continues at all times thereafter. Permittee shall indemnify and hold City harmless from all loss and liability, including attorneys' fees, court costs and all other litigation expenses for any infringement of the patent rights, copyright, trade secret or any other proprietary right or trademark, and all other intellectual property claims of any person or persons in consequence of the use by City, or any of its officers or agents, of articles or services to be supplied in the performance of this Permit.

4. Insurance Requirements.

- a. Required Coverages. Without in any way limiting Permittee's liability pursuant to the Indemnification section of this Permit above, Permittee must maintain in force, during the full term of the Permit, insurance in the following amounts and coverages:
  - i. Workers' Compensation, in statutory amounts, with Employers' Liability Limits not less than \$1,000,000 each accident, injury, or illness; and
  - ii. Commercial General Liability Insurance with limits not less than \$2,000,000 each occurrence and \$4,000,000 general aggregate for Bodily Injury and Property Damage, including Contractual Liability, Personal Injury, Products and Completed Operations; and
  - iii. Commercial Automobile Liability Insurance with limits not less than \$2,000,000 each accident, "Combined Single Limit" for Bodily Injury and Property Damage, including Owned, Non-Owned and Hired auto coverage, as applicable.
  - iv. Professional liability insurance, applicable to Permittee's profession, with limits not less than \$1,000,000 each claim with respect to negligent acts, errors or omissions in connection with the Services.
  - v. Permittee shall maintain in force during the full life of the agreement Cyber and Privacy Insurance with limits of not less than \$2,000,000 per claim. Such insurance shall include coverage for liability arising from theft, dissemination, and/or use of confidential information, including but not limited to, bank and credit card account information or personal information, such as name, address, social security numbers, protected health information or other personally identifying information, stored or transmitted in electronic form.
  - vi. Commercial General Liability and Commercial Automobile Liability Insurance policies must be endorsed to provide:
    1. Name as Additional Insured the City and County of San Francisco and SFMTA, its Officers, Agents, and Employees.
    2. That such policies are primary insurance to any other insurance available to the Additional Insureds, with respect to any claims arising out of this Permit, and that insurance applies separately to each insured against whom claim is made or suit is brought.
- b. All policies shall be endorsed to provide thirty (30) days' advance written notice to the City of cancellation for any reason, intended non-renewal, or reduction in coverages.
- c. Should any of the required insurance be provided under a claims-made form, Permittee shall maintain such coverage continuously throughout the term of this

- Permit and, without lapse, for a period of three years beyond the expiration of this Permit, to the effect that, should occurrences during the contract term give rise to claims made after expiration of the Permit, such claims shall be covered by such claims-made policies.
- d. Should any required insurance lapse during the term of this Permit, requests for payments originating after such lapse shall not be processed until the City receives satisfactory evidence of reinstated coverage as required by this Permit, effective as of the lapse date. If insurance is not reinstated, the City may, at its sole option, terminate this Permit effective on the date of such lapse of insurance.
  - e. Before commencing any Services, Permittee shall furnish to City certificates of insurance and additional insured policy endorsements with insurers with ratings comparable to A-, VIII or higher, that are authorized to do business in the State of California, and that are satisfactory to City, in form evidencing all coverages set forth above. Approval of the insurance by City shall not relieve or decrease Permittee's liability hereunder.
  - f. The Workers' Compensation policy(ies) shall be endorsed with a waiver of subrogation in favor of the City for all work performed by the Permittee, its employees, agents and subcontractors.
  - g. If Permittee will use any subcontractor(s) to provide Services, Permittee shall require the subcontractor(s) to provide all necessary insurance and to name the City and County of San Francisco, its officers, agents and employees and the Permittee as additional insureds.
  - h. Permittee may subcontract or delegate portions of its obligations only upon prior written approval of SFMTA. Permittee is responsible for, and must supervise its personnel and all subcontractors, including independent contractors, who perform obligations under the permit. Any agreement made in violation of this provision shall be null and void.
5. Unless otherwise specified in these terms and conditions or appendices, Permittee shall provide compliance reports to the SFMTA at 3, 6, 9, 12, 15 and 18 months from permit issuance documenting the Permittee's compliance with these permit Terms and Conditions in a format determined by the SFMTA.
  6. The SFMTA will monitor permittees' compliance with the permit Terms and Conditions and reserves the right to revoke a permit if one or more of these Terms and Conditions are not met, or if the permittee is found to have misrepresented any aspect of their application. In the event that a permit is revoked, the SFMTA may take action as appropriate, including deciding not to re-allocate the number of scooters in that permit, issuing a permit to the applicant with the next highest score, redistributing fleet size to the other existing permittee(s), or re-opening the application process.
  7. Permittee agrees to maintain and make available to the SFMTA, during regular business hours, accurate books and accounting records relating to its Powered Share Scooter Services. Permittee will permit the City to audit, examine and make excerpts and transcripts from such books and records, and to make audits of all materials and other data related to all matters covered by this Permit. Permittee shall include the same audit and inspection requirements in all subcontracts.

### Program Requirements

8. Powered Shared Scooters shall only be available to customers on an hourly basis, or in smaller intervals, and at rates which vary by duration of usage or by duration of usage and distance but are clearly and understandably communicated to the customer prior to scooter use. Permittee's pricing structure included in its application, is incorporated by reference.
9. Permittee will implement a targeted community outreach plan that complies with the SFMTA's Community Engagement Plan Requirement, Appendix 3, at its own cost. Permittee shall keep, and provide to the SFMTA upon request, a record of any public feedback received in a manner as determined by the SFMTA with a specified format to be transmitted to the operator via email prior to permit issuance. Permittee's Community Engagement Plan, submitted in its application, is incorporated by reference.
10. Permittee will maintain a multilingual website with languages determined by the SFMTA, a call center, and a mobile application customer interface that is available 24 hours a day, seven days a week.
11. During the term of the permit, the Permittee shall offer to its customers not less than one safety training class every quarter. The safety training class must address safe scooter riding rules and inform customers that riding on sidewalks is illegal and may result in account suspension or revocation for the duration of the permit.
12. Permittee shall provide the SFMTA with a contact name and phone number for staff that are responsible for rebalancing scooters.
13. Permittee will employ an electronic payment system that is compliant with the Payment Card Industry Data Security Standards (PCI DSS). Each transaction shall include the scooter identification number corresponding to the make and model of the scooter registered with the SFMTA.
14. Permittee will comply with the City's Zero Waste Policy with regard to disposal of scooters and scooter parts, including hazardous waste such as batteries, and disclose the number of scooters and scooter parts ending up in the City's waste stream, as specified in the Powered Scooter Share Sustainability Guidelines and Requirements, Appendix 6.
15. Permittee will conduct a Life-Cycle Analysis (LCA) as specified in the Sustainability Guidelines and Requirements, Appendix 6, and submit it to the SFMTA within six months of permit issuance.
16. Permittee will comply with its submitted labor harmony plan and update the plan if there is any change in conditions. Permittee agrees to notify the SFMTA of any changes to labor model. Permittee will utilize the City's First Source Hiring Program, and coordinate with other community-based organization hiring programs as appropriate, in order to encourage direct employment of qualified and economically disadvantaged San Franciscans through the City's numerous community workforce partners. Permittees will submit a monthly report disclosing the number of employees, status (e.g., W-2, full-time/part-time) and compensation, along with the number and percent of direct hires and staffing agency hires.

### Operating Requirements

17. Permittee agrees to limit the total number of their scooters parked or in use in San Francisco (Permitted Scooters) to 2,000. Permitted Scooters are defined as scooters being rented or left on public property, whether they are available for hire, or whether they are unavailable due to needing recharging or other maintenance. Permittees must maintain more than 50% of their permitted fleet size for 25 out of any 30 consecutive rolling days for the duration of the permit. In accordance with the Distribution Guidelines and Requirements, Permittee shall deploy no more than 600 devices per 2,000 permitted scooters within the Downtown Core at any time to prevent an over-concentration of scooters and to encourage availability in communities outside downtown with fewer mobility options.
18. Permittee is responsible for implementing and submitting to the SFMTA a maintenance, cleaning, staffing, and repair plan for approval by the SFMTA and Public Works. To the extent Permittee will use independent contractors to execute any part of the plan, Permittee shall educate and train such independent contractors on how to do so.
19. Powered Shared Scooters shall be parked in a manner consistent with the SFMTA's Powered Scooter Parking Requirements and General Guidelines and the Additional Powered Scooter Share Parking and Riding Requirements, Appendices 1 and 2, respectively. The Permittee shall instruct customers how to park a scooter properly and comply with their Plan for Proper Scooter Parking, as included in their application, which is incorporated by reference.

### Equitable Service Requirements

20. Permittee will make outreach materials available in languages determined by the SFMTA.
21. Permittee shall offer a one-year low-income customer plan that waives any applicable scooter deposit and offers a minimum 50% discount off rental fees, or a plan that offers unlimited trips under 30 minutes, to any customer with an income level at or below 200% of the federal poverty guidelines, subject to annual renewal. Permittee will advertise the low-income plan as part its targeted marketing, and during the sign-up process (including in-app checkouts). Permittee will target the goal of having one low-income plan member for every two scooters authorized under this Permit. CalFresh, PG&E Care and Muni Lifeline eligibility are acceptable income verification proxies for low-income memberships. Permittee shall also offer a cash payment option that is clearly advertised and easy to use. Permittee's plan, submitted in its application, is incorporated by reference.
22. Mobile apps and other customer interface technology must be fully accessible to persons with disabilities and accessible to screen readers and must comply with Section 508 of the United States Workforce Rehabilitation Act of 1973.

### Distribution of Scooters

23. Permittee agrees to limit the service area of where scooters are distributed, or where they are allowed to park, at the discretion of the SFMTA.
24. Distribution of scooters shall adhere to the Powered Scooter Share Distribution Guidelines and Requirements, Appendix 5, which identify service areas, minimum distribution thresholds, and availability requirements in specific neighborhoods, including those classified as Communities of Concern by the Metropolitan Transportation Commission, to meet equity goals. The SFMTA reserves the right to require permittees to serve one or more of the neighborhoods in the Expanded Service Area, as defined in the Distribution Guidelines and Requirements.

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25. Permittee is responsible for monitoring distribution of Powered Scooters available to customers according to parameters determined by the SFMTA in the Powered Scooter Share Distribution Guidelines and Requirements. Each daily scooter deployment must match agreed upon parameters for the number of scooters within sub-areas of the permittee's approved service area.
26. Adaptive Scooter Plan: Permittee shall implement its Adaptive Scooter Pilot Plan submitted in its application, and incorporated by reference, by January 15, 2020. SFMTA may determine a percentage floor and/or cap on adaptive scooters at any point during the permit term. Permittees must track and report on Adaptive Scooter Pilot metrics on a monthly basis and, upon request, be able to provide additional verification on the process utilized or actual data reported.
27. Permittee shall stop placing scooters or allowing contractors to place scooters in front of any address provided by the SFMTA, within 48 hours of notice.
28. Permittee shall apply geofencing specifications provided by the SFMTA to prohibit parking/locking scooters in specified areas, or to direct users to specified designated parking area (e.g., at an event venue), within one week of notice.
29. During deployment and rebalancing, employees and contractors of the Permittee shall obey the following Operating Guidelines:
  - a. *Muni priority*: Muni buses shall be given priority at and approaching or departing transit stops;
  - b. *Yield to Muni*: Where Muni or other public transit buses are approaching a transit stop and when safe to do so, Permittee's employees or contractors shall allow such buses to pass so they may stop at transit stops;
  - c. *Red zones*: Vehicles operated by Permittee shall not stop or stand in Muni stop "red zones";
  - d. *Active loading; No staging or idling*: Permittee's employees and contractors shall only stage vehicles at locations in accordance with applicable parking laws and regulations;
  - e. *Pull in*: Permittee's employees and contractors shall pull support and rebalancing vehicles all the way up to, and parallel with, the curb for scooter loading and unloading, and shall not load or unload scooters in a vehicle or bicycle lane, or in a manner that impedes travel in these lanes;
  - f. *Comply with all applicable laws*: Permittee's employees and contractors shall comply with all applicable state, and local laws, including the San Francisco Transportation Code, and the California Vehicle Code. If the SFMTA in its sole discretion determines that a Permittee's scooter distribution or collection activities are being performed in an unsafe manner or in violation of applicable parking and traffic laws, this determination shall be grounds for permit revocation.

### Responsiveness Requirements

30. Permittee shall provide a 24-hour customer service phone number for customers and members of the public to report safety concerns, complaints, or ask questions. An intake form must also be accessible online which allows the public to report improperly operated or parked scooters by providing time, date, location, direction of travel if applicable, and the scooter's identification number if available.

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31. Permittee shall maintain a database containing all public complaints and comments related to unacceptable user behavior (e.g. sidewalk riding), including those in the preceding provision #29, and track case status through complaint resolution. This database shall be shared with the SFMTA on a monthly basis in a format as determined by the Agency.
32. Customers using scooters in systems issued a permit under this program will be provided with a mechanism to notify the Permittee that there is a safety or maintenance issue with the scooter. This mechanism shall not be the Permittee's sole method of identifying safety or maintenance issues. Permittee shall submit a full explanation of its mechanism for notification to SFMTA for approval prior to permit issuance.
33. Any Powered Shared Scooter that is parked improperly is subject to citation. Additionally, the improperly parked scooter shall be re-parked in a correct manner or shall be removed by the Permittee within two hours.
34. Permittee shall relocate or rebalance scooters within two hours of an SFMTA request.
35. Any inoperable Powered Shared Scooter, or any Powered Shared Scooter that is not safe to operate, shall not be available for rent and shall be removed from the right-of-way within 24 hours after notice from the City or verified notice from a user, and shall be repaired before the scooter is returned to revenue service. If such scooter is parked improperly, it is also subject to #32.
36. Each scooter must undergo a maintenance check at least every two months. Graffiti on any scooter must be removed within 24 hours and inappropriate or profane language must be removed within 4 hours of being reported by permittee's employee or contractor, the City, or a member of the public. The Permittee shall maintain adequate documentation demonstrating compliance with these requirements and provide the SFMTA with this documentation upon request.

## Device Requirements

37. Two samples of any scooters to be used under this program are to be made available for inspection by the SFMTA to verify scooters adhere to the device specifications any time a new scooter version, including any Adaptive Scooter model, is introduced into the fleet. The SFMTA will return vehicles to the Permittee following inspection. The emblem of the Powered Scooter Share Operator and a unique identifier shall be prominently displayed on the Powered Shared Scooter.
38. All Powered Shared Scooters shall employ tamper-resistant security hardware.
39. All Powered Shared Scooters shall accommodate a range of users. Operator must pilot Adaptive Scooters for persons with disabilities.
40. All Powered Shared Scooters shall meet the requirements set forth in California Vehicle Code §21223.
41. All Powered Shared Scooters shall have an integrated locking mechanism which cannot be removed using simple tools and which securely holds the scooter upright when parked at a bike rack or other fixed object as specified in the SFMTA's Powered Scooter Parking Requirements and General Guidelines, Appendix 1. A combination lock will not be considered an integrated locking mechanism.
42. The name and current contact information for the Powered Scooter Share Operator shall be visibly displayed on all Powered Shared Scooters.
43. All Powered Shared Scooters shall be equipped with an on-board GPS device capable of

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providing real-time location data to the SFMTA in accordance with the specifications  
described in the Data Reporting Guidelines and Requirements, Appendix 4.

#### Safe Riding and Storage of Scooters

44. Permittee shall be responsible for educating their employees and Powered Scooter Share users regarding state and local laws governing the safe operation and parking of Powered Scooters in San Francisco. This shall include providing notification about key laws governing operation on each scooter, including the legal prohibition on sidewalk riding.
45. If the SFMTA determines in its sole discretion that the Permittee's users' failure to comply with applicable laws governing the safe operation and parking of Powered Scooters, including but not limited to, laws governing operation on sidewalks, and parking requirements, has created a threat to public health and safety, such determination shall be grounds for permit suspension or revocation at the discretion of the Director.
46. Powered Shared Scooters shall be parked standing upright and outside the path of travel in a manner consistent with the SFMTA's Powered Scooter Parking Requirements and General Guidelines. The Permittee shall instruct customers how to park a scooter properly and comply with their Plan for Proper Scooter Parking, submitted in their application, which is incorporated by reference.
47. The Permittee shall take special measures to ensure that customers are aware that riding on the sidewalk is illegal and unsafe. These measures can include, but are not limited to: a mandatory video that expressly instructs riders where they can and cannot ride; a pop-up reminder every time a user opens the app that riding on the sidewalk is illegal; and, educational materials on this topic shared at all community events that the Permittee participates in or sponsors, etc.
48. The Permittees shall track and report how many complaints are received about riding on the sidewalk and the resolution to those complaints.
49. The Permittee shall develop mechanisms to deter their users from sidewalk riding, which may include issuing graduated monetary penalties, and/or suspensions from use.
50. During the course of the permit, the Permittee shall develop additional measures to ensure that customers do not ride on the sidewalk.

#### Endowment and Fees

51. Permittee agrees to pay the SFMTA a public property repair and maintenance endowment totaling \$2,500, to ensure adequate funds are available to reimburse the City for public property repair and maintenance costs that may be incurred, including but not limited to any costs of repairing or maintaining damaged public property by the Powered Scooter Share Operator or its customers, removing and storing scooters improperly parked or left unattended on public property, and addressing and abating any other violations. The maintenance endowment payment is due at the time of permit issuance.
52. If the SFMTA, Public Works, or any other City agency, department, or commission, including the City Attorney's Office, incurs any costs for addressing or abating any violations of law, including repair or maintenance of public property, the Permittee, upon receiving written notice from the City regarding such costs, shall reimburse SFMTA for these costs within thirty days. Any payment made pursuant to this paragraph shall not substitute for any installment payment otherwise owed or to be paid to the SFMTA.

53. Any Powered Shared Scooter that is parked at one location for greater than 7 consecutive days may be removed by City staff and taken to a City facility for storage at Permittee's expense.
54. Permittee shall pay a fee of \$150 to SFMTA to cover the cost of procurement and installation of one standard SFMTA bicycle rack for every two Powered Shared Scooters permitted to insure adequate supply of bicycle parking.

#### Data Sharing Requirements

55. Permittee shall comply with the SFMTA's Real-time data requirements for stationless emerging mobility services and maintain a continuous feed of the required data at all times for scooters made available to customers. Data feeds must be established and tested prior to issuance of permit.
56. Permittee shall provide the SFMTA with a continuous real-time data feed for their entire San Francisco Powered Shared Scooter fleet through a documented application program interface (API) and on-board GPS devices installed on all Powered Shared Scooters to the following specifications:
  - a. Permittee shall provide the required data feed as described in the Data Reporting Guidelines and Requirements (Appendix 4).
  - b. Permittee shall implement changes to the required data feed within 45 days of SFMTA providing written notice and an update to Appendix 4.
  - c. Permittee shall maintain the required feed of the specified data at all times while the Powered Shared Scooter is providing service to customers within the City.
  - d. The permittee is directly responsible for providing the API key to the SFMTA and shall not refer the City to another subsidiary or parent company representative for API access.
  - e. If a Powered Shared Scooter becomes unable to provide the required data for any reason, Permittee shall not operate that Powered Shared Scooter until data transmission is restored.
57. The SFMTA is permitted to use Permittee's API and display aggregated data.
58. Permittee shall distribute at least one customer survey annually prepared by the SFMTA to a survey population specified by the Agency. Permittee agrees to provide the SFMTA with a copy of the survey invitation email for review and approval prior to distributing survey.
59. Permittee shall track and report the following metrics monthly to the SFMTA as specified in the Powered Scooter Share Sustainability Guidelines and Requirements, Appendix 6:
  - a. Vehicle Miles Traveled (VMT) for operations vehicles performing cleaning, maintenance, repair, recharging and rebalancing tasks;
  - b. Source of electricity used to recharge scooters, and/or the location(s) where charging occurs;
  - c. A fleet-wide average number of kilowatt hours per mile per scooter; and
  - d. The number of batteries disposed and location of disposal.
60. Permittee will keep a record of reported collisions broken down by severity as specified by the SFMTA. These records shall be sent to the SFMTA on a monthly basis.

61. Permittee shall keep a record of maintenance activities, including but not limited to the scooter identification number and maintenance performed, as specified by the SFMTA. These records shall be sent to the SFMTA upon request.
62. Permittee agrees that the SFMTA may use a third-party researcher to evaluate the Powered Scooter Share Program. Data will be shared with the third-party researcher only for purposes of the evaluating or enforcing the requirements in this permit.
63. On at least a monthly basis, Permittee will provide the SFMTA with data demonstrating compliance with the SFMTA's Powered Scooter Share Distribution Requirements in a format determined by the SFMTA.
64. Permittee shall share personally identifiable information in Permittee's possession about a Powered Scooter Share user with the City where there is an injury alleged to be related to a Powered Shared Scooter, or a claim or lawsuit against the City and the scooter user may have information about, or responsibility for, the claim.

### Privacy Policy

65. Permittee must provide a Privacy Policy that safeguards customers' personal, financial, and travel information and usage including, but not limited to, trip origination and destination data. Permittee agrees to make its policies, procedures and practices regarding data security available to the SFMTA, upon request, and further agrees that the SFMTA reserves the right to hire a third party to perform a security audit mid-way through the permit term, or at any time SFMTA determines that an audit is warranted.
66. Permittee must provide customers the opportunity to explicitly assent to any privacy policy, terms of service, or user agreements. Separately, customers must have the ability to decline sharing any data not required to enable the Permittee to process and complete the transaction. In addition, Permittee must provide an opportunity for users to explicitly consent to the SFMTA's access to the user's location data. The customer's options with regard to these requirements shall be clearly stated and easily accessed by the customer.
67. Permittee shall provide a Privacy Policy that complies with the California Online Privacy Protection Act (CalOPPA), the California Consumer Privacy Act (CCPA), and any other applicable data protection law or requirements including those that apply to minors, and further, expressly limits the collection, storage, or usage of any personally identifiable information to the extent absolutely required to successfully accomplish the provision of a Powered Scooter Share transportation service. For purposes of this permit, "personally identifiable information" or "personal data" shall be defined under applicable state law. Without limitation to other permitting provisions requiring anonymized origin/destination and route data for solely public purposes set forth by the City and County of San Francisco, permittee may not make any personal data of program participants in San Francisco available to any third party advertiser or other private entity, including another entity that may be affiliated with or jointly owned by the entity that owns Permittee.
68. Permittee shall not claim any legal right in its Terms of Use, Privacy Policy, or elsewhere to institute retroactive changes to its Privacy Policy and shall provide an opportunity for the customer to explicitly assent prior to any changes to its data practices, including uses of data Permittee collected under a prior policy.

69. Permittee may not collect Personal Data related to, nor sort Personal Data nor individual data subjects according to race, gender, religion, national origin, age, or sexual orientation except for survey data collected on an opt-in basis and for a public purpose expressly set forth by SFMTA. Permittee may not deny service to any user on the basis of their refusal to provide any such survey information. The SFMTA shall consult the Human Rights Commission if it receives any complaints based upon any potential violations of this provision.
70. Permittee must disclose any and all existing data sharing agreements and must notify SFMTA in advance of any prospective partnership, acquisition or other data sharing agreement. Permittee may not engage in or facilitate any inter-app operability or other form of private partnership that includes data acquisition or other data sharing model with any entity if the entity does not meet the standards set forth herein.

#### Permit Revocation

71. The SFMTA reserves the right to revoke a Powered Scooter Share Program Permit at any time upon written notice of revocation sent to both the Permittee's mailing and email addresses listed on the Permittee's Application submitted to the SFMTA. The SFMTA reserves the right to terminate any permit issued if the permittee violates any terms of the permit or is found to have misrepresented any aspect of their application.
72. The Permittee agrees to surrender such permit in accordance with the instructions in the notice of revocation. In the event that the SFMTA revokes a Powered Scooter Share Program Permit, Permittee shall remove the Powered Shared Scooter from the City right- of-way within five business days from the date the notice of revocation was mailed and emailed by the SFMTA to the Permittee.
73. If the Permittee wishes to contest the revocation of a permit, the Permittee may request a hearing in accordance with the SFMTA's hearing procedures on revocation.
74. In circumstances that pose a serious threat to public health or safety, the SFMTA reserves the right to immediately revoke a Powered Scooter Share Program Permit effective on the date the notice of revocation is mailed and emailed to the Permittee. The SFMTA shall state the public health or safety reasons that require immediate revocation in the notice of revocation. In such circumstances, the Permittee shall be required to immediately remove the Powered Shared Scooter from the City rights-of-way.
75. A permit may not be assigned, novated, or transferred without the prior written approval of the Director of Transportation. For purposes of this paragraph, "transfer" shall include the sale or other exchange of 50% or more of the ownership or control of a permittee to a third party. The Director's approval of any such transfer is subject to the Permittee demonstrating to the SFMTA's reasonable satisfaction that the proposed transferee is: (i) reputable and capable, financially and otherwise, of performing each of Permittee's obligations under this Permit and any other documents to be assigned, (ii) not forbidden by applicable law from transacting business or entering into this permit with the SFMTA; and (iii) subject to the jurisdiction of the courts of the State of California. Permittee shall immediately notify SFMTA of any changes to Permittee's corporate structure or ownership. Failure to do so shall be cause for revocation of the permit and any purported transfer made in violation of this provision shall be null and void.

### Compliance with Applicable Law

Permittee represents and certifies, under penalty of perjury, that the permittee, any Powered Scooter Share Operator, and all Powered Shared Scooters, are in compliance with all California Vehicle Code requirements, Powered Scooter Share Permit requirements, and Powered Scooter Share Operator criteria set forth in the City's Transportation Code, and any other applicable local, state, or federal law.

### Payment of Fees

A permit fee must be paid by the permittee before any permit may be issued. Failure to pay any applicable annual/renewal fee shall result in termination of any existing permit. In addition, the Permittee shall provide sufficient evidence to demonstrate payment of any penalties assessed for violation(s) of any provision of the San Francisco Municipal Code or of terms of any existing or previously issued permits issued by the City, for which there has been a final determination of the violation.

### Removal of Improperly Parked Scooters

Improperly parked scooters shall be subject to citation. Further, upon notification by the City of any Powered Shared Scooter that is improperly parked or left standing or unattended on any sidewalk, Street, or public right-of-way under the jurisdiction of the SFMTA or Public Works, the permittee shall remove the scooter within two hours.

### Permit Jurisdiction

This permit is only valid for operations in the public right-of-way of the City and County of San Francisco under the jurisdiction of the SFMTA and Public Works.



## Appendix 1

### Powered Scooter Share Program Permit: Mobility Device Parking Requirements and General Guidelines

Version 10.14.20 Update October 15, 2020

The following requirements and guidance are intended to ensure that SFMTA Permittees and Authorized Operators meet their obligations under both the law and their permit requirements or Proof of Concept Authorization (POCA) (as defined in Article 1200 of the Transportation Code), and to ensure that parked Mobility Devices do not reduce the safety and accessibility of San Francisco sidewalks. "Mobility Devices" are defined as Powered Scooters part of a Powered Scooter Share Program, Stationless Shared Bicycles, and devices permitted under a Proof of Concept Authorization as each of these terms is defined in the Transportation Code.

State and local law impose limitations on the parking and placement of Mobility Devices in the public right-of-way in San Francisco. Section 7.2.100(b) makes it a violation for a Mobility Device, as defined in Section 1202 under Division II, that is part of a Shared Mobility Device Service to "park, leave standing, or leave unattended...on any sidewalk, Street, or public right-of-way under the jurisdiction of the Municipal Transportation Agency or other City department or agency without a permit, agreement, or other authorization issued by the appropriate City department or agency authorizing the Mobility Device to be parked, left standing, or left unattended at that location except as otherwise provided in Division II of this Code. Mobility Devices parked, left standing, or left unattended in violation of this Section 7.2.110 constitute a public nuisance subject to abatement and removal pursuant to Article 26 of the Public Works Code, Sections 1600 et seq."

San Francisco Public Works Code Section 723 prohibits obstructing the public right-of-way and provides that "(i)t shall be unlawful for any person, firm or corporation, without permission from the Department of Works, to pile, cap or otherwise obstruct or place obstructions upon, above, or below, any public right-of-way..." "Public right-of-way" in Section 723 includes sidewalks. Section 723 provides that any violation also constitutes a public nuisance subject to citation and abatement including impoundment as set forth in Chapter 80 of the San Francisco Administrative Code.

In addition, parking Mobility Devices in a manner that impedes pedestrian traffic presents significant challenges for other sidewalk and street users, particularly for older adults or persons with disabilities, such as someone who is low vision or blind or someone who uses a mobility aid such as a wheelchair or cane.

Permittees and Authorized Operators must use this guidance to instruct customers on how to park a Mobility Device properly. In doing so, Permittees and Authorized Operators may use the following summary "do/don't" language. However, the Permittee or Authorized Operator's Mobility Devices will be subject to all parking requirements and guidelines described in this document. Additionally, please note that sidewalk riding, even while parking a Mobility Device, is dangerous and prohibited. Any and



all violations to these parking requirements may constitute violations of the terms and conditions of the applicable permit or POCA and may subject the Permittee or Authorized Operator to imposition of administrative penalties. Repeated and pervasive violations by a Permittee's or Authorized Operator's users may subject the Permittee or Authorized Operator to revocation of its permit or POCA.

Below are eleven general requirements for Mobility Device parking that Permittees and Authorized Operators must communicate to users and for which the Permittees and Authorized Operators will be responsible for violations by their respective users. Detailed parking requirements are included on the next page alongside each of these simplified guidelines and a do/don't summary.

When parking your Mobility Device on the sidewalk:

1. **Only park on the area of the sidewalk closest to the curb or in specially designated areas, such as bike racks.** Mobility Devices parked along the curb should be in line with and between fixed objects (trees, trash cans, bike racks, newspaper racks, etc.). Make sure to leave enough space for other sidewalk users to continue using those objects or amenities.
2. **Do** make sure that your Mobility Device is always parked upright.
3. **Do not** obstruct pedestrian space; ensure that your Mobility Device when parked does not protrude into the area where pedestrians will walk or roll.
4. **Do not** park at corners, on or in front of curb ramps, crosswalks, or anywhere two pedestrian paths of travel intersect. Mobility Devices left in these areas impede the area where pedestrians walk or roll.
5. **Do not** park on narrow sidewalks that are less than 9 feet wide. Parking Mobility Devices on narrow sidewalks impedes the area where pedestrians walk or roll.
6. **Do not** park against building facades. Mobility Devices left against buildings impede the path of travel, especially for blind or low-vision pedestrians who may use building facades to guide them.
7. **Do not** obstruct access to bus stops or areas where riders wait or get on/off the bus; loading zones marked by a yellow or white curb; or blue accessible parking spaces. Mobility Devices left in these areas block wheelchair ramps from being deployed, impede passenger access, and are a serious tripping hazard to everyone.
8. **Do not** obstruct access to fire hydrants or other fire hose access points, emergency exits, or utility boxes. Mobility Devices left in these areas impede emergency access.
9. **Do not** park in front of doors, driveways, ramps, stairs, handrails, blocking access to vehicle or bike lanes, near door entry systems, or other access points. Mobility Devices left in these areas impede the area where pedestrians walk or roll.
10. **Do not** park Mobility Devices in front of, on top of, or attached to sidewalk amenities and landscaping, such as seating areas, kiosks, ATMs, mailboxes, news racks, trash receptacles, benches, parklets, and planted areas or features, such as tree wells or planting strips. Mobility Devices left in these areas impede pedestrian access and may damage sidewalk amenities.



11. **Do not** park Mobility Devices in front of a permitted Shared Space, even if there is a bike rack present. Locking devices in these zones impedes the accessible path of travel to sidewalk and parking lane dining. This restriction is in effect **at all hours** to prevent locked vehicles from obstructing the path when a business opens for the day.

When parking at a bike rack:

1. **Do lock the Mobility Device securely.** Mobility Devices should be **upright, parallel to the rack** and **within the footprint** of the bicycle racks. Mobility Devices should not block the path of travel, access to other street furniture or amenities, or hang over the curb into the street.
2. **Do leave space for other riders** to use the bike racks. Park a maximum of two scooters or one bicycle on one side of each inverted U-rack. At larger corrals or in areas where there are multiple racks, only use 50% of the rack space total.
3. **Do not lock your Mobility Device to another vehicle on the rack.**

When riding your **Mobility Device on the Embarcadero Promenade**, (Between Third Street at Oracle Ballpark and the entry of Pier 45 in Fisherman's Wharf):

1. **Do ride in the bike lanes** along the Embarcadero.
2. **Do not ride on the Promenade path** of the Embarcadero. Riding a powered Mobility Device on the Embarcadero Promenade is a violation of Port Code.



5-6 Word Do/Don't Summary	Simplified summary of detailed requirements in the next column	Detailed Parking Requirements for Permittees/Authorized Operators/Riders
<b>Park Near the Curb</b>	<b>Do</b> place your Mobility Device on the area of the sidewalk closest to the curb or in specially designated areas, such as bike racks. The Mobility Device should be on a paved part of this area in line with and between fixed objects (such as trees, trash cans, bike racks, newspaper racks, etc.). Make sure to leave enough space for other sidewalk users to continue using those objects or amenities.	<ul style="list-style-type: none"> <li>• <b>Mobility Devices shall only be parked in the street furniture zone or within the footprint of a rack.</b></li> <li>• Mobility Devices may only be parked on hard surfaces within the furniture/furnishings zone (e.g. concrete, asphalt) between fixed objects.</li> <li>• The furnishings zone is defined as the area of the sidewalk where street furniture—such as light poles, signposts, street trees, USPS mailboxes, trash cans, et cetera—is placed. This zone is located between the pedestrian thoroughway and the curb. (Refer to Figure 1 for illustration.)</li> <li>• Mobility Devices shall not be parked on blocks where there is no furniture zone, except in cases where there are sidewalk racks or in-street bike racks available.</li> </ul>
<b>Park Device Upright</b>	<b>Do</b> make sure that your Mobility Device is securely parked upright when you leave it.	<ul style="list-style-type: none"> <li>• Mobility Devices that are parked in any orientation other than upright (i.e. leaning on an object or on their side) will be considered improperly parked.</li> </ul>
<b>Don't Obstruct Pedestrian Space</b>	<b>Do not</b> obstruct pedestrian space; ensure that your Mobility Device when parked does not protrude into the area where pedestrians will walk or roll.	<ul style="list-style-type: none"> <li>• Regardless of the width of the sidewalk, a parked Mobility Device should in no way obstruct the pedestrian space (Refer to Figure 2 and Figure 3 for illustration).</li> </ul>
<b>Don't Park at Corners or Blocking Curb Ramps</b>	<b>Do not</b> park at corners, on or in front of curb ramps, crosswalks, or anywhere two pedestrian paths of travel intersect.	<ul style="list-style-type: none"> <li>• Mobility Devices must be parked at least 15 feet from any incline portion of curb ramps.</li> <li>• Mobility Devices must be parked at least 15 feet from any street corner (defined as any curved portion of the curb where two or more streets intersect).</li> <li>• Mobility Devices must not be parked where two paths of travel intersect (e.g. a T-intersection). This includes the intersection of any walkways or paths.</li> </ul>
<b>Don't Park on Narrow Sidewalks</b>	<b>Do not</b> park on narrow sidewalks that are less than 9 feet wide (approximately three times the length of one Mobility Device).	<ul style="list-style-type: none"> <li>• Mobility Devices must not be parked on sidewalks that are less than 9 feet wide.</li> </ul>



<b>Don't Park Along Buildings</b>	<b>Do not</b> park against building facades.	<ul style="list-style-type: none"> <li>• Mobility Devices shall not be parked along building facades. (Refer to Figure 4 for illustration).</li> </ul>
<b>Don't Block Bus Stops and Loading Zones</b>	<b>Do not</b> obstruct access to bus stops or areas where riders wait or get on/off the bus or enter stations; loading zones marked by a yellow or white curb; or blue accessible parking spaces.	<ul style="list-style-type: none"> <li>• Mobility Devices must be parked more than 15 feet from curb-side bus zones, transit shelters, transit access points (e.g. stairs, elevators, escalators), yellow commercial loading, white pedestrian loading and blue accessible parking spaces/zones, except where bike parking is provided.</li> <li>• Mobility Devices must not be parked in or adjacent to MUNI transit stops, platforms, islands, stairs, escalators, or elevators.</li> <li>• Mobility Devices must not be parked adjacent to any blue accessible parking space, except where bike parking is provided. (Refer to Figure 5 for illustration).</li> </ul>
<b>Don't Block Fire Hydrants</b>	<b>Do not</b> obstruct access to fire hydrants or other fire hose access points, emergency exits, or utility boxes.	<ul style="list-style-type: none"> <li>• Mobility Devices must be parked at least 15 feet from fire hydrants or other fire hose access points, emergency exits, and cannot block access to utility boxes.</li> </ul>
<b>Don't Block Access Points</b>	<b>Do not</b> park in front of doors, door entry systems, driveways, ramps, stairs, or handrails, or blocking access to vehicle or bike lanes, or other access points.	<ul style="list-style-type: none"> <li>• Mobility Devices must not be parked in a manner that blocks access to driveways, stairs, doors, door entry systems, handrails, or other access points.</li> <li>• Mobility Devices must not block or be parked within six feet of building entrance controls, which include power door operator buttons, intercom speakers, handsets, keypads, card scanners, and turnstiles. (Refer to Figure 4 for illustration).</li> <li>• Mobility Devices must not be parked in bike lanes or vehicle lanes.</li> </ul>
<b>Don't Interfere with Sidewalk Amenities and Landscaping</b>	<b>Do not</b> park Mobility Devices in front of, on top of, or attached to sidewalk amenities and landscaping, such as seating areas, kiosks, ATMs, mailboxes, news racks, trash receptacles, benches, parklets, and planted areas or features, such as tree wells or planting strips.	<ul style="list-style-type: none"> <li>• Mobility Devices must not be parked in a manner that blocks access to sidewalk amenities such as seating areas, kiosks, ATMs, mailboxes, and news racks.</li> <li>• Mobility Devices must not block street furniture that requires pedestrian access (for example – trash receptacles, benches, mailboxes, or parking pay stations).</li> <li>• Mobility Devices must not be parked in or against landscaped portions of the public right-of-way, including parkways, planting/buffer strips, planters, tree wells/basins/grates, medians, and bioswales.</li> </ul>
<b>Lock Mobility Device securely to a bike rack.</b>	Lock the Mobility Device securely. It should be upright, parallel to the bicycle rack, and within the footprint of the rack.	<ul style="list-style-type: none"> <li>• Mobility Devices should not block the path of travel, access to other street furniture or amenities, or hang over the curb into the street.</li> </ul>



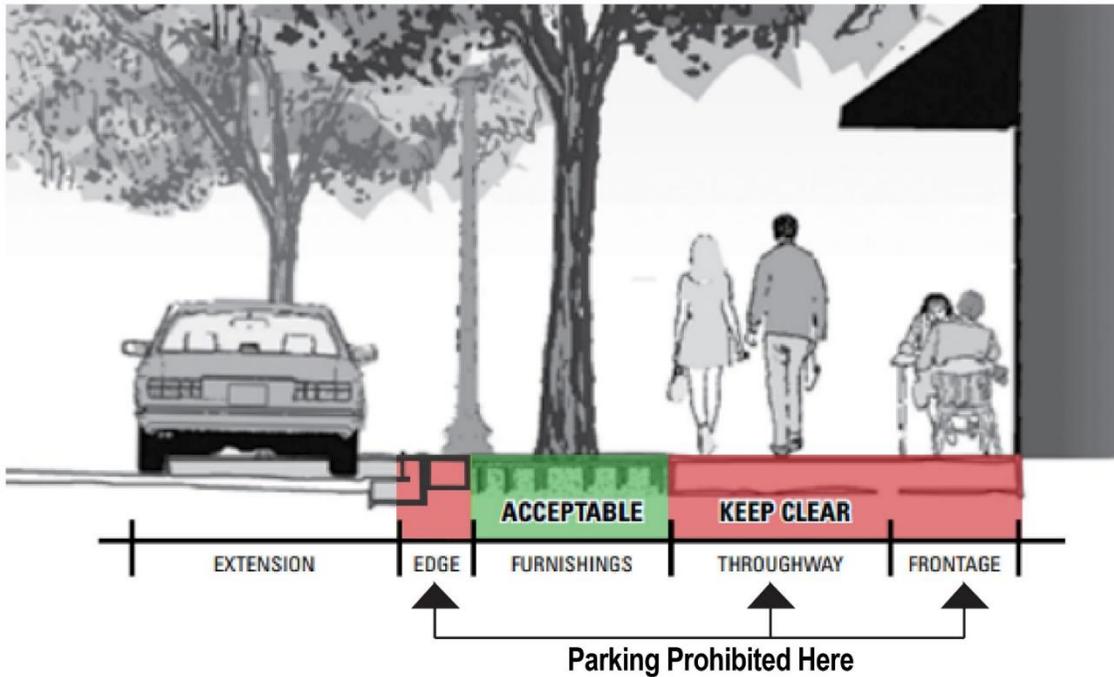
		<ul style="list-style-type: none"> <li>• Mobility Devices should be within the footprint of the rack. (Refer to Figure 6 for illustration).</li> </ul>
<b>Leave space for other riders on the bike rack.</b>	Ensure that shared mobility devices do not use all available bike parking.	<ul style="list-style-type: none"> <li>• Limit Mobility Devices to only one side of a rack. Park a maximum of two scooters or one bicycle on one side of each inverted U-rack to allow others to park on the opposite side.</li> <li>• When there are multiple racks in an area or in a single corral, shared Mobility Devices of all types may use a maximum of 50% of the racks.</li> </ul>
<b>Don't lock to other vehicles.</b>	When using the lock-to, be sure not to lock your Mobility Device to other vehicles or bikes.	
<b>Don't park in or adjacent to a Shared Space.</b>	Do not park in or adjacent to a Shared Space, even if there is a bike rack in the zone.	<ul style="list-style-type: none"> <li>• Locking devices in these zones impedes access to dining and retail areas. (Refer to Figure 7 for illustration).</li> <li>• Parking in the zone is not allowed at any hour of the day. This is to prevent locked vehicles from obstructing the path when a business eventually opens.</li> </ul>



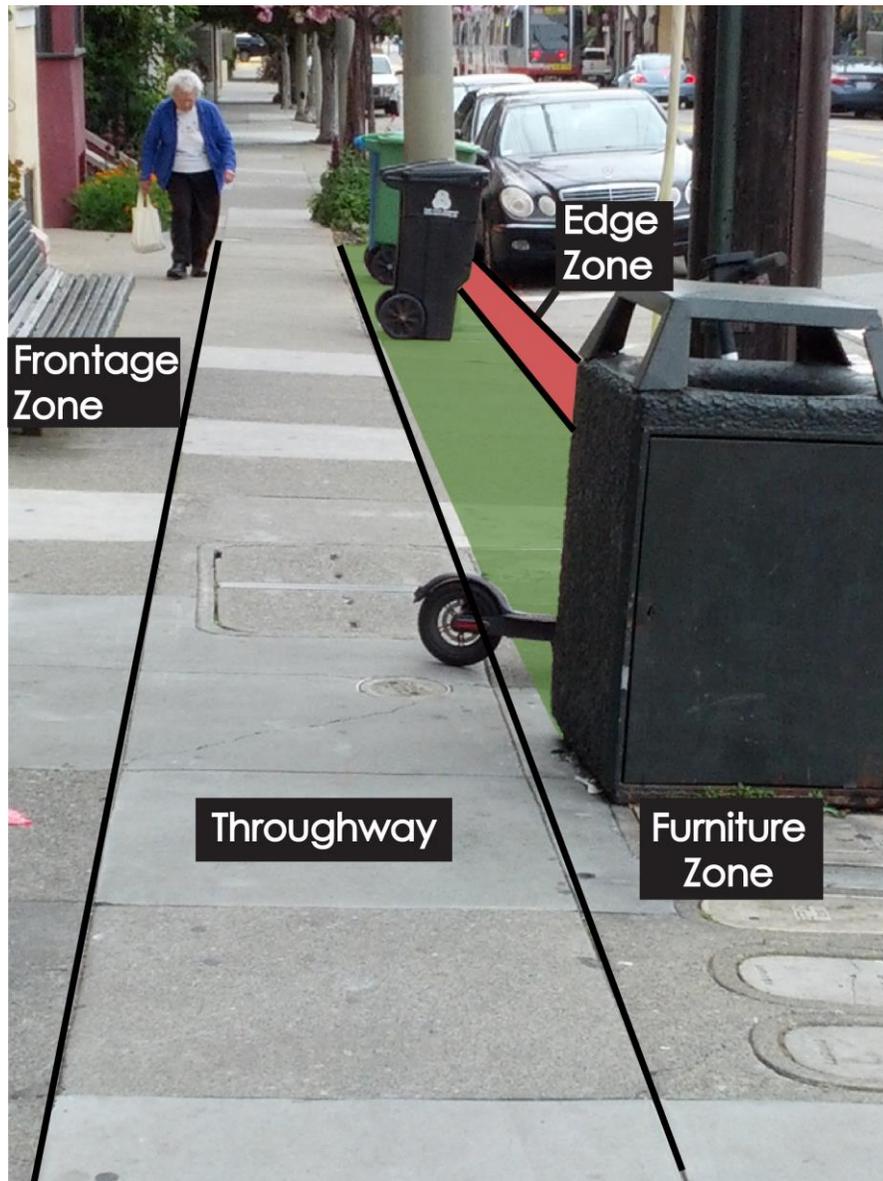
### **Enforcement of Parking Requirements on sidewalks:**

- Any Mobility Device belonging to a SFMTA Permittee or Authorized Operator that is parked improperly in violation of these parking requirements is subject to citation.
- In addition, upon notification by the City of any Mobility Device belonging to a SFMTA Permittee or Authorized Operator that is improperly parked, left standing, or unattended on any sidewalk, Street, or public right-of-way under the jurisdiction of the SFMTA or Public Works, the Permittee or Authorized Operator shall remove the Mobility Device within two hours. Any Mobility Device that is not removed by the Permittee or Authorized Operator may be removed by City staff and taken to a City facility for storage at Permittee's expense and may be subject to further citation as applicable.
- The SFMTA reserves the right to determine certain block faces where Mobility Device parking is prohibited and will notify an SFMTA Permittee or Authorized Operator in advance of the applicable parking restriction(s) in writing.
- In areas adjacent to any of the following locations, Mobility Devices shall be parked to provide a minimum clearance of 6 feet (with a maximum required clearance of 15 feet, as specified in the table above):
  - Parklets
  - Entrances and exits
  - Crosswalks (marked and unmarked)
  - Sidewalk areas at crosswalks
  - Street corners
  - Pedestrian Throughway Zone
  - Transit stops, platforms and islands
  - Loading Zones (white and yellow curbs)
  - Accessible parking spaces (blue curb)
  - Driveways
- Mobility Device parking may also be restricted in areas other than those under the jurisdiction of the SFMTA or Public Works subject to the determination and rules of the applicable jurisdiction.

Figure 1 – Location of Furnishing Zone Relative to Other Sections of the Sidewalk and Roadway. Typical Edge Zone width is 2 feet from the curb.



**Figure 2 – Furnishing Zone Illustration** - The area shaded in green illustrates the furniture zone where Mobility Devices are permitted to park. Note how the parked Mobility Device extends beyond the “shadow” of the trash can, and therefore extends outside of the furniture zone and would be considered incorrectly parked and subject to penalty.



**Figure 3 – Additional Furnishing Zone illustration** – This device also extends outside of the furnishing zone, impeding the thoroughway.



**Figure 4 – Building Façade Illustration** - Note how the parked Mobility Device is parked against the building façade, which impedes the path of travel, especially for blind or low-vision pedestrians. This Mobility Device also blocks the entrance to the building by requiring people entering or exiting the building to walk or roll around the device, causing an obstruction and potential tripping hazard.





**Figure 5 – Accessible Parking illustration** - Mobility Devices must be parked more than 15 feet from curb-side bus zones, transit shelters, transit access points (e.g. stairs, elevators, escalators), yellow commercial loading, white pedestrian loading and blue accessible parking spaces/zones, except where bike parking is provided. Mobility Devices must not be parked adjacent to any blue accessible parking space. Note that the pictured device is parked adjacent to a blue zone, which can impede loading and unloading.



**Figure 6 – Footprint of the Rack Illustration** – The devices shaded in green depict devices parked within the footprint of the rack. The device shaded in red depicts a device parked outside of the footprint, which is considered improper. By parking outside of the rack footprint, devices impede the path of travel.





**Figure 7 – Shared Spaces Illustration** – The zones shaded in red are part of the Shared Spaces Program. Mobility Devices should not be parked in or adjacent to a Shared Space at any hour of the day. [Shared Spaces](#) is a multi-agency program of San Francisco’s [Economic Recovery Task Force](#) that allows merchants and community groups to use sidewalks, full or partial streets, and other nearby public spaces like parks, parking lots and plazas, for restaurant pick-up and other neighborhood retail activities allowed under San Francisco’s Public Health Orders. A map of zones may be found on [SFMTA.com](#)





## Appendix 2

### Powered Scooter share Program Permit: Additional Powered Scooter Share Parking and Riding Requirements

The terms and conditions of the Powered Scooter Share Permit require that a Permittee "shall be responsible for educating their employees and Powered Scooter Share users regarding state and local laws governing the safe operation and parking of Powered Scooters in San Francisco."

The wide distribution of the "Lock-To" solution has led to the need for additional guidance on scooter parking, particularly at bicycle racks and other public amenities.

Below are additional guidelines for scooter parking and riding to be communicated to riders, employees, and contractors, followed by a Do/Don't summary.

When parking your scooter,

1. **Do lock the scooter securely.** Scooters should be **upright, parallel to the rack** and **within the footprint** of the bicycle racks. Scooters should not block the path of travel, access to other street furniture or amenities, or hang over the curb into the street.
2. **Do leave space for other riders** to use the bike racks. Park a maximum of two scooters on one side of each inverted U-rack. At larger corrals or in areas where there are multiple racks, only use 50% of the rack space total.
3. **Do not lock your scooter to another vehicle on the rack.**

**When riding your scooter on the Embarcadero** Promenade, (Between Third Street at Oracle Ballpark and the entry of Pier 45 in Fisherman's Wharf):

1. **Do ride in the bike lanes** along the Embarcadero.
2. **Do not ride on the Promenade path** of the Embarcadero. Riding on the Embarcadero Promenade is a violation of Port Code.



<b>Do/Don't Summary</b>	<b>Parking Requirements for Laypersons</b>	<b>Detailed Parking Requirements for Permittees/Riders</b>
Lock scooter securely.	Lock the scooter securely. It should be upright, parallel to the bicycle rack, and within the footprint of the rack.	Scooters should not block the path of travel, access to other street furniture or amenities, or hang over the curb into the street.
Leave space for other riders.	Ensure that shared mobility devices do not use all available bike parking.	<ul style="list-style-type: none"> <li>• Park a maximum of two (2) scooters per inverted-U-rack or</li> <li>• Limit scooters to only one side of a rack.</li> <li>• When there are multiple racks in an area or in a single corral, scooters may use a maximum of 50% of the racks.</li> </ul>
Don't lock to other vehicles.	When using the lock-to, be sure not to lock your scooter to other vehicles or bikes.	



## Appendix 3

# Powered Scooter Share Program Permit: Community Engagement Guidelines and Requirements

### **OVERVIEW**

This document provides guidance for the Community Engagement Plan to be submitted as part of the Permit Application for the SFMTA Powered Scooter Share Permit Program. These guidelines and requirements instruct applicants on how to meet public accountability requirements, conduct community outreach, and develop programs for engagement and partnership. Permittees shall be responsible for implementing their Community Engagement Plans for the duration of the permit.

### **PURPOSE**

The SFMTA is committed to inclusive public outreach to ensure that the public is informed and involved in agency decisions that affect their communities. Objective 3.1 of the SFMTA's Strategic Plan describes this commitment to equity and engagement:

***Objective 3.1:*** Use agency programs and policies to advance San Francisco's commitment to equity.

*The SFMTA is committed to operating an equitable transportation system that contributes to the fair treatment, access, opportunity, and advancement of all people. The agency will continue to look for effective strategies to understand communities' priorities and ensure the full participation of groups that have experienced systemic oppression.*

To ensure Powered Scooter Share services meet this objective, applicants are required to submit Community Engagement Plans. Permittees shall implement the plans during the term of the permit. Plans should go beyond simple informational outreach, toward a coordinated multipronged system of meaningful participation with a variety of community groups to reach Powered Scooter Share users and non-users alike.

Outreach efforts proposed under the Community Engagement Plan are intended to create shared platforms for permittees and community members to understand the benefits and challenges of Powered Scooter Share services, generate open dialogue on community priorities and the impacts of powered scooters, and source potential solutions to strengthen the program. Permittees shall address community needs and incorporate stakeholder feedback to the extent possible. Particular attention should be given to ensuring that low-income neighborhoods, communities of color, and historically marginalized areas are adequately served.



The Community Engagement Plan shall accomplish the following:

1. Provide the public with comprehensive, well-communicated information;
2. Ensure that community concerns are regularly heard and considered; and,
3. Incorporate community feedback and priorities to the maximum extent possible through partner-ready programs.

### **COMMUNITY ENGAGEMENT PLAN REQUIREMENTS**

Applicants' community engagement plans shall confirm and describe the following elements:

- **Multilingual communications services**, including a website maintained in languages determined by the SFMTA, a call center, and a mobile application customer interface that is available 24 hours a day, seven days a week. Community outreach materials shall be made available in languages specified by the SFMTA.
- **A communications strategy routinely updated upon any service change**, related to pricing, service area, devices, membership programs, or operations. The strategy should provide the public with comprehensive, up-to-date information. Updates will appear on social media, and be logged in a searchable service change updates page on the operator website, along with a browsable record of all previous updates.
- **Strategy to incorporate community input into Adaptive Scooter Pilot Plan**, as it pertains to the development of Adaptive Scooter devices, and their deployment. Strategy shall center feedback from and collaboration with people with a range of disabilities, demonstrate how input was incorporated, and provide details on the selection and/or development of the Adaptive Scooter to be deployed.
- **Maintain a shared database for community feedback concerns** in a searchable format as designated by and shared with the SFMTA, to be regularly monitored, considered, and addressed.
- **Expand outreach beyond current users or target market** to gain insight into how scooter share impacts non-users, and their larger communities and neighborhoods. Strategy shall prioritize equitable outreach practices to center voices of those from low-income communities, communities of color, and other historically marginalized groups.
- **An annotated record of community engagement efforts** in the form of a searchable log of meetings with agendas, discussion notes, and comments from community stakeholders, and explanation of how the permittee responded.
- **A community engagement staffing plan** with key staff specifically dedicated to community engagement, including relevant experience and their specific role for outreach. Staffing plans should also indicate how consultant and/or non-profit partners will be used to supplement outreach efforts (if applicable). Any updates to these teams should be tracked in regular updates to the staffing plan.



- **A culturally sensitive marketing plan** tailored to neighborhoods by developing culturally sensitive approaches. Specific attention to Communities of Concern and cultural districts should consider language needs, offer opportunities to meaningfully incorporate cultural heritage, and address how programs reflect community sensibilities and the unique cultural landscapes of these areas.
- **Partner-ready programs** with established process, dedicated staff, and proper resources, that engage communities in the following areas:
  - Local hiring to facilitate employment of San Francisco and other Bay Area residents for all levels within the permittee’s company, with special attention to generate employment opportunities for formerly incarcerated people and immigrant communities, along with internship opportunities for youth and other people entering the work force.
  - Community Based Organization access to promote low-income programs or discounted memberships, especially for service and/or non-profit organizations.
  - Scooter safety courses offered at least quarterly in multiple languages, and in neighborhoods as requested.
  - Culture and arts opportunities for devices and other related infrastructure (e.g. bike corrals) to showcase and celebrate neighborhood and community heritage on an application basis.
  - Local small business promotional opportunities, that celebrate long-time small business merchants to generate foot-traffic and commercial activity related to active living, transportation, health and recreation.

## **RECOMMENDED ENGAGEMENT PROCESS**

While not required, the following guidelines outline a few best practices that can be applied to the above requirements, as well as a suggested outline for robust engagement processes.

- **Step 1. Prepare & Plan**  
Identify the outcomes, measures, and deliverables your efforts will strive to generate.
- **Step 2. Partner Up**  
Identify and establish working partnerships with community-based organizations and neighborhood associations that serve affected communities and stakeholders.
- **Step 3. Reach Out**  
Contact business owners, residents, and other stakeholders. Go where the people are: reach out at pre-existing local meetings, community centers, and weekend events.
- **Step 4. Diversify Activities**  
Define and clearly communicate objectives and parameters. It’s best to listen first, then conduct other activities such as workshops, focus groups, and collaborative meetings.
- **Step 5. Analyze & Act**  
Evaluate notes and materials gathered through outreach. Summarize, share back, and create a plan to implement actionable findings.



**Additional best practices include, but are not limited to:**

- Begin outreach processes with a series of public ‘listening sessions’ throughout San Francisco to solicit input that can be incorporated into the company’s operations early in the permit period;
- Establish a ‘Community Board’ comprised of members of the public representing various neighborhoods and community groups, with meeting minutes and key takeaways to be shared with the SFMTA;
- Hold public outreach sessions outside of traditional work hours, or on weekends;
- Identify existing community meetings or events, and inquire about holding outreach sessions at those times and locations;
- Provide complimentary food, and/or childcare during meetings;
- Be clear about what you are seeking feedback on, and what is not subject to change;
- Clearly communicate major takeaways and next steps: how will feedback be incorporated, and/or how will updates be communicated back to the community.

**COMMUNITY ENGAGEMENT PLAN EVALUATION**

The SFMTA will continuously assess and evaluate a permittee’s engagement and compliance with their submitted community engagement plan for the duration of the permit.

Successful plans will develop a variety of outreach strategies to connect with a range of community groups, and work towards building healthy, collaborative working relationships with willing and engaged stakeholders. Business practices and service provision should directly address and respond to community concerns by incorporating public feedback into programs and operations when feasible.

**PARTNERING ORGANIZATION EXAMPLES**

Examples of organizations with which to engage for feedback, and to consider for partnerships include, but are not limited to:

- |  |  |  |
|--|--|--|
| • BMAGIC   | • Excelsior Action Group                         | • PODER  |
| • Calle 24   | • Excelsior Works                                | • Safe Passage   |
| • Chinatown<br>Community<br>Development<br>Corporation | • Filipino-American<br>Development<br>Foundation | • SF Rising  |
| • Chinese for<br>Affirmative Action                    | • Healthy Southeast                              | • SOMA Pilipinas   |
| • Chinese Newcomers<br>Association                     | • Mission Asset Fund                             | • SOMCAN   |
| • Chinese Progressive<br>Association                   | • Mission Economic<br>Development<br>Association | • Tenderloin<br>Community Benefit<br>District              |
| • Daylaborer<br>Association                            | • Mission<br>Neighborhood<br>Centers             | • Tenderloin<br>Neighborhood<br>Development<br>Corporation |
| • Senior Disability<br>Action                          | • MoMAGIC  | • The Village Project                                      |
|  | • Independent Living<br>Resource Center          | • United to Save the<br>Mission                            |
|  |  | • Mayor’s Office on Disability                             |



## Appendix 4

# Powered Scooter Share Program Permit: Data Reporting Guidelines and Requirements

### OVERVIEW

This document describes the SFMTA's data reporting requirements, and shares examples of requested metrics and reporting standards specific to the Powered Scooter Share Permit Program. The SFMTA may request from permittees additional information in other forms (e.g., survey of users) as part of the terms and conditions of the permit program. These guidelines are consistent with San Francisco's Guiding Principles for Emerging Mobility Services and Technologies (Guiding Principles), which aim to ensure that scooter share programs are held accountable to supporting the City's commitment to improving quality of life and the environment by, among other things, reducing greenhouse gas (GHG) emissions, prioritizing affordable, low-impact mobility options, and improving accessibility throughout the City.

### PURPOSE

The SFMTA is committed to providing safe, reliable, sustainable, and equitable transportation choices for the public, now and in the future. The SFMTA's Guiding Principles demonstrate how this commitment relies on best practices concerning accountable and transparent data reporting:

***Accountability:*** *Emerging Mobility Services and Technologies providers must share relevant data so that the City and the public can effectively evaluate the services' benefits to and impacts on the transportation system and determine whether the services reflect the goals of San Francisco.*

***Collaboration:*** *Emerging Mobility Services and Technology providers and the City must engage and collaborate with each other and the community to improve the City and its transportation system.*

Collecting real-time data, in addition to other periodic data reporting requirements, will enable the SFMTA to analyze data to support:

- Managing permittees and operating permit programs;
- Enforcing permittee's adherence to permit terms and conditions;
- Evaluating permit programs; and
- Collecting data to support planning efforts consistent with the agency's strategic goals.

Success in these areas is highly dependent on SFMTA staff having access to properly structured data in a timely manner. Towards that end, permittees will be required to share data with the SFMTA via a set of Application Programming Interfaces (APIs) described in the "Real-Time Data Requirements" section of this document. The SFMTA requires this data to manage the public right-of-way and support the agency's strategic goals. While this data is de-identified and anonymized, the SFMTA recognizes that some of this data may be considered sensitive and will aggregate data temporally and spatially when sharing this information outside of the agency.



## **MONTHLY REPORTING GUIDELINES**

The following metrics are a non-exhaustive list demonstrating examples of data that may be requested by the SFMTA, roughly organized by the Guiding Principles. The SFMTA will provide a spreadsheet template that will identify the metrics and for the permittees to complete each month.

### **Baseline Operations**

- Users: Number of unique users, etc.
- Trips: Daily number of trips, number of trips per device per day, average triplength, average trip cost, etc.
- Revenue Hours: Daily revenue hours, total daily available hours, etc.
- Evaluation Metrics:
  - Average number of weekday trips per month
  - Number of trips by month
  - Number of unique users by month
  - Daily revenue hours (available & trip time)
  - Average trip length
  - Average trip cost
  - Average utilization rate (trip time over revenue hours)

### **Safety**

- Collision Log
  - Collision Info: Date, time, street location (GPS, reported address, or cross-streets), intersection (y/n), etc.
  - Member Info: Date of birth, gender, etc.
  - Collision Severity: Third-party involvement (y/n), vehicle types involved, reported injury (y/n), severity of injury, helmet use (y/n), hospital visit (y/n), etc.
    - Note: Severity classifications should align with definitions from the American National Standard [Manual on Classification of Motor Vehicle Traffic Crashes](#) to the extent possible.
  - Source: Reported by (member, observer, etc.), police case number, etc.
  - Evaluation Metrics:
    - Number of collisions per 100,000 scooter miles
    - Total number of collisions by severity (incl. DPH and PD reported)
    - Total number of moving citations (not yielding, speeding, etc.)
    - Number of safety trainings
- Safety Training Log & User Compliance
  - Training Info: Date, location, company representatives, hosting organization, training type, description, etc.
  - Citation Info: Number of citations (moving, parking, etc.)
  - Evaluation Metrics:
    - Total number of moving citations (not yielding, speeding, etc.)
    - Number of safety trainings



- Complaints Log
  - Ticket Info: Ticket ID, date, time, location, 311 case, etc.
  - Complaint Info: Type, nature of complaint, minutes until response, etc.
  - Source: Mobile app, website, call, email, etc.
  - Evaluation Metrics:
    - Number of complaints about scooters in motion, scooters parked
    - Number of 311 and other complaints about safety requirements

## Equitable Access

- Low-Income Participation
  - Usage: Number of low-income memberships per month, number of unique users who live in Key Neighborhoods as defined in the Distribution Guidelines and Requirements, number of trips on low-income plan per month, average revenue hours, etc.
  - Cash Option: Number of trips facilitated through cash payment, average cost of trips facilitated through cash payment, etc.
  - Evaluation Metrics:
    - Percentage of total active users enrolled in low-income plan
    - Percentage of eligible active users enrolled in low-income plan
    - Percentage of total trips taken on low-income plan or with cash payment option per month
    - Average utilization rate (trip time over total revenue hours) in Key Neighborhoods vs. total service area
    - Average cost of trips facilitated through cash payment
- Distribution & Access
  - Distribution: Percent coverage, minimum threshold, number of days 40% fleet cap is not exceeded in Downtown Core, etc.
  - Usage: Number of trips per scooter per day in Key Neighborhoods
  - Evaluation Metrics:
    - Average daily percent coverage by month
    - Percent of days/month permittee complied with minimum threshold, and Downtown Core fleet cap
    - Trips/scooter/day in Key Neighborhoods vs. entire service area

## Disabled Access

- Adaptive Scooter Pilot
  - Availability: Number of available adaptive scooters, average cost of adaptive scooter trip, etc.
  - Usage: Daily number of adaptive trips, number of trips/device/day, etc.
  - Revenue Hours: Daily revenue hours of adaptive devices, etc.
  - Evaluation Metrics:
    - Number of trips per average weekday by month
    - Number of trips by month
    - Number of unique users by month
    - Percent of monthly revenue hours comprised of adaptive scooters
    - Average cost of adaptive trip vs. non-adaptive trip
    - Average utilization rate (trip time over revenue hours)



- Accessibility
  - Accountability: Number of trips ending with devices safely parked in designated areas, number of parking citations, etc.
  - Complaints: Number of parked scooter citations, number of complaints (by mis-parked devices and sidewalk riding), etc.
  - Responsiveness: Median response time to resolve right-of-way or incorrect parking complaints
  - Evaluation Metrics:
    - Percentage of trips ending with safely, correctly parked devices
    - Number of parked scooter citations per month
    - Median response time to improperly parked scooters

## **Sustainability**

- Operational Activities
  - Number of trips generated by redistributing, recharging, and other operational activities monthly (by vehicle type and fuel efficiency)
  - Vehicle Miles Traveled (VMT) for operational activities monthly (by vehicle type, fuel type, and average fuel efficiency)
    - Reported for both employees and independent contractors
  - Evaluation Metrics:
    - Total device revenue VMT
    - Total non-revenue VMT by vehicle type
- Energy Source & Use
  - Source: Source/provider(s) of electricity used to recharge scooters, and the location(s) where charging occurs, location of battery disposal, etc.
  - Energy Use: Average kilowatt hours per mile per scooter, average lifespan of scooters, number of batteries disposed, etc.
  - Evaluation Metrics:
    - Fleet-wide average number of kilowatt hours/mile/scooter
    - Fleet-wide average lifespan of scooters
    - Percentage of devices beyond repair
    - Percentage of devices lost/stolen
    - Number of batteries disposed

## **Accountability**

- Maintenance Reporting
  - Maintenance ID, date, time, device ID, maintenance type
- Financial Responsibility
  - Number of citations and other fees paid to the City within 15 days
  - Evaluation Metrics:
    - Percentage of parking citations and other fees paid per month



## Labor

- Labor Best Practices
  - Fair Pay: Net hourly median earnings for field workers minus job-related expenses, net value of mobility service operator benefits (by employee vs. independent contractor), etc.
  - Local Hire: Number of total employees, number of employees with Bay Area residency 7+ years (by employee vs. independent contractor), etc.
  - Evaluation Metrics:
    - Net hourly median earnings minus job-related expenses
    - Percentage of employees with Bay Area residency 7+ years
    - Percentage of contractors with Bay Area residency 7+ years

## Collaboration

- Outreach Database
  - Event Info: Date, location, company representatives, hosting organization, type, safety training (y/n), outreach description, etc.
  - Evaluation Metrics:
    - Number of community outreach events
    - Hours of community outreach events

## **REAL-TIME DATA REQUIREMENTS**

### MDS

Permittees must provide to the SFMTA a data sharing API compatible with the Mobility Data Specification (MDS) v 0.3.2. This specification is detailed at:

<https://github.com/CityOfLosAngeles/mobility-data-specification>

Only endpoints in the MDS Provider API are required. Data must be exposed for all devices operating within the City of San Francisco, and not just the permittee's service area. Permittees will retain data and keep it accessible via all required endpoints for at least two years after it is obtained.

### GBFS

In accordance with MDS, permittees must expose a public GBFS feed. If authentication is required, permittees must provide instructions that can be posted on the SFMTA website to guide the public on how to obtain the appropriate token or credentials.



## Appendix 5

### Powered Scooter Share Program Permit: Distribution Guidelines and Requirements

Updated October 15, 2020

#### **OVERVIEW**

This document provides requirements for the distribution of powered scooter devices, and includes guidelines for service in specific neighborhoods, to be submitted as part of the Powered Scooter Share Program Permit Application. Permittees must structure operations in accordance with these guidelines to offer comprehensive service such that powered scooters may be a safe, equitable and reliable travel option in San Francisco.

#### **PURPOSE**

Major commute and land use patterns tend to create an imbalance in shared fleet distribution toward a central business district. The SFMTA recognizes that rebalancing scooters is crucial to successfully integrate them into San Francisco's broader transportation system and to avoid clutter that makes the pedestrian right of way inaccessible.

This imbalance can compound a lack of transportation options in historically underserved communities. Deliberate redistribution is required to support the Powered Scooter Share Program in achieving its equity goals, and to ensure this service is a convenient travel option throughout San Francisco.

The SFMTA's Distribution Requirements seek to accomplish the following:

1. Make powered scooter share a convenient travel option throughout the City to complement fixed transit service by serving as a last-mile solution;
2. Make powered scooter share a reliable transportation option for trips outside of regular commute times and patterns;
3. Make powered scooter share a viable transportation option in Key Neighborhoods that encompass Communities of Concern<sup>1</sup> that have been historically underserved by travel mode options; and,

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<sup>1</sup>The Metropolitan Transportation Commission (MTC) defines Communities of Concern (CoCs) as census tracts that have a concentration of both minority and low-income residents, or that have a concentration of low-income residents and any three or more of the following six disadvantage factors: persons with limited English proficiency, zero-vehicle households, seniors aged 75 years and over, persons with one or more disability, single-parent families, and renters paying more than 50 percent of their household income on housing.



4. Establish metric-based practices, which allow the SFMTA to dynamically regulate and actively manage operators in order to establish Powered Scooter Share as a reliable transportation option, while minimizing negative impacts such as cluttered and inaccessible sidewalks. Note that the metrics in the Distribution Guidelines and Requirements (such as the Minimum Thresholds and cap on scooters in the Downtown Core) were developed based on a fleet size of 1,000 scooters and shall be scaled according to permitted fleet size.

### **Service Areas**

This section describes the service area and distribution requirements, which are primarily intended to prevent an over-concentration of scooters in the Downtown Core, and to ensure that rebalancing operations provide service availability in Key Neighborhoods, which include Communities of Concern that are outside the downtown core.<sup>2</sup> Each category is subject to the three Distribution Metrics (Percent Coverage, Minimum Thresholds, and Trips per Scooter per Day) detailed on page 3 of this document, and the corresponding Minimum Threshold tables based on the applicable fleet size.

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<sup>2</sup> Communities of Concern within Key Neighborhoods include Mission, Western Addition, Bayview-Hunter's Point, Visitacion Valley, Portola, Outer Mission, Excelsior, and Oceanview. A map of Communities of Concern can be found [here](#).



The Powered Scooter Share Service Area Map provides geographic boundaries of these categories. The light blue area in the Service Area Map constitutes the Core Service Area. The Service Area Map can be found [here](#).

Core Service Area – Permittees must provide service to the Core Service Area upon permit issuance, as designated in the Service Area Map.

*Downtown Core* – No more than 400 devices per 1,000 permitted scooters shall be deployed within the Downtown Core at any time to prevent an over-concentration of scooters and to encourage availability in communities outside downtown with fewer mobility options. The fleet cap in the downtown core will scale with expanded fleet sizes, increasing by 100 for each additional 500 permitted scooters.

*Key Neighborhoods (includes Mission, Western Addition, Bayview- Hunter’s Point, Visitacion Valley, SFSU, Ingleside, and Excelsior)* – Permittees must provide the minimum number of scooters as specified in the Minimum Threshold Table, and maintain at least 75% coverage for 75% of the time between 6am and 10pm in the Key Neighborhoods outside the Downtown Core as defined in the Service Area Map.

Expanded Service Area<sup>3</sup> (includes Richmond, Sunset, and Presidio) – Permittees may be authorized to extend service to Expanded Service Areas, as designated in the Service Area Map, at permit issuance, or contingent upon approved fleet expansion(s) issued during the term of the permit.<sup>4</sup> Note that permittees will be held to the percent coverage threshold (75% coverage for 75% of the time) for any and all portions of the Expanded Service Area served.

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<sup>3</sup> Twin Peaks is not included due to device limitations on hilly terrain. Powered Scooter Share Operators may petition to the SFMTA to serve this area; however, no percent coverage or minimum thresholds will be required.

<sup>4</sup> In order to secure fleet expansion authorization after launch, permittees must meet the criteria under the ‘Fleet Expansion’ section of these guidelines, which may be amended by the SFMTA.



### **Required Fleet Deployment Threshold**

Permittees shall consistently maintain 50% or greater deployment of their total permitted fleet size. On a daily basis, the SFMTA will calculate powered scooter deployment as the total number of scooters in the entire service area, multiplied by the number of minutes they are available for hire or in-use, divided by the total number of scooters permitted, across the hours of 6:00 am to 10:00 pm. The goal of this is for operators to reliably deploy more than half their permitted fleet, and to ensure an adequate level of customer services for riders. Any operator who fails to meet this threshold for 25 days out of any 30 consecutive-day period may be found in violation of the permit terms and conditions.

### **Distribution Metrics**

Three key metrics will help to guide operational distribution:

#### **A. Percent Coverage**

Permittee's deployment of Powered Scooters within the entire Service Area will need to meet a Percent Coverage target determined by the SFMTA. Percent Coverage is calculated by summing the total area covered by a quarter-mile radius buffer around each scooter in a service area and dividing that sum by the total service area. The initial target will begin at 50% coverage for 75% of the time between 6:00 am and 10:00 pm. This metric may also be extended to Expanded Service Areas served by the permittee. Key Neighborhoods will also have Percent Coverage targets as outlined in the Service Areas section.

#### **B. Minimum Thresholds**

The table below identifies the minimum required thresholds of scooters expected to be deployed in Key Neighborhoods. Minimums are approximately twice the number of scooters required to achieve 100% coverage at any given point in time. Permittees shall ensure that the minimum number of scooters is consistently available for each specified service area. Given movement of the fleet throughout the day, minimum thresholds are likely to be significantly lower than the anticipated numbers required to satisfy percent coverage targets over the course of the day.

#### **C. Trips per Scooter per Day**

For system monitoring, the SFMTA will regularly measure trips/scooter/day in order to assess whether fleet size appropriately matches demand and usage. The SFMTA will divide each day's total number of trips by the total deployed fleet, which is intended to incentivize permittees to utilize their total cap and provide consistent service. This metric will be calculated for total operations, as well as for each Service Area subarea (i.e. Key



Neighborhoods). The SFMTA will also monitor trips/scooter/day starting or ending in Key Neighborhoods and/or Communities of Concern and may develop targets for each community after program launch.

**Minimum Threshold Table (Fleet of 1,000 Scooters)**

<b>Core Service Area Thresholds</b>		
Downtown Core	Min. Number of Scooters	Area (sq. mi)
Downtown Core	**No more than 400 scooters	3.9
<b>Key Neighborhoods</b>		
Mission	19	1.8
SE Neighborhoods Bayview - Hunters Point - Vis. Valley	51	5.0
SW Neighborhoods SFSU - Ingleside - Excelsior	47	4.6
Western Addition	5	0.5



## **Fleet Expansion**

The SFMTA may consider expanding a permittee's maximum permitted fleet size if the permittee demonstrates consistent deployment of the existing permitted fleet and meets several other equity-based metrics and standards described below. Requests for expansion may only be for 500 scooters per request. Permittees may petition to the SFMTA for an expansion of their permitted fleet no more than once every two months. The SFMTA may also request that permittees expand their fleets to serve as mutual aid for transit and to help meet travel demand during the Covid-19 emergency referenced in the Proclamation of the Mayor Declaring the Existence of a Local Emergency dated February 25, 2020 ("Covid-19 Emergency"). Should the SFMTA grant a request for expansion, such permission is conditional based on the permittee's continued demonstrated compliance with permit terms and conditions as determined by the SFMTA.

The SFMTA may consider the following metrics and standards, among others, when considering whether to grant fleet expansion, but criteria are subject to change.

### Fleet Deployment

Permittees shall demonstrate consistent, reliable service. Permittees must deploy at least 70% of their total permitted fleet size, ensuring that they do not exceed the Downtown Core device cap, for 15 out of any 30 consecutive-day period, in order to be considered for fleet size expansion. Methods to avoid overcrowding of scooters in high demand areas can include, but are not limited to, variable pricing, and scooter valet service.

### Equitable Distribution

Permittees must consistently meet all equitable distribution targets (i.e. Minimum Thresholds) in order to be considered for fleet size expansion. This will include compliance with Minimum Threshold targets in Key Neighborhoods.

### Low-Income Plan Participation

Permittees should maintain a certain target for low-income plan participation as determined by the SFMTA. The initial target is one low-income plan subscription per every two permitted scooters.

### Labor Harmony

The SFMTA will monitor commitments made in each permittee's submitted Labor Harmony plan. Permittees are required to report on compliance with commitments made in these plans and must provide an update of any changes to their plans. The SFMTA will review and confirm this information prior to granting a fleet size increase.

### Complaints Database

Each permittee must maintain a database containing all public complaints and comments related to poor user behavior (e.g. sidewalk riding) and track case status through complaint resolution. This



database shall be shared with the SFMTA in a format as determined by the Agency, and must provide documentation of enforcement for unsafe and/or illegal rider behavior, including evidence that the permittee is investigating and taking all complaints seriously, and following the penalty structure as defined in their permit application. Permittees must maintain and update this database, to the Agency's satisfaction, prior to the SFMTA granting a fleet size increase.<sup>5</sup>

#### Compliance Reports

Each permittee must provide compliance reports to the SFMTA three-month intervals during the permit term. The reports must document compliance with the permit Term and Conditions, to the Agency's satisfaction, with an emphasis on rider accountability requirements, prior to the SFMTA granting a fleet size increase. Rider accountability requirements are included in, but not limited to, permit Terms and Conditions #46- #50.

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<sup>5</sup>The SFMTA reserves the right to audit this information to ensure accuracy prior to granting a fleet size increase per number 7 of the Permit Terms and Conditions. Additionally, the SFMTA may perform periodic audits or review the complaints to ensure continued compliance.



Life-Cycle Analysis

Permittees must submit a completed lifecycle analysis, as specified in the Sustainability Guidelines and Requirements, prior to the SFMTA granting a fleet size increase.

Adaptive Scooter Pilot

In order to increase fleet size, Permittees should demonstrate that they have achieved one of the following regarding their Adaptive Scooter Pilot Plan: increased number of users or increased number of trips.

**Minimum Threshold Table (Fleet of 1,500 Scooters)**

<b>Core Service Area Thresholds</b>		
Downtown Core	Min. Number of Scooters	Area (sq. mi)
Downtown Core	**No more than 500 scooters	3.9
<b>Key Neighborhoods</b>		
Mission	29	1.8
SE Neighborhoods Bayview - Hunters Point - Vis. Valley	77	5.0
SW Neighborhoods SFSU - Ingleside - Excelsior	71	4.6
Western Addition	8	0.5
Inner/Central Richmond (west of Divisadero)	42	2.7
Inner/Central Sunset & Haight	18	1.2

The table above shows the minimum thresholds in Key Neighborhoods for a fleet of 1,500 scooters, corresponding to this [service area map](#). Note that specific thresholds and geographies are subject to change at SFMTA’s sole discretion and will be confirmed when the permit is modified to reflect the expanded fleet.



**Minimum Threshold Table (Fleet of 2,000 Scooters)**

<b>Core Service Area Thresholds</b>		
Downtown Core	Min. Number of Scooters Area (sq. mi)	Downtown Core
Downtown Core	**No more than 600 scooters	3.9
Key Neighborhoods		
Mission	37	1.8
SE Neighborhoods Bayview – Hunters Point – Vis. Valley	102	5.0
SW Neighborhoods SFSU – Ingleside – Excelsior	94	4.6
Western Addition	10	0.5
Richmond District	75	3.7
Sunset District	120	5.9

The table above shows the minimum thresholds in Key Neighborhoods for a fleet of 2,000 scooters, corresponding to [this service area map](#). Note that specific thresholds and geographies are subject to change at SFMTA’s sole discretion, and will be confirmed when the permit is modified to reflect the expanded fleet.

**Minimum Threshold Table (Fleet of 2,500 Scooters)**

<b>Core Service Area Thresholds</b>		
Downtown Core	Min. Number of Scooters	Area (sq. mi)
Downtown Core	**No more than 700 scooters	3.9
Key Neighborhoods		
Mission	48	1.8
SE Neighborhoods Bayview - Hunters Point - Vis. Valley	128	5.0
SW Neighborhoods SFSU - Ingleside - Excelsior	118	4.6
Western Addition	13	0.5
Richmond District	95	3.7
Sunset District	151	5.9
<i>Presidio</i> <sup>6</sup>	59	2.3

<sup>6</sup> Pending Memorandum of Understanding between the SFMTA and Presidio Trust.



The table above shows the minimum thresholds in Key Neighborhoods for a fleet of 2,500 scooters, corresponding to [this service area map](#). Note that specific thresholds and geographies are subject to change at SFMTA's sole discretion and will be confirmed when the permit is modified to reflect the expanded fleet.

### **Other Guidance**

#### *Inclement Weather Caveat*

Given the unknown safety implications of operating powered scooters in inclement conditions, the SFMTA allows for an 'Inclement Weather Caveat'. While permittees may still choose to deploy some or all their permitted fleet, they shall not be held to deployment and distribution standards on any day where rain accumulation reaches 1/10th of an inch over the course of 24 hours, as reported by the National Weather Service.

Additionally, to protect the health and safety of operations staff, permittees shall also not be held to deployment and distribution standards on any day where the observed Air Quality Index (AQI) in San Francisco exceeds 150 ("Unhealthy"), as reported by the Environmental Protection Agency on [www.airnow.gov](http://www.airnow.gov), OR on any day where the forecast in the preceding day indicated that AQI would exceed 150 (for example, a forecast produced on Monday showing Tuesday's AQI exceeding 150).

#### *Transit Connectivity & Mutual Aid*

While not required, distributing scooters peripheral to transit lines and key transit stops, stations, and hubs may increase the likelihood of Powered Scooter Share services being used as a last-mile solution. Powered Scooter Share also stands to serve as a helpful solution in the event of majorly impacted transit service. The SFMTA may request Permittees to deploy along key transit routes that have seen service cuts or disruptions due to the Covid-19 Emergency.



## Appendix 6

# Powered Scooter Share Program Permit: Sustainability Guidelines and Requirements

### **OVERVIEW**

This document provides guidelines for complying with requirements and specifications of the Powered Scooter Share Permit Program which are related to SFMTA’s Sustainability and Climate Action Program. These requirements are consistent with the City’s Guiding Principles for Emerging Mobility Services and Technologies, which aim to ensure that emerging services, such as Powered Scooter Share, support the city’s commitment to improving the quality of life and the environment by reducing greenhouse gas (GHG) emissions and expanding access to zero- or low- emissions transportation options. The following guidelines instruct permittees on how to avoid or mitigate negative environmental externalities associated with Powered Scooter Share programs and clarify best practices for monitoring and sharing relevant data with the SFMTA.

### **PURPOSE**

The existing Powered Scooter Share Pilot Program has yielded notable public benefits as a useful component of San Francisco’s transportation system. Initial findings suggest that powered scooters may replace Transportation Network Company (TNC) trips and induce transit trips, and thereby serve as an effective and low-emission last-mile solution. However, non-revenue vehicle miles traveled (VMT)—i.e. mileage associated with operations activities such as recharging, rebalancing, and maintenance—have also been substantial, and the overall environmental impact of scooter share programs is still unknown.

The SFMTA is committed to improving the quality of life and the environment in San Francisco. Both the SFMTA’s Strategic Plan and the Transit First Policy describe this commitment to sustainable transportation:

#### SFMTA Strategic Plan Goals and Objectives

- Goal 2 - Make transit and other sustainable modes of transportation the most attractive and preferred means of travel.
  - Objective 2.2: Enhance and expand use of the city’s sustainable modes of transportation.
- Goal 3 - Improve the quality of life and environment in San Francisco and the region.
  - Objective 3.3: Guide emerging mobility services so they are consistent with sustainable transportation principles.



### Transit First Policy Principles

To ensure quality of life and economic health in San Francisco, the primary objective of the transportation system must be the safe and efficient movement of people and goods.

1. Within San Francisco, travel by public transit, by bicycle and on foot must be an attractive alternative to travel by private automobile.
2. Decisions regarding the use of limited public street and sidewalk space shall encourage the use of public rights of way by pedestrians, bicyclists, and public transit, and shall strive to reduce traffic and improve public health and safety.
3. The City and County shall encourage innovative solutions to meet public transportation needs wherever possible and where the provision of such service will not adversely affect the service provided by the Municipal Railway.

The Sustainability Guidelines and Requirements strive to accomplish the following:

1. Ensure permittees incorporate best practices in scooter design;
2. Ensure permittee operations maximize energy efficiency and utilize clean energy sources; and
3. Ensure permittee's compliance with the City's Zero Waste, and Producer Responsibility Policies.

### **SUSTAINABILITY GUIDANCE**

Permittees shall describe how the operator will adhere to the following in their Recharging, Maintenance, Cleaning, and Sustainability Plan:

1. Device Best Practices
  - a. Incorporate Swappable Battery Design
    - i. Swapping batteries on-site stands to increase the longevity of powered scooter devices, improve efficiency by reducing the need to remove scooters from the street for servicing, and decreases fire risks and other hazards from unsupervised contractor charging in private homes.
  - b. Battery Requirements
    - i. Proof of UL 2271 and 2272 battery certifications from manufacturer, and
    - ii. Test results from a qualified independent lab demonstrating each model scooter put into service meets or exceeds California Vehicle Code 21223.
2. Energy Usage and Efficiency
  - a. Use clean energy sources, such as the 100% greenhouse-gas-free energy offered through the City's CleanPowerSF program.
  - b. Incentivize or require devices to be recharged within San Francisco.
  - c. Research and invest in durable powered scooters to increase fleet's longevity and to minimize scooter production environmental footprint.
  - d. Streamline recharging/redistributing activities to minimize Non-Revenue VMT to the extent possible and consider employing non-auto modes (i.e. cargo bicycle) for non-revenue/operations activities.



3. Transit-Friendly Best Practices
  - a. Employ variable rates, gamification, or other incentives to prioritize short trips, maximize fleet availability, and discourage an overconcentration of scooters.
  - b. Offer and promote incentives to start or end trips along key transit lines or at transit hubs and encourage connections to transit as a last-mile solution.
  - c. Establish a plan for modifying service to facilitate travel throughout the City in the event of a major issue that interrupts regular transit service.
4. Zero-Waste and Producer Responsibility
  - a. Life-Cycle Analysis (LCA) Requirement
    - i. Demonstrate and verify environmental impacts associated with all stages of scooter model(s) life span. Can include social impacts as well and share steps that will be taken to incorporate findings into the company's operations (i.e. prioritizing deployment of the less impactful model or adjusting the model's design to reduce harmful impacts).
  - b. Take responsibility for scooters throughout their life cycle, including:
    1. Ensure scooter fleet is appropriately sized to maintain minimum number of active scooters without excessive consumption/waste;
    2. Proactively reduce the need for new scooters through repair, resale, or redistribution for reuse;
    3. Reuse scooter parts where possible;
    4. Properly manage hazardous components including batteries; and
    5. Recycle all components of non-working scooters to the maximum extent possible.
  - c. Designate a company contact person/employee to collect permittee's scooters that are lost, damaged, or abandoned on the street, or that end up in the solid waste stream.
  - d. Attend the Mobility Device Battery Roundtable, hosted by the SFMTA and San Francisco Department of Environment.
    - i. The SFMTA, San Francisco Department of Environment, and Recology will host a roundtable event in September or October 2019 to discuss proper battery management and disposal with all shared mobility operators. Permittees will be required to attend this event.

## **DATA & REPORTING REQUIREMENTS**

1. Permittee shall track and report the following metrics monthly to the SFMTA:
  - a. Redistribution, Charging, and Maintenance Activities
    - i. Number of trips generated by operational activities, including collecting, redistributing, and recharging scooters, and



- ii. Non-Revenue VMT for operations vehicles performing cleaning, maintenance, repair, recharging and rebalancing tasks.
    - o i. and ii. will be reported as monthly and year-to-date totals and will also be broken down by vehicle type and/or fuel efficiency.
    - o i. and ii. pertain to both employees and independent contractors.
    - o Strong applications will clearly describe a process to monitor and report metrics pertaining to both employee and contractor operational activities.
  - iii. Record of maintenance activities, including but not limited to the scooter identification number and type of maintenance performed (reported to the SFMTA on an as-requested basis).
  - b. Energy Source & Use
    - i. Source/provider of electricity used to recharge scooters, and the location(s) where charging occurs.
      - o Pertains to charging activities conducted by both employees and contractors. Where electricity source of contractor is unknown, charging location may be reported instead.
    - ii. Fleet-wide average number of kilowatt hours per mile per scooter.
    - iii. Fleet-wide average lifespan of powered scooters.
  - c. Zero Waste Goals
    - i. Number of scooters in use on the first and last days of the month
    - ii. Number of working scooters resold or donated during the month
    - iii. Number of scooters lost or missing on the last day of the month
    - iv. Number of non-working scooters in storage on the last day of the month
    - v. Number of non-working scooters disassembled for parts during the month
    - vi. Number of non-working scooter parts that are sent to landfill during the month, broken down by part type.
      - a. Percentage of non-working scooter parts that are recycled during the month, broken down by part type.
    - vii. The total weight of non-working scooters and scooter parts recycled off-site during the month
    - viii. The total weight of non-working scooters and scooter parts sent to landfill during the month
    - ix. The number, size and chemistry of scooter batteries disposed, location of disposal, and receipt(s) verifying disposal. Refer to the California Department of Toxic Substances Control's [Universal Waste Fact Sheet](#) for guidance on proper management of spent or unwanted scooter batteries.
2. Reporting Format
- a. A reporting template will be provided prior to permit issuance.

Permittees must monitor the above requirements. Failure to comply with the applicable terms and conditions may result in permit revocation.